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House of Representatives

The House met at 10 a.m and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 27, 2013.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

SEQUESTRATION WORKDAYS

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

Mr. BROOKS of Alabama. Madam Speaker, Secretary of Defense Leon Panetta states sequestration ''would be a disaster in terms of the Defense Department. As far as our budget is concerned, as far as our ability to respond to the threats that are out there, it has a big impact.''

Over time, sequestration's disproportionate cuts to national defense will reduce our military to its smallest number of uniformed personnel since before World War II, its smallest number of operational naval vessels since World War I, and its smallest number of operational aircraft in the history of the United States Air Force.

But national security is not the only sequestration risk. In my home district in north Alabama, President Obama has ordered that roughly 14,000 highly skilled and irreplaceable Department of Defense civilian employees suffer 20 percent furloughs and 20 percent salary cuts.

Redstone Arsenal's engineers, scientists, and other civilian defense staff are critical to national security in a time of international instability. Their knowledge and skill sets are unique, virtually irreplaceable, and may be lost to national security forever if these workers are forced to find work elsewhere.

The damage I've just described to north Alabama's economy is before President Obama starts hammering defense and NASA contractors and many other Tennessee Valley Federal employees who provide worthwhile services to their country.

Nationwide, the economic impact is absolutely staggering. Sequestration risks 1.5 to 2 million job losses, with a resulting 1 percent worsening of America's unemployment rate. It is unwise to subject America's fragile economy to job losses of this magnitude.

For emphasis, and despite White House, Senate leadership, and House leadership efforts to the contrary, I voted against sequestration and the Budget Control Act of 2011, quite frankly, because the risk to America was simply unacceptable. Unfortunately, my vote was in the minority.

In 2012, and despite President Obama's veto threats, the House twice passed legislation to fix sequestration. In response, the Senate not only refused to vote on the House's sequestration solutions, the Senate irresponsibly refused to propose solutions of its own. Hence, despite the Senate enjoying more than a year and a half to do its job, Senate inaction and delay have given America yet another short-term crisis.

So here we are. America faces three major crises: Sequestration, a continuing resolution to fund the government, and yet another debt ceiling crisis.

While I agree with the House leadership's view that, since the Senate has done nothing to solve this problem, it is appropriate for the Senate to act first on sequestration this time, I am troubled the House is scheduled to work only 24 days in March and April, combined. Conversely, there are 19 workdays in which the House is not in session. Stated differently, the House will only work 56 percent of workdays and be on recess from Washington 44 percent of the time.

The American people work on workdays. Congress should do no less. Actions speak louder than words. Under the circumstances America faces, a part-time Congress is simply unacceptable.

As sequestration unfolds, as national security, Federal Government functions, and the American economy slowly but surely deteriorate, the American people will intensify pressure on HARRY REID's Senate to finally do its job.

Americans are suffering. National defense is suffering. The suffering of Americans is not in recess during this crisis. Congress should not be in recess either.

We signed up to do a job, and that job is not done. The House must provide leadership and prove we are serious about doing the people's business, and Washington is where the people's business is done.

Given the magnitude of the risks and damage done by sequestration to America on a daily basis, I respectfully request that the House remain in session and do our jobs on each and every

workday until sequestration is resolved.

The House has passed numerous sequestration solutions. It is long past time for the Senate to wake from its slumber, respond to the clarion call of the American people, and pass a sequestration solution.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Madam Speaker, in recent years we've seen an increase in major weather events, especially in the continental United States. From record-setting superstorms to severe droughts and devastating wildfires, the recent impact of climate change cannot be ignored.

In my home State of New Mexico, ranchers and farmers are struggling to maintain their livelihoods in the face of drought conditions, while last year wildfires threatened communities that have still not fully recovered.

A rapidly changing climate affects everyone on the planet. Climate change impacts agriculture, water supplies, power and transportation systems, and even our health and public safety.

In the aftermath of Hurricane Sandy and one of the worst wildfire seasons in the western United States that we've ever seen, it's time to work together on commonsense solutions that will allow us to use power in a smarter manner, produce clean and abundant renewable energy, and reduce emissions through energy efficiency. These are things we should be able to agree on and work together on in a bipartisan manner.

It is critical that we move forward with a sense of urgency and take meaningful action that addresses the very real threats of climate change that are already impacting our country.

Sequestration is devastating America today. Madam Speaker, we just heard from one of my colleagues. This week we're scheduled to go on recess on Friday. I hope that my colleague that spoke today, Madam Speaker, reaches out to Speaker BOEHNER and ERIC CANTOR and says, Keep us in session. Let's stop this sequestration from happening. And it's quite simple. The fix to this legislation could be put together in one sentence: Stop it. I guess even better, in two words.

Madam Speaker, we have a sense of urgency across the country when it comes to working on climate change legislation, but as we talk about the impacts to each and every one of our districts with what sequestration will bring with job losses, let's stand together and stop this. Let's ask our leadership to allow us to vote on a simple couple of words: Stop sequestration, and let's prevent it from happening.

SEQUESTRATION: THE LAST TOOL WE HAVE

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

Mr. MCCLINTOCK. Madam Speaker, the decline and fall of the Roman Empire offers us a sobering warning of a great nation that became overextended and war-weary abroad while it became utterly profligate and decadent at home. Its economy in shambles and its treasury bankrupt, the mightiest military power on Earth fell prey for backward hordes that had previously existed only on the fringes of civilization.

Now, 3 years ago Admiral Mike Mullen warned our Nation that our national debt is our biggest national security threat. Now, that was 3 years ago when our debt stood at $13.5 trillion. Today we owe over $16.5 trillion. In other words, just since he issued this warning, we've added more to our country's debt than we did in our Nation's first 200 years of existence.

No nation has ever taxed and borrowed and spent its way to prosperity, but many nations have taxed and borrowed and spent their way to economic ruin and bankruptcy, and history today is screaming this warning at us, that bankrupt nations aren't around very long because before you can provide for the common defense, you have to be able to pay for it, and the ability of our Nation to do so is now coming into grave question.

□ 1010

Now, just in the first 4 weeks of this year, Congress added more than a third of a trillion dollars of new spending to this already crushing burden. The fiscal cliff deal added $300 billion and the Hurricane Sandy bill another $50 billion, more than 90 percent of which had nothing to do with emergency relief for storm victims.

Earlier this month, Congress simply did away with the debt limit altogether until mid-May. Two years ago, Congress passed the Budget Control Act that authorized the biggest single expansion of debt in our Nation's history; but Congress at least also agreed to reduce the projected deficit by $1.2 trillion over the next 10 years, either through the supercommittee or, failing that, through automatic budget reductions called ''the sequester.''

Now, the sequester doesn't actually cut spending in any conventional sense of the word. After a decade in which spending has grown 64 percent, or nearly twice the rate of inflation and population growth, the sequester merely limits the increase next year to about one-half of one percent.

I opposed that act, in part because the sequester was less than one-third of what officials at Standard & Poor's warned was the minimum deficit reduction necessary to preserve our Nation's AAA credit rating. I also objected to across-the-board cuts that treat our highest priorities the same as our lowest priorities and to the disproportionate impact that it would have on our defense budget. Those warnings fell on deaf ears at the time.

But since then, twice the House has tried to correct these shortcomings with legislation to replace the worst of the defense cuts with long-term entitlement reform. Ultimately, that's the only way we're going to bring our fiscal crisis and its spiraling debt under control.

Both measures died in the Senate; and after the November election, the likelihood of entitlement reform over the next several years is exceedingly remote, which means that however imperfect the sequester may be, it is at this moment in our history the only tool currently available to us to begin to point our Nation back toward fiscal solvency and away from the perilous fiscal path that we are now upon.

We need to give administrators, especially the military command, the flexibility to set priorities and manage our money accordingly; but the overall sequester reductions must be maintained.

A few months ago, the chief of sovereign debt for Standard & Poor's made this point: that although the sequester was insufficient to justify maintaining our AAA credit rating, it was at least a step in the right direction. He said:

> The sequester was an agreement that Congress made with itself, and we would view any step back from that agreement very negatively.

Madam Speaker, when the history of our era is written, let it not be said that ours was a generation of locusts that consumed not only the wealth we inherited from our fathers and mothers, but also stripped bare the futures of our sons and daughters. Let us instead begin a new direction for our Nation, stepping back from the fiscal precipice that threatens to destroy our Nation from within.

INSURANCE PREMIUM PRICE CHANGES

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

Mr. MCDERMOTT. Madam Speaker, I rise to talk about the health insurance industry and its role in our greatest national achievement: full implementation of the Affordable Care Act.

In the last few weeks, insurance companies, companies that reported $12.7 billion in profits, had been running a scare campaign arguing that premiums will increase later in the year. They tell us that when they roll out their 2014 health care coverage plans, they will increase premiums unless we weaken the Affordable Care Act's key consumer protections.

The insurance companies didn't get 100 percent of what they wanted, but they got a lot. They blocked the public option, secured an individual mandate guaranteeing that 30 million Americans soon will be customers. That's one

of the most successful lobbying experiments I've ever seen.

But now that we are just a few months away from full implementation of the Affordable Care Act, the health industry is launching what The Washington Post calls ''an all-out, last-ditch effort to shield themselves from the blame'' for the rate increases that they will impose. Unless they are allowed to charge significantly more money, they tell us, the whole system will collapse.

Now, this is perplexing. We made every effort to address the concerns of the industry when we developed this landmark legislation. It's also deeply troubling that the industry that will gain so much from health reform is now engaging in a misleading PR campaign against it. Despite unprecedented profits and surplus cash reserves, it is deliberately undermining the law. It already succeeded in shaping its benefits.

So let's take a careful look at their claims. For years, companies have offered healthy young adults junk health insurance at cut-rate prices: plans with sky-high deductibles and lifetime limits that didn't cover much. For $100 a month, you could get a plan that offered practically no useful coverage.

Meanwhile, older people with escalating health care costs were stuck with crippling bills or locked out of the market altogether. Across the board, plans dropped consumers, coverage changed without warning, and people of all ages went without care. ObamaCare will finally put a stop to these abuses.

With better plans with real benefits costs, more than the meager plans marketed by the industry to young people, the stability and affordability will win out in the long run. There are no more games. Instead of avoiding risk, the industry will have to manage it.

ObamaCare will financially help the large majority of healthy young consumers. In fact, 90 percent of the currently uninsured adults under 30 will be eligible for subsidized coverage. Additionally, increased transparency and competition will force rates to drop further, along with the growing pool of young participants who are cheaper to cover. We did all this in my home State of Washington years ago, so I know it can be done.

For the first time, average Americans not insured through a job will get health insurance without having insurance that won't drop you when you're sick, insurance that won't discriminate against women, insurance that won't waste your money on excessive marketing, and will actually cover needed care. These are the crucial consumer protections we fought and got.

Which is the heavier price: an extra $20 a month for a young person with a healthy income to have reliable insurance or bankrupting an uninsured family? Meeting the needs of the Nation and preserving the well-being of our population is healthiest for all.

So I'm calling on the health insurance industry to be team players and to be good corporate citizens. They have a lot riding on this roll-out, at least as much as the Obama administration and the Congress. We need to work together, not against each other. We have to make this advance work.

We don't need to have a scare campaign on television telling people that if ObamaCare goes in, your premiums are going to go up, and it's his fault. They're the ones with the profits, they're the ones with the reserves, they're the ones that are raising the prices.

They have to be faced with that, Madam Speaker, because otherwise the public is going to be confused. They tried to confuse people all through the establishment of the Affordable Care Act. They didn't succeed. And, in fact, when they used it in the campaign, the people said, do you know what, we like Obama, we like what he did, we want it to happen. So the insurance companies had to go back to the trenches and figure out a way to confuse the American people. Stop it, insurance industry.

SEQUESTRATION

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

Mr. WILLIAMS. Madam Speaker, President Obama's sequester is bad for America. There's no getting around it. Good programs are going to be cut, good people are going to be furloughed; and bad leadership from President Obama is to blame. In the last four years, almost every important budget deadline has been met with impasse and little has been done to enact a responsible budget.

□ 1020

Systematic failure to perform the basic responsibilities of governing has led us to the catastrophic sequestration we see today.

President Obama came up with this idea for the sequester as a temporary solution for another fiscal crisis in 2011. As we've been saying for months, House Republicans are the only ones who have taken action to balance the budget. Last Congress, the House passed two bills, the Sequester Replacement Reconciliation Act and the Spending Reduction Act. However, in recent remarks at the White House, President Obama attempted to blame House Republicans—who control only one-half of one-third of the government—for the looming cuts.

If there's going to be a solution, President Obama is going to have to work with his own political party in the Senate and negotiate with the House. Yet all the President has done so far is call for higher taxes again. He got his higher taxes—$600 billion from higher earners, with no corresponding spending cuts—at the end of 2012. It seems he will not stop until every single American has to hand over more of their hard-earned money to the Federal Government—which, I might add, has a bad track record of spending it.

There is no denying that the government spends too much, but these blind cuts are irresponsible and will have a disastrous effect on our military. Yesterday, the Joint Chiefs of Staff testified at a hearing that our national security will be put at risk if they are forced to make deep reductions in spending for manpower, training, and equipment modernization programs.

This is no longer a debate between Congress and the White House to gain the upper hand. This is real, this is serious, and this is the time to take action. In fact, I sent a letter to the President this week urging him to act now to prevent the harmful fallout that the sequester will cause. I pray that he reads it.

While Friday does mark the sequester deadline, we have until March 27 to do the right thing on behalf of our men and women in uniform, as well as the hundreds of thousands of employees expected to be drastically impacted by the sequester.

If the President continues his unwillingness to stop campaigning and start helping the American people who elected him to lead, then at the very least we need to allow the Department of Defense and the Department of Veterans Affairs to operate under a budget rather than a continuing resolution. This would give them greater flexibility and put them in the best possible position to absorb these across-the-board cuts. By letting the DOD and VA operate under a budget, these agencies can prevent permanent damage from the arbitrary sequester cuts.

Madam Speaker, I represent Texas' 25th Congressional District, which includes a large portion of Fort Hood—one of the largest military installations in the world. The United States Army estimates $291 million in cuts for Fort Hood, including nearly 600 civilian jobs and nearly 30,000 jobs statewide.

This is preventable. And quite frankly, it's totally unacceptable. We shouldn't have to move a third bill in the House before the Senate finally acts. It's time for President Obama to drop the politics and campaign speeches and do something. Putting our public safety, national security and economy at risk by letting the sequester pass without preventative action is reckless and destructive. Our troops, our businesses, and our families deserve better. Americans expect our President to lead.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 25, 2013.

Hon. BARACK H. OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: I am writing to express my outrage over the proposed cuts to the Department of Defense as part of the sequestration phase of the Budget Control Act of 2011. As commander-in-chief of the U.S. military, your inaction to prevent these cuts from happening to our military and their families is unconscionable.

In the 112th Congress, the House of Representatives passed two bills, H.R. 5652, the Sequester Replacement Reconciliation Act of 2012 and H.R. 6684, the Spending Reduction Act of 2012 which would have canceled the sequester of approximately $98 billion in discretionary defense, discretionary non-defense, and mandatory defense FY2013 spending. Neither bill was even considered by the U.S. Senate. The House of Representatives shouldn't have to move a third bill before you or the Senate finally acts.

Secretary of Defense Leon Panetta recently stated, ''If sequester happens, it is going to badly damage the readiness of the United States of America. We have the most powerful military force on the face of the earth right now. It is important in terms of providing stability and peace in the world. If sequester goes into effect, and we have to do the kind of cuts that will go right at readiness, right at maintenance, right at training, we are going to weaken the United States. And make it much more difficult for us to respond to the crises in the world.''

Gen. Martin Dempsey went further in recent testimony before the Senate Armed Services Committee and stated that sequestration would put our military on a path where the ''force is so degraded and so unready'' that it would be ''immoral to use the force.''

Mr. President, I represent the 25th Congressional District of Texas which includes a large portion of Fort Hood—one of the largest military installations in the world. The United States Army estimates $291 million in cuts for Fort Hood including nearly 600 civilian jobs, and nearly 30 thousand jobs statewide. This is preventable! Let's cut the nonsense—drop the politics, drop the campaign speeches, and do something.

We shouldn't put our national security, public safety, and the economy at risk by letting the sequester pass without preventative action. Our troops, our businesses, and our families deserve better. Mr. President, Americans expect you to lead.

Sincerely,

ROGER WILLIAMS,
Member of Congress.

SEQUESTER

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

Ms. SINEMA. Madam Speaker, my State, Arizona, has made tremendous sacrifices in the struggle to stand strong through our Nation's fiscal crisis. Today, Arizona is last in education funding, last in retail growth, and first in home foreclosures.

I'm proud to say, however, that Arizonans are resilient. We are tough. Our State was forged out of rugged frontierism—we're independent and we have deep respect for the traditions that make us Arizona. We've never shrunk from a tough fight and we've never been afraid to roll up our sleeves and work hard. Right now, we're working hard to climb out of the recession that we all face together. It hasn't been easy, but we're doing it.

Arizona is sixth in the Nation for defense sector jobs. Most of these are private sector jobs. Employers have come to Arizona because of our people and our work ethic. We innovate and compete alongside booming defense States like California, Texas, and Virginia. Employers are hiring thousands of skilled workers from our communities. Our State is a vital resource to our Nation's military readiness. We were able to get there through hard work, innovative thought, and intense collaboration between community and industry partners.

In the greater Phoenix area, our economy is currently growing steadily at the rate of 3 percent, but the deep cuts, known as the sequester, would cut our growth in half. In fact, Arizona's potential job losses caused by sequestration rank 13th among all U.S. States. These losses will be felt by families working in Arizona's defense sector and military base operations. These are skilled, middle class jobs.

Of the nearly 50,000 jobs that we expect to lose in Arizona from the sequester, approximately 35,000 are linked to military readiness and base operations. Furloughs will affect 10,000 civilian workers, and Arizonans will experience a devastating $52 million pay cut.

I come home each week and I talk about the work that we're doing in Congress, but most of the time I come home to listen. A few weeks ago, I had the opportunity to listen to plant engineers at General Dynamics in Scottsdale. They showed me the high-tech and innovative defense products that were coming right out of our own community, built and programmed by our friends and neighbors. This type of innovation in our own backyard is the future of our State, and that future is in danger.

Last week, a bipartisan group of city elected officials, business leaders, and community advocates gave me a message to bring back to Congress. I'm proud of their joint effort, and I'm proud of their service to our community. I consider it a privilege to deliver their message.

In our State, we are concerned that Congress will turn the clock back on Arizona's hard work and progress. We are worried about hardworking families losing their jobs.

As the granddaughter of a World War II veteran and a proud sister of a gunner's mate in the U.S. Navy today, I remember every day that it is our moral duty to do right by the men and women in uniform who risk their lives to keep us safe.

Avoiding the sequestration should not be about partisanship or finger-pointing; it's about jobs. It's that simple. I stand with the dean of our State's delegation, Senator JOHN MCCAIN, when I say that this sequester will be devastating for Arizona. It's bad for hardworking Americans, and it turns a blind eye to my State's proud efforts and proven perseverance. I affirm my commitment to working with anybody who's willing to put our differences aside and put the people we serve first.

We still have time to stop this. Let's roll up our sleeves together and get the work done.

SEQUESTER

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

Mr. QUIGLEY. Madam Speaker, I rise today because we have to get our fiscal house in order, but sequestration is not the way to do it.

There is no question we need to address our unsustainable debt and deficit. Our debt remains above 73 percent of GDP—up from 36 percent just 6 years ago—and our deficit still hovers just below $1 trillion. But the solution must be a big, balanced, and bipartisan deficit reduction plan modeled on plans like Cooper-LaTourette over a 10-year period, not the meat-ax approach of sequestration.

We can't pursue deficit reduction at all costs. The cure shouldn't be worse than the disease. The sequester will undermine our growing—but still fragile—economic recovery.

The nonpartisan Congressional Budget Office predicts sequestration would halve economic growth for 2013. Another study projects job loss in 2013 alone would hit 2.1 million jobs, mostly from small businesses. We just went through this not more than 2 months ago, as we remember, the fiscal cliff. Sadly, we seem no wiser for that experience. We continue to bicker rather than plan; we posture rather than negotiate; we delay rather than decide. We go from one crisis to the next, thereby threatening our economy and further undermining the public's tenuous faith in its political institutions.

We lack a comprehensive approach to just about every challenge we face, including climate change, energy, transportation, health care, social insurance, defense spending, immigration reform and gun violence. It is management by paralysis. It's budgeting with a meat cleaver. It's absurd, and it has to end.

The sequester lops off $1.2 trillion from the Federal budget over the next decade, cutting $85 billion just this year.

□ 1030

Over the last week, I have met with dozens of groups for whom the sequester is not some abstract budgeting term. For these organizations and people back in my district, sequestration will have real, damaging effects.

I met with the AIDS Foundation of Chicago, which explained that under sequestration in Illinois, 125 AIDS-afflicted families will lose their housing. Another 613 people in Illinois won't receive their medication through the AIDS Drug Assistance program, which will be cut by $3 million. I also met with the Illinois Partners for Human Service and heard from the Ounce of Prevention Fund. Both groups informed me that 4,000 children in Illinois won't receive Head Start services under sequestration. Thanks to sequestration, 4,100 college students in Illinois won't receive Federal work-study assistance.

The bigger picture in Illinois is equally devastating. Sequestration will cost Illinois more than 53,000 jobs and $5.3 billion in the State's economic output. Nationwide, sequestration threatens our physical safety as well as our economy. Ten percent of the FAA's workforce could be furloughed, resulting in reduced air traffic control, longer delays, and economic losses for our tourism industries. Meat and poultry inspectors at USDA would also face furlough, potentially shuttering meat processing facilities and even affecting restaurants and grocery stores. Layoffs at the FDA would mean 2,100 fewer safety inspectors. There would be 25,000 fewer breast and cervical cancer screenings for low-income women. Mindless cuts to military and law enforcement affect our ability to protect our borders and meet the ever-present threat of terrorism, both here and abroad.

Madam Speaker, this is unacceptable. Somewhere along the way, buried in the din of the 24-hour news cycle and partisan bellowing, we lost the art of compromise. But that's what allowed the passage of civil rights legislation in the 1960s and saved Social Security in the 1980s. Legislators of both parties sat down and talked to each other, not past each other, to hammer out their differences and achieve something that made this country better.

I have no illusion that everyone in this body agrees with my ideas about reshaping Pentagon spending or reforming entitlements to ensure they provide benefits for generations to come; but I do know that making the changes that are best for the long-term interests of this country can't be accomplished overnight. These decisions require our best effort and precise planning. As the threat of sequester has painfully revealed, a chain saw is no way to create a budget for the most powerful country on Earth.

JUMP-STARTING THE ECONOMY

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

Mr. POCAN. Madam Speaker, as a lifelong Wisconsinite and a proud resident of Madison for the last 30 years, I am deeply humbled and honored to represent Wisconsin's Second District in the House of Representatives. The Second District is home to a world-class university, innovative small businessowners, and hardworking dairy farmers and cheese makers who produce the best milk and cheese you can find.

I ran for Congress because I wanted to ensure these voices, the voices of south central Wisconsin, are heard, respected and represented in Washington. And I am committed to serving their needs by working with my colleagues—all of my colleagues—regardless of party affiliation. But I hate to say it, Madam Speaker, right now the people of Wisconsin's Second District are frustrated, and I understand why. When I went home last week, I met with people from all kinds of professions and all walks of life, and their concerns could not have been more different from what we talk about right here in Washington. What they care about is what all families care about: how can they make a living so they can pay their bills, provide for their loved ones, and create opportunities for their children.

They don't care about political finger-pointing. They care about how we in Congress can support an environment where businesses can attract more buyers for their products, hire more workers, and increase wages; in other words, how do we grow the economy.

What I told them, and what I'll repeat here today, is that the sequester and its irresponsible, indiscriminate and across-the-board spending cuts is the exact opposite of what we need to be doing right now to grow our economy. Taken as a whole, these spending cuts represent a harsh austerity policy that I fear could only move our country backwards.

We've seen in Europe the severe effects austerity policies have had on fragile economies working their way back from recessions. Four years after the global economic crisis, our friends across the ocean are at risk of a triple-dip recession. Unemployment is climbing; and even with these massive spending cuts, countries have seen their debt loads increase. Is this the model we want to follow in our country?

Madam Speaker, we must remember that the biggest threat to our long-term economic security is not the deficit. It's the economy. It's a lack of jobs, and it's about the more than 12 million people who are unemployed in this country.

I own a printing shop in Wisconsin; and as a small businessowner, I can tell you that it's about the lack of access to capital because of economic uncertainty, it's about a lack of consumer confidence, and it's about people needing to get back to work. These are the issues we need to address, not austerity; and we are not going to create jobs or help spur spending by gutting critical government programs without any thought to the consequences. To people in Wisconsin, that's just politics as usual.

We need to change the conversation right here in Washington. We need to be talking about what people are talking about in Beloit, in Baraboo, and in Sun Prairie. Instead of asking about how much we can cut, we need to be asking ourselves how we can jump-start the economy, how we can invest in our future, and how we can support our local small businessowners who are the backbone of our communities. That's how we'll fix the economy.

We need to support education, infrastructure projects, research and development, and new industries such as green energy that will help lead to job growth and bring our unemployment rate down. And by growing the economy, we will fix our fiscal problems.

Now, that doesn't mean I don't see a place for responsible restraint. As the former chair of the Joint Finance Committee in Wisconsin, I understand that when you put together a budget, tough decisions have to be made, and you can stay up all night agonizing over the smallest details, the tiniest programs, because these programs make a difference in people's lives. It's a lot of work, and it should be, because our budget priorities have a direct effect on our middle class families and on long-term economic growth. But the sequester trades in the tough work and replaces it with massive, indiscriminate, and irresponsible spending cuts. It's like taking a meat cleaver to the budget instead of a scalpel.

It could cost 750,000 jobs nationwide, including 36,000 jobs right in Wisconsin. It could mean 70,000 students across the country, and 1,000 in my State, would see their Head Start services eliminated this year, and it would mean $900 million less in loan guarantees to small businessowners nationwide, including in Wisconsin.

Now, I'm a cosponsor of a plan put forward by Representative VAN HOLLEN that would avert these disastrous spending cuts and replace them with a balanced approach that promotes economic growth while responsibly reducing the deficit. I strongly urge my colleagues to come to the table, stop this irresponsible sequester, and then refocus our efforts.

The time has come to stop talking about harmful spending cuts and start talking about getting the people of Wisconsin and of America back to work. We need less austerity and more prosperity. We don't have time to waste.

SEQUESTRATION AND WEST POINT

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

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, earlier this week, I was home in the Hudson Valley at the United States Military Academy at West Point talking to the cadets there to better understand these arbitrary cuts to that legendary American institution that will happen if we fail to act.

West Point has been educating and training our Nation's next generation of military leaders since 1802. It is as old as the Nation itself. Each year, over 1,000 young men and women from all across our country step into the long gray line where two American Presidents, 18 astronauts, 74 Medal of Honor recipients, 70 Rhodes Scholars, and three Heisman Trophy winners have stood before them.

These kids take the hard road. They give up the easy life to serve us and our country. For many of them, their time

at the Point is just the beginning of a lifetime of selfless service. Indeed, scores of West Point graduates—recent West Point graduates—have made the ultimate sacrifice serving us in Iraq and Afghanistan.

While I was there, I had the opportunity, in fact, to walk among the graves of the heroes buried there on that beautiful plain high above the Hudson River. Many are buried by year with the classmates with whom they went to school.

Tomorrow, General Norman Schwarzkopf will be laid to rest in this cemetery; and in that very hour, we will be here facing a choice of whether we will ask more of those who love and serve West Point or whether we will look elsewhere.

□ 1040

If we do nothing, sequestration will clobber West Point with $92 million in arbitrary cuts. In fact, West Point is taking the biggest cut of any Army institution in New York. Sequestration means that our cadets will continue to live and train in outdated facilities that are over 40 years old. It means that furloughs will happen for 1,300 employees working there.

The men and women who feed, instruct, and protect our Nation's next generation of military leaders shouldn't lose their jobs because this Congress can't do ours. Sequestration is a terrible idea. It is the dead hand of the last Congress reaching out to strangle economic activity. We are 2 days away from the deadline, and there are people here who actually think it's a good idea to let it happen.

I believe we need to cut spending. I believe we need to bring down our debt and start balancing our deficit. But we have choices: we can end lavish tax breaks to private jet owners before we ask the kids at West Point to do with less; we can stop giving tax breaks to companies that ship our jobs overseas before we weaken the Long Grey Line; and we can end massive tax cuts for oil companies before we weaken a great American institution like West Point.

This Congress has a clear choice. And for those colleagues who choose to do nothing, I ask you to head home to your district and explain to the kids whom you nominated to West Point that these are good ideas and necessary sacrifices, that it's better for them to sacrifice than for private jet owners, for big oil companies, or for companies that ship our jobs overseas.

The Army's motto is ''This we'll defend.'' West Point is something that we should defend because the cadets there will continue to honorably serve all of us and our country.

Congress doing nothing is not a choice. It's not good for our cadets, and it's not good for our country. Let's stop this series of self-inflicted crises and work together to reach a balanced compromise to replace these across-the-board cuts with a smart, balanced approach that will address our fiscal challenges.

SEQUESTRATION

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

Mr. COURTNEY. Madam Speaker, it just came over the newswire a few minutes ago that on Friday morning, March 1, there will be a meeting at the White House involving President Obama, the leadership of the House, Speaker BOEHNER, and the leadership of the Senate, Senate Majority Leader REID to begin a process of talking about resolving the issue that we're obviously confronting as a Nation a few hours away, which is an automatic mechanism put into effect by the Budget Control Act of 2011 to cut discretionary spending across the board.

I begin with that point because, in fact, that really should have been happening months ago. In fact, that was the intent of sequestration, which is a mechanism that was created in 1985 by the Gramm-Rudman-Hollings legislation that set up the formula for sequestration that cut across defense and non-defense programs. And as Senator Phil Gramm, who was the inventor of sequestration, said in a speech a couple of years ago: It was never the objective of Gramm-Rudman to trigger sequester. The objective of Gramm-Rudman was to have the threat of sequester force compromise and action.

In other words, this was a mechanism that was designed to hurt. It was designed to create so much pain politically that the two sides, which again were in a similar point of gridlock in 1985, would begin the process of negotiation to deal with a structural deficit.

If you look at the history of what occurred from 1985 up until early 2000, that pressure actually did force Congress to face up to the fact that we could not continue to pile up deficits and burden our children and grandchildren with further debt. Unfortunately, in this present Congress, it's taken a little longer for the message to get through, but, nonetheless, the meeting that's scheduled on Friday morning hopefully is going to begin the process of having the two sides do what their predecessors did in the eighties and nineties and begin the process of a balanced plan to eliminate the structural deficit that our Nation confronts today.

Yesterday, President Obama was over in Newport News, Virginia, talking to shipyard workers about the fact that the Navy, which is obviously a critical part of our Federal Government, now has to hit spending cut targets over the next 7 months. We're 5 months into a fiscal year right now. They have begun the process of cancelling the refueling of the USS Lincoln, one of our 10 aircraft carriers which are so critical to force projection in this country. And he was absolutely right to be there. This is a program which, if it is cancelled or delayed, it's going to daisy-chain its way through our Navy's fleet of 287 ships which must be repaired and maintained constantly to make sure that they're available for operations.

I represent southeastern Connecticut, the home of Electric Boat shipyard that builds and repairs nuclear submarines. We have the USS Providence slated to come in for a needed overhaul and repair later this fiscal year. The Navy has notified the shipyard that that work is going to be suspended. That's 200,000 man-hours for welders, for shipwrights, for machinists, for electricians that do amazing work with incredible skills to make sure that our fleet is capable of meeting the mission requests that are out there. The USS Miami, which is a submarine that was burned in an arsonist fire last year, is another repair job which EB was going to be on the road helping the shipyard workers in Kittery, Maine, to make sure that that critical vessel was going to be back in the fleet. That project has now been put on ice because of sequestration.

These are just totally irrational, destructive outcomes for a bill which was designed to force compromise. It was not to be a policy, not to be an outcome. When you look at Admiral Greenert, the CNO of the Navy, who is one of the most outstanding leaders in our country, he has cancelled the USS Harry Truman, which is a carrier strike force that was scheduled to go over to the Middle East to fly air-cover missions for our troops in Afghanistan, to keep the Strait of Hormuz open where 20 percent of the world's oil supply passes every single day. This is a policy or an outcome that threatens the military readiness of this country. Secretary Panetta at the Department of Defense and General Dempsey, the Chairman of the Joint Chiefs, has made that crystal clear.

So the stakes could not be higher for our country to make sure that this process, which belatedly is starting on Friday morning, is going to result in smart, balanced ways to reduce the deficit.

I can offer one big idea that will get us to that point. I sit on the Agriculture Committee, which is a great bipartisan committee that's been working hard in terms of reforming ag policy in this country. It is time that the direct payment system to farms comes to an end. The good news is that Republicans and Democrats on that committee and Republicans and Democrats in this Chamber agree on that. We can help farmers deal with the vagaries of weather and unexpected events through risk insurance, which is far cheaper to the U.S. taxpayer than direct payments. That will save $30 billion over the next 5 years. That is a huge step forward that we can use as a building block to avoid these horrible outcomes and make sure that Senator Gramm's warning to us is heeded by this Chamber and by this Congress.

SEQUESTRATION

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

Mrs. KIRKPATRICK. Madam Speaker, the voters sent us to Congress because they want solutions, but reckless, across-the-board cuts are not solutions. We are just 2 days away from the start of these cuts known as sequestration, 2 days away from hurting, rather than helping, the people who elected us.

Let me share with you some examples.

I represent Arizona's District One. This is a vast, beautiful, mostly rural district. It's larger than the State of Pennsylvania. My district includes one of the greatest natural resources of the world, the Grand Canyon, and many other national parks. The Grand Canyon is not only an environmental treasure; it is an economic driver. It brings $700 million to our economy and creates 12,000 jobs annually.

If our national parks are forced to cut operating hours, cut services or even close facilities, we will be hurting the economy, not helping it. Thousands of jobs and small businesses are connected to the national parks in my district and across our Nation. Hurting our national parks is not a solution.

I'm also concerned about how sequestration will hurt education. Thousands of low-income students in Arizona would no longer receive aid to help cover the cost of college. Work study jobs would be eliminated, and Arizona is the largest recipient of impact aid funding in the Nation. Impact aid compensates local school districts for revenue they lost due to the presence of federally owned and, therefore, tax-exempt property.

□ 1050

It compensates local school districts for costs incurred due to federally connected students.

What are federally connected students?

These are students who are Native American, who have a parent in the military, or who live on Federal property.

In my district in 2012, for example, the Chinle Unified School District received more than $22 million in impact aid. Sequestration cuts would deeply affect a district like Chinle's. It would hurt its capacity for everything from transportation to staffing and from construction to classroom size. Hurting our schools and our students is not a solution.

Madam Speaker, what about our tribal communities?

My district has 12 Native American tribes; 25 percent of my district is Native American. These are residents of some of our most remote and rural communities. The median household income is $7,000 a year. These folks often struggle with access to the most basic medical care and resources. If sequestration takes effect, their primary source of health care, the Indian Health Service, will take a major hit. Other Federal programs, such as Medicare, Medicaid and veterans benefits, are exempt from sequestration cuts. The Indian Health Service is not exempt. IHS may be cut by over $200 million.

What does a cut like that mean to tribal communities in my district?

It would mean losing hundreds of jobs. It would mean cuts in primary health care. Nationwide, it's estimated that 3,000 fewer people would be admitted for inpatient care and that 800,000 fewer Native Americans would be able to receive outpatient visits.

Hurting our tribal communities is not a solution. The consequences of these cuts are not TV sound bites. They are real, and they hurt my district and our Nation. It will take both parties working together to find a responsible, thoughtful solution to our budget challenges. It will take both parties working together to put a stop to these reckless cuts of sequestration.

So let's work together, and let's show the American people that we are a Congress that can find solutions.

SEQUESTER

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

Ms. SCHWARTZ. There are just 2 days that are left for Congress to work together to avert these very deep, across-the-board, automatic cuts to our domestic priorities.

The Obama administration released a State-by-State report outlining the harmful impact these cuts would have on middle class families, on jobs and on economic growth. Yet Republicans continue to reject any balanced approach to deficit reduction presented by House and Senate Democrats, which includes spending cuts, additional revenues and economic growth. Moving from crisis to crisis does not move us any closer to finding a long-term solution to deficit reduction. Instead, these crises cause uncertainty, inhibit private sector investment, undermine consumer confidence, and slow economic growth.

In Pennsylvania, thousands of jobs in both the public and private sectors are at risk of elimination due to the inaction of House Republicans—from elementary school teachers to scientific researchers. Here are just a few examples:

Sharon Easterling, who is the executive director of the Delaware Valley Association for the Education of Young Children, said that Republican inaction would hurt Pennsylvania's children as ''nearly 2,300 Head Start children will lose access to preschool almost immediately'';

Holly Lange, who is the president of the Philadelphia Corporation for Aging, said:

> These cuts may force the Philadelphia Corporation for Aging to limit vital transportation services for our seniors, who depend on shared rides to remain independent in their homes;

Cinda Waldbuesser, the senior Pennsylvania program manager for the National Parks Conservation Center, said:

> Every national park in the system would be affected, including treasured places like Gettysburg, Independence Hall and Valley Forge, and the local economies that depend on visitor spending would also suffer.

The President and House and Senate Democrats have put forth a balanced solution that would replace the across-the-board cuts with a plan that does cut spending but that raises revenues and builds economic opportunity for all of us in this Nation. Republicans have yet to offer a balanced plan or to be willing to engage in the serious discussions of a reasonable bipartisan alternative for our seniors, our children, our first responders, our teachers, our civilian workers in the Department of Defense, our law enforcement officers, our public health professionals, our qualified medical researchers—who research not only at NIH but at medical centers across our country—and business owners who are seeking loan guarantees.

I could go on and on. You've heard some of the examples, but the fact is that all Americans are counting on us to act. It is our responsibility to act, and we should.

I urge my Republican colleagues to reject their partisan, one-sided approach and to be willing to work with us to find common ground and to reach a solution to deficit reduction that takes a balanced approach; that respects our obligation to Americans, particularly our seniors and our children; that strengthens the middle class; that creates certainty for the business community and for our middle class consumers; and that creates opportunities for families and businesses across the country.

The meeting called this morning by the President is an opportunity to find that solution, and I encourage Republicans to take this moment seriously, to be willing to compromise in order to avert these cuts and to set us on a path to both deficit reduction and economic growth. It is not too late. It is increasingly almost too late, but let's get it done on behalf of the American people and our future.

PROTECTING SMALL BUSINESSES

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

Mr. BENTIVOLIO. Last quarter, the economy actually shrunk rather than grew. That's unacceptable. Something has to change.

As I've traveled throughout my district in Michigan, business leaders tell me the same thing over and over again: It's too hard to start or to expand my small business because I can hardly understand how to comply with the latest

regulations that have come out of Washington.

It appears this is no longer a Nation of laws but of regulations—more than 80,000 pages at last estimation. And they're right. Over the last 4 years, the number of business regulations has skyrocketed, and the result has been the worst economic recovery in nearly a century. We've had such weak economic growth that I'm not even sure we can call it a recovery. The millions of people still out of work sure haven't recovered.

As many of you know, I own a small business. I understand what it's like to work hard in trying to build a business from the ground up. The small business owners I know back home are not trying to game the system, and they're not trying to manipulate the market to gain a competitive advantage. What they're trying to do is build lives for their families. They're trying to put food on their tables, send their kids to college, and put a little savings away for the future. They're good, honest, hardworking people who are trying to carve out a small slice of the American Dream.

These small business owners try to follow the rules, but it's becoming more difficult to do so. This may come as a surprise to bureaucrats here in Washington, but most small businesses don't have legal departments. They have their spouses, family members or friends who are trying to get them through all the red tape. These businessmen and women are too busy creating wealth and jobs to constantly stay up to date with the thousands of new regulations being thrown at them from the White House. The work of compliance is not done in a skyscraper downtown. It's done around a kitchen table after a hard day's work.

For example, a few weeks ago, a liberal writer for Slate.com wrote about the difficulties he faced when he tried to start his own small business and how surprised he was at his experience. After describing the problems he'd had, he concluded that red tape, long lines, inconvenient office hours, and other logistical hassles probably won't stop tomorrow's supergenius from launching the next great billion-dollar company, but it's a large and needless deterrent to the Nation of humble workaday firms that, for many people, are a path to autonomy and prosperity.

□ 1100

He also said:

> Ideology aside, simply putting a little more thought into the process could make things much easier.

I agree. That's why I introduced the Protect Small Business Jobs Act of 2013.

For too many businesses, the central planners in the numerous agencies of this government have set up roadblocks to their success. My bill offers a simple correction. If found to be in violation of a Federal regulation, a small business, as defined by the Small Business Administration, is given a 6-month grace period to correct the problem before being sanctioned. It allows for an extension of 3 more months if the business is making a good-faith effort to correct the problem, and if the problem is corrected, at the end of the grace period the fine is waived.

This allows small companies to have a chance at becoming compliant without being hit with devastating fines. It levels the playing field and keeps thousands, if not millions, of American workers in their jobs because over 60 percent of new work in America is created by small businesses. Giving companies a grace period may seem controversial, but I'd like to dispel some concerns I've heard since I've introduced this bill.

What about environmental issues? Contamination will only be covered if the small business can actually clean it up within 6 months. This gives more incentive to fix the problem because, if the choice is between closing up shop due to an oppressive penalty or cleaning up their mess and staying in business, the latter is going to be chosen. Furthermore, this bill gives a grace period for regulations, not law. Any breaking of property law will still be prohibited.

What if an accident occurs? Firstly, most violations that could cause harm to people are largely covered under an exception in the bill. Secondly, this bill does not prevent workers from suing for damages if their company fails to keep their work environment safe. This bill really only affects sanctions in issues of prior restraint.

SEQUESTRATION

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

Mr. PAYNE. Madam Speaker, I stand here today in absolute disappointment with this body and the total lack of Republican leadership. I can't even begin to express the disappointment I have with the GOP leaders who choose to play a game of chicken rather than do something to save 2 million American jobs.

After more than 20 years of watching my father serve the 10th Congressional District of New Jersey, the district that he loved, I came here to Washington to do the same. I came down here to get to work, to dig in, to get my hands dirty, and to help resolve the pressing issues that will ruin this country if ignored.

As we speak, people are terrified; and if they aren't terrified, it's because they've stopped listening to the partisan bickering. But make no mistake, these cuts will be unimaginable to people across the country and to people across New Jersey's 10th Congressional District.

So I ask my colleagues: why are we here again? Why? We've played this game before, heard this tune, danced this oppressing musical number before. It's like I'm Bill Murray in the movie ''Groundhog Day,'' where every morning I wake up hoping it is a new day, and every morning I wake up to the same maddening song. It's the song of a failed Republican leadership doing absolutely nothing—nothing all over again.

Talk about a do-nothing Congress. The 112th Congress passed just 283 bills, and 22 percent of them were bills to name post offices, courthouses, and other projects. So when you break it down, Congress really only voted to pass two bills a week—two bills a week. We can do better than this, but we need to work together.

When I speak to my fellow Democrat Members, there is a frustration. They are frustrated because we've seen the pain and fear in the people we speak to back home. There's frustration because we are ready to work. That's why I was sent here. That's what I was sent here to do.

So let's stop the nonsense and let's get to work. The effects of sequestration are real. Maybe people don't understand what the word ''sequestration'' means, but when they start to lose vital services that they need to live, it is going to devastate working families, the middle class, and the vulnerable in my district.

In New Jersey alone, more than 40,000 people could lose their jobs. New Jersey will lose $17 million in funding for teachers, aids, and staff who help disabled children. Thirteen hundred children in New Jersey will be cut from Head Start. Eleven thousand civilian Department of Defense employees will be furloughed. Senior Meals on Wheels programs will lose nearly half a million in funding in New Jersey, possibly the only meal they have for the day. And funds will be slashed for victims of domestic violence, resulting in 700 victims not receiving the care that they need to survive.

Right now, Democrats have a plan on the table that will stop sequestration and start reducing the deficit in a balanced way. It's a plan that cuts spending responsibly, closes corporate tax loopholes, protects the most vulnerable, and ensures millionaires pay their fair share. And you know what? More than 76 percent of the American people support a balanced plan.

Including today, we have 3 days to go; and with $85 billion in automatic deep spending cuts on the chopping block, it's time for Washington to stop playing games, stop pointing fingers and do what's right by the American people. That's what the American people expect, and, quite frankly, that's what they deserve.

Madam Speaker, I ask unanimous consent to bring H.R. 699, the Stop the Sequester Job Loss Now Act, to the floor.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentleman's request cannot be entertained.

Mr. PAYNE. Madam Speaker, I'm deeply saddened for the American people that we are unable to bring this bill to the floor and stop the loss of 2 million American jobs.

SEQUESTRATION

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

Mr. BLUMENAUER. The sequester drama that we are watching play out this week is exactly why I voted against the New Year's Day budget package.

Two months ago, all of the forces were aligned to force a bigger agreement, but we set our sights too low. It generated too little revenue, and, most importantly, there was not a fundamental reform in the way that we do business.

We merely put off the fiscal cliff in order to have not one, not two, but three such dramas between now and next summer. Friday is the sequestration; March 27, the continuing resolution runs out; and sometime this summer, the Treasury Department is going to run out of capacity to keep juggling the national debt, and we face that drama all over again.

Actually, there's a fourth cliff if you count the so-called ''dairy cliff'' which will potentially double milk prices in September.

The path forward is to focus on areas of potential agreement between the right and the left. A great place to start is health care. Reform is taking place around the country. And, in fact, nowhere is it more exciting and promising than what is happening in Oregon where we are working in concert with the implementation of the Health Care Reform Act to squeeze out waste and inefficiency. We are working to reward value instead of volume, and the Federal Government has bet $1.9 billion that we will be able to reduce health care inflation at least 2 percent a year and maintain quality.

□ 1110

Helping people stay well rather than paying people for disease and illness is a logical way to go. After all, the Affordable Care Act embedded every one of these major reforms that used to be bipartisan, that had been implemented by business, health care plans in red States and blue States, that had been advocated by Democratic and Republican Governors alike, and, indeed, supported by Members of the House and Senate in both parties. Instead of fighting health care reform, we ought to accelerate it. If we can deliver on the Oregon promise, it in and of itself will save more money nationally over the next 10 years than we're arguing about with the sequestration.

We also must address the huge budget challenges that are facing the Pentagon, in large measure because neither it nor Congress has insisted on change and, indeed, in some cases, has institutionalized bad decisions.

We haven't scaled back our horribly expensive, outmoded, inefficient nuclear deterrent program, maintaining perhaps 8–10 times the warheads for what we need for actual deterrence today with three massive, expensive, redundant delivery systems that are out of sync with today's threats. We haven't used nuclear weapons for the last 68 years. We probably won't use them for the next 68 years, and there is no imaginable circumstance when we would use even a fraction of the weapons we have. And the cost for that conservatively is in excess of two-thirds of $1 trillion over the next 10 years.

We've never come to grips with the cost of an all-volunteer Army. Our forces are significantly above what we had a decade earlier when we were supposedly staffed to fight two wars simultaneously. We need to scale that down, to refocus it, to supplement reductions in troop levels with beefed-up support to the National Guard, which is far more cost-effective and easier on our troops.

We need to reform our bloated, fossilized, outdated farm bill to spend less, help more farmers and the environment, and show that we can rise above politics and habits to have a farm program for this century, not 1949. The majority of farmers and ranchers in the United States get nothing. The majority of the support flows to the top 10 percent, who don't need it at all, and it distorts our international trade posture.

The final looming threat is the dysfunction, unfairness, and inefficiency of our tax system. It costs us huge sums to administer. It leaks hundreds of billions of dollars in tax avoidance, evasion, and mistakes, to say nothing of misplaced incentives, and it costs over $160 billion a year to administer.

Now, clearly there's a need for more revenue in a growing and aging population, but fundamentally, we need a new broad base of support that will help us pay the transition necessary for a reformed system.

Madam Speaker, this is not rocket science. This is within our capacity. We ought to get started on it now.

SEQUESTRATION

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

Mr. MAFFEI. Thank you, Madam Speaker.

Since becoming central New York's new Representative, I have met with over a hundred business owners and development leaders in my community. I've visited universities, the hospitals, the factories, the public schools, and I've met with local leaders and law enforcement and public safety. The one message I keep hearing throughout my district is that we need to work together to grow and strengthen our middle class and create jobs. Work together. Now, more than ever, that's what Congress and the President needs to do. That's what the American people and my constituents overwhelmingly want.

If people do not come to the table and work together by March 1, this Friday, more than 70,000 jobs are at risk in my State alone. At Hancock Air Base, New York National Guard employees, 280 of them are at risk. Two hundred eighty National Guard employees at the 174th Attack Wing will be furloughed, notwithstanding the fact that this unit is flying missions in Afghanistan as we debate these issues.

Automatic spending cuts will force the FAA to cut air traffic controller shifts and potentially eliminate overnight shifts at the Syracuse Hancock International Airport and other upstate New York airports. Cuts will also force TSA to cut back on personnel, increasing wait times by an hour or more at many airports. This will have a chilling effect on a still-fragile economic recovery.

Seventy thousand New York college students will lose tuition assistance, and across the country, 70,000 deserving children will lose Head Start. Now, to keep America strong we are told that we need to make sure for our national security and our economy that we improve STEM education, science and technology. This is doing the opposite.

We need to take a balanced approach, trimming where necessary instead of these arbitrary sweeping cuts that hurt middle class families.

This is not a partisan issue. The Republicans on this floor have spoken about how bad these arbitrary cuts are and how damaging they might be. Our Nation needs to get its fiscal house in order, and we need to do it right away, not on the backs of our middle class and seniors, and not at the expense of thousands of jobs.

Now, there is a specific plan to do that. It balances cuts with revenue increases.

Madam Speaker, I ask unanimous consent to bring up H.R. 699 with this balanced approach.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentleman's request cannot be entertained.

Mr. MAFFEI. Well, Madam Speaker, I do understand that, but I do hope that the leadership of this House considers just doing a vote, a regular up-or-down vote, on this or any plan to avoid these arbitrary cuts.

We need to institute better programs and methods to root out waste, fraud, and abuse and ensure that taxpayer dollars are being used most efficiently. There's no question about that. We also need comprehensive tax reform that finds revenues in ways that don't hurt the middle class, like ending the tax loopholes for corporations that ship jobs overseas and ending the tax breaks for big oil and gas companies.

Madam Speaker, our plan is a balanced approach. More spending cuts and modest revenue increases. Now is not the time for partisan politics. With the future of our economy hanging in the balance, we cannot afford inaction.

SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. NEGRETE MCLEOD) for 1 minute.

Mrs. NEGRETE MCLEOD. Thank you, Madam Speaker.

Today, I urge all of my colleagues to join together to avert the automatic trigger cuts brought forth by the sequester that are scheduled to begin in 2 days. These cuts will hurt small businesses, the military, seniors, and our children.

In California, it is estimated that more than 15,000 children will not receive vaccinations for diseases such as measles, whooping cough, and influenza—all because of these automatic trigger cuts. This is unacceptable. In addition, special education services for children with disabilities will see cuts, while over 8,200 low-income children in California will not receive critical early education from Head Start. Children deserve better from their Members of Congress.

That is why we need a balanced approach to replace sequestration, which includes revenues and spending cuts, thereby ensuring the most vulnerable are not burdened.

I, therefore, ask unanimous consent to bring forth H.R. 699 to provide balanced deficit reduction.

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, the gentlewoman's request cannot be entertained.

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 19 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 (Mr. MCCLINTOCK) at noon.

PRAYER

Reverend Ronald Derrick, American Legion, Rigby, Idaho, offered the following prayer:

Almighty God, thank You for this day. Grant us Your presence.

We stand in a room representing power and authority given by Your hand. Keep us mindful that one day we shall stand in a greater room and give an accounting of the decisions made this day.

Therefore, I pray with words that have been spoken down through the ages that You, O Lord, would grant to these leaders of our Nation health, peace, concord, and stability, that they may administer the government without failure.

Direct their counsel according to that which is good and well-pleasing in Your sight; and may it be said of them that they performed the duties of their office faithfully and impartially.

Bless each individual present here today, for by blessing the individual, You have blessed this Nation.

To You be the glory. In Your most holy Name I pray.

Amen.

THE JOURNAL

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

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

Mr. JOYCE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

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

PLEDGE OF ALLEGIANCE

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

Mr. ROSKAM led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND RONALD DERRICK

The SPEAKER pro tempore. Without objection, the gentleman from Idaho (Mr. SIMPSON) is recognized for 1 minute.

There was no objection.

Mr. SIMPSON. Mr. Speaker, it is my pleasure to introduce Chaplain Ronald Derrick for today's invocation.

Chaplain Derrick serves as the national chaplain of the American Legion. He is a U.S. Army veteran and a 40-year member of the American Legion, serving 18 years with Post 95 in Driggs, Idaho, and the subsequent 22 years in Post 20 in his current home of Rigby, Idaho.

Mr. Derrick's Legion duties have included terms as post commander, district commander, and Department of Idaho vice commander. For the past 6 years, he has acted as the Department of Idaho's chaplain.

Mr. Derrick is a retired printer and mail clerk, a former county coroner, Driggs Chamber of Commerce president, and EMT and firefighter. Recognizing this latter service, the American Legion named Mr. Derrick Idaho's Firefighter of the Year in 1987.

Mr. Derrick was ordained into the ministry in 1979 through the Solid Rock Pentecostal Church and continues to serve in various aspects of ministry. Mr. Derrick and his wife of 45 years, Bird, have two sons, a daughter, and nine grandchildren.

I would like to welcome Chaplain Derrick and thank him for his dedication and outstanding service to God and country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

SEQUESTRATION

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

Mr. SAM JOHNSON of Texas. In just 2 days, President Obama's devised plan of across-the-board spending cuts known as ''sequester'' will kick in. I voted for House legislation to replace the President's plan with smarter and more responsible cuts. Unfortunately, the President and his friends in the Senate ignored it.

Right now, America is over $16 trillion in debt. That means every American owes more than $52,000 each. Taxpayers all across this country know that Washington has a spending problem, not a revenue problem.

Enough is enough. Now is the time to work together to stop spending money we do not have. We need to give the American people what they want, need, and deserve. We must get our fiscal house in order by balancing our budget. It's almost too late. Let's act now.

RECOGNIZING FAITH-BASED LEADERS IN OHIO'S THIRD DISTRICT IN HONOR OF BLACK HISTORY MONTH

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise to salute African American faith-based leaders from Ohio's Third Congressional District. They are here as civil

rights leaders, providers of child care, after-care, educational programs for our children. They are advocates for entrepreneurs, minority businesses, and economic development opportunities in our communities. They stand strong with their first ladies and congregations for stopping domestic violence against women, for reducing crimes in our neighborhoods.

These powerful leaders are Bishop Jerome Ross, Reverend Dr. Keith Troy, Reverend Fred Lamarr, Reverend Jerry Carter, Reverend Victor Davis, Bishop Donald Washington, Reverend John Little, the Honorable Larry Price, Reverend Dale Snyder, the Honorable Hearchel Craig, and Reverend Joel King, cousin of Martin Luther King, Jr.

Lastly, they know all too well what the impact of sequestration will be to our at-risk communities. I salute them because they will carry on their great work despite the sequestration and the unnecessary challenges it will present if imposed. Sequestration is harmful to our district, to our constituents, and to the Nation. The impact of sequestration will affect the Federal Government's ability to provide States with the necessary resources to invest in the future leaders and to protect America's strong business environment.

Our hardworking taxpayers deserve better. Let's not put our economy at risk.

VETERANS JOBS CAUCUS

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

Mr. ROSKAM. Mr. Speaker, as the Representative of the Sixth District of Illinois and the son of a Korean war veteran, I'm honored to serve over 34,000 veterans. We have a deep commitment, as we know, to support those who've risked their lives to defend our freedom and help them in their transition back to civilian life. I've been active in a program called Helmets to Hard Hats, and there's a jarring unemployment figure for veterans that we are all sobered by. More than 844,000 veterans currently face unemployment, and veterans aged 18 to 24 face a staggering 31 percent unemployment rate.

There's an opportunity for us to work together, and I'm pleased to have recently joined the Congressional Veterans Jobs Caucus in an effort to bring Republicans and Democrats together to be like-minded as we seek to serve those who have served us so well. There's a myriad of obstacles that are in place that need to be remedied, and together we can join with the Disabled American Veterans organization, which is here in Washington, D.C. this week to celebrate their success and our obligation to them.

SEQUESTRATION

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

Mr. HOYER. Mr. Speaker, we are now 2 days away from failure-triggered, ideologically driven, and irrational budget cuts called ''sequester.'' It is an extraordinarily bad policy that 229 Republicans voted for on July 19, 2011. These cuts could be incredibly harmful to our national defense, our economy, and our national welfare.

General Martin Dempsey, Chairman of the Joint Chiefs of Staff, said:

> This will affect the entire country, and it will undermine our readiness for the next several years.

Hundreds of thousands of civilian defense personnel could be furloughed, and thousands of contractors could be forced to lay off critical personnel. Congress should not put our national security or economic recovery at risk. If I were the majority leader, this policy would not happen.

House Republicans should listen to Transportation Secretary Ray LaHood when he said:

> As a former Republican Member of Congress for 14 years, I urge my former colleagues to address this issue and to work on a long-term, balanced solution to our deficit problem.

With only 2 days left, it is time for us to come together to find a solution that can replace these cuts with a sensible, balanced alternative.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members not to traffic the well when others are speaking.

□ 1210

REMEMBERING THE MENIFEE COUNTY LIVES LOST IN THE MARCH 2, 2012 TORNADO

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

Mr. BARR. Mr. Speaker, today I wish to honor three precious lives lost in the tornado which devastated Menifee County, Kentucky, one year ago this Saturday.

Beverly Bowman was a magnet to children, according to newspaper accounts. Friends called her the backbone of the Tarr Ridge Union Church.

Anita Smith adored animals. Reports said she owned at least four horses, along with goats, dogs, and a mule.

And Vershal Brown was a remarkable man, recalls Menifee County Sheriff Rodney Coffee: ''Day or night, if you called him, he could help you. He would be there.''

Mr. Speaker, the people of Menifee County have shown amazing faith and determination in rebuilding their lives and their community. This weekend, we will celebrate together how far they have come, and we will join hands and remember.

SEQUESTRATION

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

Ms. BROWNLEY of California. Mr. Speaker, this Friday, the U.S. budget faces a round of indiscriminate and severe cuts that will hurt the middle class, compromise national security, and set back our very fragile economic recovery.

I call on all of our colleagues to take immediate action to avert the sequester to prevent $1.5 trillion in reckless, unnecessary, across-the-board cuts. If we fail, my families and businesses in Ventura County will pay the price.

Naval Base Ventura County in my district could be forced to furlough 80 percent of its civilian workers. Our seniors and our children could be severely impacted through cuts to Medicare, Head Start programs, and teachers' jobs. We need to stop these arbitrary and reckless cuts now and pass a balanced approach with H.R. 699.

Mr. Speaker, I ask unanimous consent to bring H.R. 699 to the floor.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request unless it has been cleared by the bipartisan floor and committee leaderships.

GUN CONTROL

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

Mr. POMPEO. Mr. Speaker, we're now some 11 weeks out from the tragedy that occurred in Newtown, Connecticut. And while all the talk today is about the sequester, we still have politicians and pundits all across the country that are purporting to try and solve this epidemic of gun violence with new rules taking away guns from ordinary citizens.

Unfortunately—and this is humbling for many in politics—no law or set of laws can possibly address in a meaningful way all of the challenges that we face today with a violent America. In fact, we face a much deeper, more malignant problem. It's a culture that degrades and cheapens life.

That's why I continue to be disappointed to hear the President propose further gun control. The President's plan isn't so much an attempt to solve a problem as an attempt to fulfill a wish list for gun control advocates. Unfortunately, for the American people, an opportunity for a real national dialogue on the root causes of this type of violence is being missed.

I've heard from hundreds of Kansans on the issue of gun control, and the vast majority of them understand that Washington restricting their Second Amendment rights will do very little

to end the violence in our society or to improve the safety of their families or in their schools of their children.

SEQUESTRATION

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

Mr. VARGAS. Mr. Speaker, I rise today in strong opposition to sequestration.

The word ''sequester'' derives from the Latin word ''sequi.'' It meant to follow. In late Latin, it devolved into ''sequestrar,'' which meant to surrender into the hands of a trustee. By the early 1500s, sequestrar grew to mean ''to seize, to confiscate.''

In Spanish, the word ''secuestro'' means to kidnap, to hostage, to ransom. And really, that is what the majority party is doing here today. They're holding the American people hostage, holding them ransom for these draconian spending cuts. House Republicans don't care about the harm it will cause to our working families, our seniors, our children, our military—especially our military.

We have heard now from our military leaders that military preparedness will suffer and will suffer greatly. We've already heard that an aircraft carrier has been stalled in port and is not able to be deployed to the Middle East. But there is a solution. Democrats, through the efforts of the gentleman from Maryland (Mr. VAN HOLLEN), have proposed a fair and balanced plan that would replace these destructive and unwarranted cuts.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained without the appropriate clearance.

CHARDON 1-YEAR ANNIVERSARY

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

Mr. JOYCE. Today marks the 1-year anniversary of a horrific day for all northeastern Ohioans. It marks the worst day of their lives for too many mothers, fathers, brother, sisters, friends, and family in Chardon, Ohio.

One year ago today, a shooter opened fire in Chardon High School, fatally shooting three students and injuring three others. These three children were cruelly taken from this Earth all too soon. They were loved by their families, embraced by their communities, and had their whole lives ahead of them.

As the county prosecutor at the time, I saw firsthand the grief and devastation that no parent should ever have to experience. Nothing will ever come close to replacing the love and happiness these children brought to their friends and family. Our community may never truly be whole again, but we must take every moment possible to honor these victims and pray for their families.

I would like to now take a moment of silence for Demetrius Hewlin, Russell King, Jr., and Daniel Parmertor. May God bless them and may God bless their families.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

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

Ms. MENG. Mr. Speaker, I rise today to urge my colleagues to pass the bipartisan, Senate-passed Violence Against Women Reauthorization Act.

Early in my career, one of my first experiences was working with victims of domestic violence who were struggling and in desperate need of help. Having personally helped victims fill out VAWA petitions so they wouldn't be forced to live under the same roof as their abusers, I've seen firsthand the long-term human devastation this kind of violence can cause, and we cannot continue to ignore its toll on women and families.

VAWA funds have trained over 500,000 law enforcement and judicial officers on the realities of domestic and sexual violence, helping to protect survivors across the country. VAWA saves money, and it saves lives.

Since VAWA was first enacted, over 600 State laws have been passed to combat domestic violence, and reported incidents of violence have decreased by 60 percent. Despite these successes, there's much work to be done, and all victims of domestic violence, including those in the LGBT community and those without documentation, must feel safe seeking help from our criminal justice system.

□ 1220

CONGRESSIONAL VETERANS JOBS CAUCUS

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

Mr. DENHAM. When the courageous Americans who volunteer to fight our wars come home, they should not have to fight for jobs. Unemployment is one of the biggest problems currently facing America's veterans. In addition to our gratitude and support, our veterans need jobs. With more than 250,000 servicemen and -women expected to return to civilian life each year over the next 5 years, veterans' employment issues will only grow more challenging.

That's why for more than a year the Congressional Veterans Jobs Caucus has worked to bring the public and private sectors together—to end the veterans' unemployment crisis. I am proud to join more than 70 of my House and Senate colleagues from both sides of the aisle in this important mission to raise awareness and to increase employment among our Nation's veterans. Today and every day, we are asking our colleagues and private businesses, small and large, to make a personal and public commitment to hiring veterans by displaying this sign: ''I hire veterans.'' This logo should be displayed in our windows.

It is our greatest duty as leaders in Washington to uphold our commitment to our veterans, and we invite members of the public, especially business owners, to join us in this important mission.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

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

Mr. RUIZ. I would like to thank the Senate for working in a bipartisan manner to pass the Violence Against Women Reauthorization Act. However, the House Republican version of the bill fails to protect all women, including Native American women, immigrant women, and the LGBT community.

I rise today in strong opposition to the House Republican version of the Violence Against Women Reauthorization Act. As an ER doctor, I have seen firsthand the beaten and bruised bodies of women victims and the invisible scars left on the victim, her family, and community. Native American women in my district and across the country endure an epidemic of domestic violence, and in most cases the abusers are not members of the tribes. Tribes must have the right to protect their daughters, sisters, and mothers from violence.

We must work to make sure that all women are protected from domestic violence. I urge all of my colleagues to join me in opposition to the House Republican version of this legislation, and I look forward to the passage of the bipartisan Senate version of this legislation.

SEQUESTRATION

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

Mr. BROUN of Georgia. Last Congress, I supported more than $155 billion worth of real spending cuts. If Democrats are interested in finding a more targeted approach to avoiding the sequester, I'm more than happy to offer my suggestions. We only have to cut 2½ cents out of every dollar that we spend in 2013 to dodge the effects of the sequester. If we can't shrink spending by 2 percent without causing a meltdown, what does that say about the size of Washington?

Frankly, I don't think this administration wants to cut spending at all. The President is only interested in raising taxes, but this year, he has already levied $150 billion worth of new taxes on the American people. I wholeheartedly support making meaningful cuts, but there is a better way to go about doing it than with the sequester.

Congress needs to sit down and go through the budget line by line, and it needs to figure out what wasteful programs we can get rid of in the middle of this debt crisis. I hope that Democrats will work with Republicans to find a smarter way to cut spending while we also protect American jobs and our national security.

GEORGE ARATANI

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

Mr. SCHIFF. Mr. Speaker, I rise today to honor a constituent and philanthropist, George Aratani, who passed away last week.

Mr. Aratani was part of the Greatest Generation, and served his country as a member of the Military Intelligence Service, or MIS, during World War II. His service came at a time when tens of thousands of his fellow Japanese Americans were interned in camps scattered in the Western United States. He chose to serve and defend America with no guarantee that his own freedom would be defended in return.

I was proud to work to ensure that MIS members like George Aratani and all of the Go for Broke veterans received the credit and thanks they were due through the Congressional Gold Medal.

When he returned home, Mr. Aratani started and ran several businesses, and dedicated himself to Japanese American educational and cultural causes, including the Go for Broke veterans' memorial and foundation. George Aratani had a profound impact on our country and on his community, and he will be terribly missed.

TOUR DE BLAME

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

Mr. POE of Texas. Mr. Speaker, the sequester was a bad idea. I voted ''no.'' It actually came from the other end of Pennsylvania Avenue, however. The House has voted twice to replace the President's sequester with other spending cuts. However, the ''siesta'' Senate ignored the House bills and did what it does best—nothing.

Now, in the 11th hour, the President has disowned his sequester and instead has launched the taxpayer-funded tour de blame. He has also dispatched his Cabinet on a tour de fear. The White House ''sky is falling'' crowd says flights will be delayed and undocumented immigrants in custody will be freed. That is a Madison Avenue-style campaign to instill fear into Americans.

The President holds the power to determine what bills will be paid, not Congress—but he does not have the will to prioritize spending or manage the people's money. He only knows one way to lead: tax more, spend more, and continue the tour de blame.

And that's just the way it is.

BORDER AND SEQUESTRATION

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

Mr. HIGGINS. Mr. Speaker, the effect of sequestration on our borders will be felt especially hard in my western New York community, home to four crossings on the northern border.

According to the Department of Homeland Security, if sequestration occurs, Customs and Border Protection will be forced to eliminate 2,700 officers and 5,000 Border Patrol agents. In addition to the job losses, this could mean delays of as long as 4 hours at our border crossings.

$1.5 billion in goods and 300,000 individuals cross the U.S.-Canada border each and every day. Western New York businesses and institutions depend on predictable access to and from southern Ontario. Increased wait times will discourage Canadian consumers from visiting western New York, and that is business we can't afford to lose.

I call on the House to take immediate action to repeal the sequester and to prevent this unnecessary injury to our economy.

THE PRESIDENT'S SEQUESTER

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

Ms. FOXX. The President is hitting the road this week for yet another tax increase on hardworking Americans. He already raised taxes just 8 weeks ago. Why the sudden urge to do it again?

The President says this is the plan to replace his sequester that's scheduled to hit on March 1, but the President and the rest of the Democrats who run Washington apparently haven't figured out that we cannot tax our way out of this mess. Tax revenues are set to double over the next decade, and top tax rates have hit their highest levels since 1986. We are already taxing wages and salaries at rates as high as 44 percent.

We need to replace the President's sequester with commonsense spending cuts and reforms, not more taxes. The House has acted twice to achieve this, and now the President needs to put forward a serious plan.

GEORGE ARATANI

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

Mr. TAKANO. Mr. Speaker, I rise today to honor the legacy of George Tetsuo Aratani, a philanthropist and business executive who was a champion for Japanese Americans.

Mr. Aratani was born and raised in California and, along with 122,000 other Japanese Americans, was forced into internment camps during World War II. Never letting a poor situation get the best of him, Mr. Aratani used his bilingual skills to serve his country in the Army Military Intelligence Service. Following the war, he started two successful businesses—Mikasa tableware and Kenwood electronics—and enjoyed a wonderful life with his family.

Though he achieved great commercial success, he will always be remembered for his upstanding citizenship in his community. Mr. Aratani and his wife, Sakaye, established the first endowed chair in the country to study the injustice of the Japanese American internment and the efforts to rectify it. In addition, the Aratanis gave millions in support of the Japanese American National Museum, UCLA's Departments of Asian American and East Asian Studies, the Japanese American Cultural & Community Center, Keiro Senior HealthCare, and countless Asian American candidates.

I look to Mr. Aratani as an inspiration for all as he truly lived the American Dream.

MICHAEL ANTHONY SOLIS

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in the memory of Mr. Michael Anthony Solis, who was an educator. He taught at Anaheim High School in my district. He was a champion for lower income students.

He grew up in Riverside, California, and his family grew up in pretty poor circumstances, but education was always important to them. He enrolled in Riverside Community College where teachers encouraged him to be an educator. As a student teacher, Michael became involved with the AVID program, a program that helps to close that achievement gap from lower income students to the normal. Mr. Solis went on to teach AVID in various southern California schools. He was also the director of AVID for our county education program. He most recently served as our assistant principal at Anaheim High School.

He was impassioned about education. He knew that this would make a difference in so many people's lives. Even though he lost a 40-month battle with cancer, he will be remembered by all who knew him, and his legacy will move forward in all of those students whose lives he has impacted.

□ 1230

THE IMPACT OF SEQUESTRATION FOR NEW JERSEY

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

Mr. SIRES. Mr. Speaker, unless Congress acts this week, a series of drastic spending cuts known as the sequester will take effect. Sequestration threatens the jobs of hundreds of thousands of middle class Americans, as well as vital services for children, seniors, and our troops. Congress must not wait any longer to come to an agreement.

Should sequestration take effect, my State of New Jersey would lose almost $12 million in funding for primary and secondary education, putting around 160 teachers and their aides at risk. New Jersey would also lose $17 million in funding, or about 210 teachers who help children with disabilities. In addition, Head Start and Early Head Start services would be eliminated for an estimated 1,300 children in New Jersey. Furthermore, New Jersey would lose funding cuts for public safety grants provided to local law enforcement officials designed to improve the safety of our communities, as well as reduction in funding to provide meals for New Jersey seniors. Mr. Speaker, these are just a small portion of the impact sequestration will have on New Jersey and America as a whole.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained absent appropriate clearance.

VIOLENCE AGAINST WOMEN ACT

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

Mr. HUFFMAN. Mr. Speaker, I rise today to express my grave concerns over the Republican substitute to the Senate-passed Violence Against Women Act. The Senate passed this bill with overwhelming bipartisan support, including a majority of Senate Republicans. But apparently, leadership in the House has decided that this law should protect only some women.

The substitute that we're being asked to vote on excludes LGBT victims. It weakens protections for women on college campuses, Native American women, and immigrants. As a father of a young daughter and a husband, I cannot begin to understand why we would gut commonsense protections for women or why we would pick and choose the type of women that we want to protect from violence.

A few minutes ago, we swore allegiance to this flag and to a Republic that stands for liberty and justice for all, not for some. In fact, Americans have long fought for equality for women and protecting all women from violence. The Violence Against Women Act has been an important part of that arc of our history. It's not something that should be politicized or used for political games. Let's vote against this substitute.

BAY DELTA CONSERVATION PLAN

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

Mr. COSTA. Mr. Speaker, in our San Joaquin Valley in California, unfortunately we are facing yet another fight for every drop of water that's critical to our economic recovery. For over the last 2 months, we have lost over 700,000 acre-feet of water that represents $2.2 billion in economic activity because of an unlawful biological opinion that puts a 2-inch fish before 25 million Californians.

Had the Bay Delta Conservation Plan been implemented, none of this valuable water would have been lost today. To add insult to injury, our valley was dealt yet another blow when the Bureau of Reclamation announced this week a 25 percent water allocation. This is simply unacceptable.

It remains to be seen if the Obama administration and their nominee to replace Secretary Salazar has forgotten or ignored the tough lessons from the failures of 2009 and 2010. Immediate action is necessary to keep a bad situation from becoming devastating to our valley this year and throughout the State.

The Bay Delta Conservation Plan must move forward to resolve this situation in the future. Every day wasted is valuable time and water lost.

VIOLENCE AGAINST WOMEN ACT

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

Mr. LOWENTHAL. Mr. Speaker, I stand here today to urge my colleagues to bring the Senate version of the Violence Against Women Act, or VAWA, a bill that would provide critical services to all victims of domestic abuse, to the House floor. My friends, my colleagues, my constituents, it is time to reauthorize.

I want to applaud all the Senate Democrats, all the female Senators, and the vast majority of Republican Senate Members who believe that VAWA is good for the safety of all women, regardless of their sexual orientation, their ethnicity, or tribal heritage.

As for the altered House version, which clearly rejects the equal protections outlined in the Senate version, it is unfair, unjust, and unacceptable.

I have a few questions for my colleagues in the House who altered this bipartisan Senate VAWA bill:

Why do our LGBT, Native American, and immigrant brothers and sisters not deserve the same protections?

Why are they exceptions in your eyes?

And why must they continually be denied the same freedoms and liberties that we all enjoy under our Constitution?

By reauthorizing the Senate version of VAWA:

We can make sure our LGBT brothers and sisters receive appropriate care when they are victimized;

We can make sure that immigrants, who so desperately want to be a part of this great Nation, will not have to hide behind their abusers in fear of deportation;

And, we can make sure that the three out of five American Indian women who will experience domestic violence in their lifetime can have the peace of mind to know that their abusers will not be given a way out of prosecution.

My colleagues, this is not politics and this certainly is not a game. This is simply the right thing to do.

SEQUESTRATION

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

Mr. RUPPERSBERGER. Mr. Speaker, I rise to voice strong opposition to the sequester, which was designed to be so severe and so catastrophic that we would be compelled to make the necessary compromises to avoid it, and yet we have done nothing.

The Second District is the home to Fort Meade, NSA, Aberdeen Proving Ground, the Port of Baltimore, and hundreds of contractors reliant on these institutions. We're neighbors to the Social Security Administration, the National Institute for Health, and BWI Airport.

Nearly 140,000 workers at these facilities would be furloughed. Maryland will lose about $14.4 million in funding education, putting the jobs of 200 teachers at risk. We'll lose nearly $50 million in funding for medical research, which supports thousands of jobs in Maryland.

Maryland can't afford this approach to deficit reduction and neither can any of the other States in this Nation. We have to put forward serious alternatives to avert sequestration, and I encourage leadership to either allow a vote on one of these alternatives or to propose one for themselves.

We are in this most ridiculous situation and we must resolve this problem now.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair has previously advised, that request cannot be entertained without appropriate clearance.

PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 83 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 83

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (S. 47) to reauthorize the Violence Against Women Act of 1994. 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 Majority Leader and the Minority Leader or their respective designees; (2) an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–2, if offered by the Majority Leader or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to commit with or without instructions.

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

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself as much time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1240

GENERAL LEAVE

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

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

There was no objection.

Mr. NUGENT. Mr. Speaker, House Resolution 83 provides for a structured rule for consideration of S. 47, the Violence Against Women Reauthorization Act of 2013. The rule also provides for consideration of one substitute amendment to this underlying legislation. This process ensures there's ample discussion on both options presented to the House, to give Members, both the minority and the majority, the opportunity to participate in these debates.

I support the rule, and I hope my colleagues will support it as well because, by supporting and passing this resolution, we'll be able to move on to debating the reauthorization of the Violence Against Women Act.

As a former law enforcement officer who spent 38 years fighting against all types of violence, I have seen the evils and cruelty of domestic violence issues firsthand. That's why I also volunteered with and even served on the board of directors for the Dawn Center, which is a refuge for victims of domestic and sexual violence in Hernando County, Florida.

With these sorts of experience, I know and understand how important grant programs like these authorized by the Violence Against Women Act are to law enforcement agencies fighting domestic violence, the advocates serving the victims of domestic violence, and most importantly, the victims themselves.

Violence against women is unacceptable in any terms. It should be unacceptable to everybody in this room, regardless of your gender, regardless of your sexual orientation, and regardless of your age. I hope it's that obvious.

The rule we have before us today provides the House the ability to consider measures that would help provide stakeholders with the tools they need to combat this terrible crime.

If House Resolution 83 passes, then tomorrow the House will debate two separate versions of reauthorizing the Violence Against Women Act. We will have 1 hour debate on the underlying bill, which passed the Senate just 15 days ago.

We'll also spend 20 minutes debating a Republican alternative to the Senate bill. At the end of the debate, we will vote first on the Republican alternative to the Senate bill, and if that House amendment fails, then we'll have an up-or-down vote on final passage of the Senate reauthorization. It's that simple.

These options offer two separate and distinct visions on how the Federal Government can help aid in the fight against domestic violence.

I can say that, during my time as sheriff, I never saw a single Federal domestic violence case ever prosecuted, but I know the Federal dollars went to the States and counties to help combat these types of crimes. I also know that victims of all genders and sexual orientations found shelter and safety in places like the Dawn Center because of grants like those authorized in the Violence Against Women Act.

For all those reasons, I know this a debate we need to have. That's why I'm proud to stand here today sponsoring a rule that lays the options out on the table, provides for vigorous and enthusiastic discussion of those options, and ultimately, let's the people's House work its will.

I encourage my colleagues to vote ''yes'' on the rule, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, good afternoon.

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

Mr. Speaker, when I joined my former colleague, Representative Pat Schroeder of Colorado, to write the original Violence Against Women Act, it didn't occur to us to exclude or discriminate against anyone. And in the multiple times the law has been reauthorized, we, as a legislature, have always tried to ensure that all victims of domestic violence receive the protections under the law.

As my colleague pointed out, up till now they have. Unfortunately, the latest attempt to reauthorize the Violence Against Women Act has been different. This time, the majority has alternately tried to pass extreme legislation that would weaken current law and rejected calls to pass bipartisan legislation that would strengthen the current law.

On February 12, with 23 Republican Senators voting in favor, including every Republican woman in the Senate, they approved a reauthorization that is both comprehensive and inclusive in nature. Unfortunately, instead of allowing a clean, up-or-down vote on this bipartisan bill, the majority leadership proposed a substitute amendment that removes key provisions from that bill.

For example, the leadership's amendment fails to explicitly protect LGBT victims, and limits protections for immigrants. At the same time, the amendment fails to close the legal loopholes that leave Native American victims of domestic violence with nowhere to turn.

Additionally, despite the high rate of dating violence and sexual assault on college campuses, the amendment entirely omits protections for young women who are victimized in college. And that's why the majority's amendment is opposed by groups including the National Task Force to End Sexual and Domestic Violence Against Women, the National Congress of American Indians, and the Leadership Conference on Civil and Human Rights, among many others.

It's dismaying that some in the majority want to weaken a strong bipartisan Senate bill, and it's vital that this Chamber reject their alternative partisan amendment.

With the votes we are about to take, we will be asked to choose between an amendment that fails to protect some victims of domestic violence, and the bipartisan Senate bill protecting all victims. The choice is so clear.

We'll be asked to choose between an amendment opposed by victims and victims' rights advocates and a bipartisan bill. And when looking at those options that are before us, it is clear what we must do. I strongly urge my colleagues to vote ''no'' on the substitute amendment tomorrow to the Senate bill, so the original Senate legislation will receive a vote in the House.

Mr. Speaker, I want to take a moment and talk about the incredible impact the Violence Against Women bill has had since it was enacted. Thanks to that Act, instances of domestic violence have fallen by 67 percent, and over 1 million people have obtained protective orders against their batterers.

Before the passage of the Violence Against Women Act, police officers were not trained to separate a victim and abuser when they responded to a domestic violence call. Thanks to the law, the police officers are now trained to do just that, a most important change that stopped violence from resuming the moment the police left and the front door closed.

But perhaps the greatest victory of the Violence Against Women Act is that the law finally brought millions of victims out of the shadows and gave them a place to stand.

In 1994, domestic violence in our country was not even discussed, and its scars were never acknowledged. And as a result, the victims often became abusers in a cycle of violence that simply wouldn't end. We wrote the law to stop that cycle of violence, and we think we have achieved much of that. For 18 years, this law gave victims a choice and made incredible progress in ending the cycle of violence.

Every time we've renewed the law, our goal has been the same: to ensure that all victims of domestic violence, no matter their ethnicity, their sexual orientation, their age or their gender, are acknowledged and helped and protected by the law.

It has been now more than 500 days since the Violence Against Women Act expired. Today is the day that ends, and we act in the name of justice. I urge my colleagues to vote ''no'' on the exclusionary substitute amendment tomorrow so we can vote ''yes'' and get this bill to the President right away.

Now, in addition, I want to mention on the previous question, today we're going to have an opportunity to stop the sequester, which is scheduled, as you know, to take effect in just 2 days.

We all know all the harms. We know very well what the sequester is going to do to the economy and to the workforce in the United States. And most importantly, we know that we cannot afford such a slowdown.

Now, today we're going to give Members of the House an opportunity to vote on a sequester solution. If we defeat the previous question—and please pay attention: If you want to go on record against having the sequester go into effect, we are giving you an opportunity to do that.

By voting ''no'' on the previous question, you will allow the House to vote on a measure that Mr. VAN HOLLEN, ranking member of the Budget Committee, has come to the Rules Committee three times with to try to achieve the end of saving us from ourselves. Mr. VAN HOLLEN's legislation would reduce the deficit in a balanced and responsible way but stop the devastating sequestration cuts.

□ 1250

Today is the last chance for the House of Representatives to stop the sequester. Despite what some have said, this Chamber has not passed a solution to the sequester during this Congress. It is vital that the inaction of the majority come to an end. We must take a step to stop the sequester today.

So let me urge you to vote ''no'' on the previous question if you wish to be on record saying you do not support the sequester, you do not want to see this damage done to the economy and to the United States and, incidentally, to our reputation in the country and in the rest of the world. Doing so will allow Mr. VAN HOLLEN's legislation to have the serious debate and vote that it deserves.

I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HANNA).

Mr. HANNA. I rise today in support of the rule which provides for consideration of S. 47, the Violence Against Women Reauthorization Act of 2013.

Mr. Speaker, the Violence Against Women Reauthorization Act has been successful. We have seen its benefits. It has saved lives and helped millions of women find safety, security, and self-sufficiency. While there are deeply held differences about some policies in the bill we consider today, now is the time to reauthorize the Violence Against Women Reauthorization Act.

If a daughter, sister, or perfect stranger were raped, battered, or needed help, no one would ask or care what her ethnicity, national origin, or sexual orientation was before coming to her aid—nor should the Violence Against Women Act. No community, no person should be neglected when it comes to domestic violence. As a father of a young daughter, Grace Catherine, I don't know or care what her orientation is—and neither should Congress. I simply know that she and all women and girls should be equally protected under its laws.

We have an opportunity now to finally pass a bipartisan, inclusive Violence Against Women Act that service providers, law enforcement and, most importantly, all victims deserve. I urge my colleagues to support this rule and the underlying bill.

Ms. SLAUGHTER. I am pleased to yield 1½ minutes to my colleague, the gentlewoman from New York (Ms. VELÁZQUEZ), the distinguished ranking member of the Committee on Small Business.

Ms. VELÁZQUEZ. I want to thank the gentlelady from New York for yielding.

Mr. Speaker, twice in two decades Members of both parties have crossed party lines to reauthorize the Violence Against Women Act. Yet this week we are considering a partisan bill that excludes some victims based on sexual orientation or immigration status. Does abuse not ''count'' if the victim happens to be a gay man or a lesbian? What if the victim is an undocumented worker?

Here are some facts my GOP colleagues may be unaware of: 40 percent of gay men experience domestic abuse, as do 50 percent of lesbian women. For undocumented women, abuse rates are slightly higher than the rest of the population, but go unreported for fear of deportation. Those are millions of people and thousands of New Yorkers who are being hurt. This legislation adds insult to their injury by basically saying because of who you are, we won't help you.

I hope my Republican colleagues agree that that is not the message we want to send. Vote ''no'' on the rule and the underlying bill so we can approve a real Violence Against Women Act that protects all victims equally. Shame on us. This should not be a partisan issue.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise to support the rule and the underlying legislation. This rule brings the Senate-passed version of VAWA to the floor and allows us to vote on House language to replace that version. I want to particularly thank my good friend, Chairman SESSIONS of the Rules Committee, for devising a rule that will help the House work its will on this important issue—and do so smoothly, fairly, and quickly.

I want to particularly thank Leader CANTOR for his hard work and effort to truly understand and deal with the problems that Native American women face. That part of our population, as many of my colleagues have learned during the course of this debate, is in many ways the most at-risk part of our population. One in three Native American women will be sexually assaulted in the course of her lifetime. The statistics on the failure to prosecute and hold accountable the perpetrators of those crimes are simply stunning. I'm very proud that both the Senate and the House have turned their attention to this issue and finally begun to give it the consideration that it merits. Again, I particularly want to thank Leader CANTOR. The House version has improved tremendously over what this body passed in the last Congress; and that's due, in large measure, to his hard work.

That being said, I cannot support the House version of VAWA. While it's made great strides in recognizing the jurisdictions of tribal courts over non-Indian offenders, it falls short of giving tribes what they need to keep their citizens protected from the scourge of domestic violence. Unlike the Senate version, the House version fails to recognize existing tribal sovereignty that's enshrined in the Constitution and has been recognized throughout the history of our country. The House version requires tribes to seek Department of Justice certification before exercising jurisdiction over non-Indian offenders. I cannot think of any example where one sovereign has to seek permission to exercise their rights as a sovereign. It doesn't make sense to ask

tribes to willingly abdicate part of their sovereignty to exercise another part of their sovereignty.

In the same vein, the House bill waives sovereign immunity on behalf of the tribes. As sovereigns, tribes should make that decision on whether or not to waive sovereign immunity. In the final analysis, Indian tribes and Indian women need help—and I don't think there's much debate about this in this body. And they prefer the Senate bill to the House bill. That settles the issue for me.

I support this rule. I urge my colleagues to vote ''no'' on the House amendment to the underlying bill, and I support the underlying bill that's been passed by the Senate.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. I rise today in opposition to the amendment made under this rule to gut the Senate-passed Violence Against Women Reauthorization Act of 2013. The Senate bill is a bipartisan approach that protects vulnerable populations, and the amendment made under this rule would remove those protections. Furthermore, S. 47 includes legislation that I have worked on in these two past Congresses with Representative VIRGINIA FOXX of North Carolina, who I call my good friend, and Senator KLOBUCHAR of Minnesota. I reintroduced the STALKERS Act this Congress and am pleased that it is included in the underlying bill.

No one can deny that the Internet is a great tool for all of us that connects billions of people around the world. But one of the problems with it is that it's proven to be an effective weapon for stalkers to prey on innocent people. Current Federal stalking statutes simply have not caught up with the new tools and the emerging technologies that these criminals use. The STALKERS Act would bring our laws into the 21st century by giving law enforcement the tools they need to combat stalking in the digital age.

The STALKERS Act would protect victims and empower prosecutors by increasing the scope of existing laws to cover acts of electronic monitoring, including spyware, bugging, video surveillance, and other new technologies as they develop. Currently, Federal laws cannot be enforced unless stalking victims can demonstrate that they are in reasonable fear of physical injury.

Again, I thank you for including the STALKERS Act in the underlying bill.

□ 1300

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 1½ minutes to my colleague from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge my colleagues to pass the rule and the underlying bipartisan Senate Violence Against Women Act. This is the first bill that I worked on when I came to Congress with the great LOUISE SLAUGHTER and Patricia Schroeder, and then-Senator JOE BIDEN. It has been reauthorized in a bipartisan way many times.

From 1994 to 2010, about four in five victims of intimate partner violence have been female. These numbers are real people, and so are the tragedies behind them. But this is not about politics. This is about the single most fundamental task that we require of our government: to keep its citizens safe from violent assaults—all of our residents, all of our citizens, immigrants, no matter what the sexual orientation is of our citizens. It's for all of our citizens.

I am pleased that two of the bills that I have authored are part of the Senate version. It would be ripped out by the Republican version, so I strongly support the bipartisan Senate version. One I authored with Representative POE in a bipartisan way, and that was the SAFER Act. This took the monies and directed Justice not to spend more money but to process the backlog of DNA kits in rape cases to put rapists behind bars. And also, the Campus SaVE Act.

There's too much violence on campus. One in five women will be sexually assaulted during their college years. This provision that I authored would increase the obligations of colleges to keep students safe and informed about policies on sexual assault. Also, the very bipartisan, important anti-trafficking bill is part of it.

So I urge my colleagues, in a bipartisan, historic way, to reauthorize, repass the Violence Against Women Act, the Senate version.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentlelady from New York for yielding me time.

Mr. Speaker, I rise in strong support for the bipartisan, Senate-passed Violence Against Women Reauthorization Act.

Since the Violence Against Women Act first became law in 1994, the incidence of domestic violence is down more than 60 percent. It is with that same record of success that we should address the prevalence of domestic violence in underserved communities.

In my district of Sacramento, we are fortunate to have an organization called WEAVE, which provides crisis intervention services to domestic violence and sexual assault victims. Recently, WEAVE admitted a woman and her 8-year-old son, Tucker, to their safe house. By the time Tucker reached the safe house, his father's verbal abuse had convinced him that he was stupid and insignificant. For an 8-year-old boy to no longer smile, to play games, to enjoy life is heartbreaking.

Fortunately, Tucker's mother rescued herself and her son by using the resources that the Violence Against Women Act makes available. Tucker is now living away from his father, in counseling, and on his way to a happy and healthy future.

Time and time again we hear that programs like this break the cycle of domestic violence. We must view this legislation not just as a women's issue, but as a family issue, as a community issue that touches all of our lives.

It is essential for all past and future victims of domestic violence, sexual assault, dating violence, and stalking that we strengthen and reauthorize the Violence Against Women Act. I urge my colleagues to reauthorize an all-inclusive version of the Violence Against Women Act.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. I am pleased, Mr. Speaker, to yield 1½ minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I rise today to support the rule but oppose the House Republican substitute, and to urge my colleagues to vote for the real Violence Against Women Act's reauthorization. This passed the Senate with overwhelming bipartisan support.

Real VAWA focuses on key programs to address sexual assault, including the backlog in testing rape kits. It also consolidates programs to ensure that resources are reaching victim services and local law enforcement, and it ensures protection for all victims of abuse and violence.

In Nevada, nearly half of all women have been the victim of some kind of sexual assault, and more than a quarter have been the victim of rape. The Rape Crisis Center in Las Vegas—an excellent organization that I've worked with closely over the years—assists victims in the transition to become survivors. This Congress should support the Center's efforts, not hinder them.

Violence against women is not a game. It is time for House Republicans to stop playing games and to reauthorize this final legislation now.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. I thank you so much for the time.

Isn't it ironic that today, the Supreme Court of the United States of America is considering section 5 of the Voting Rights Act in terms of whether it will continue to apply to the United States of America and those specific States and areas that are included therein. This is being done at the same time we are considering the Violence Against Women Act, which in my opinion should be called a Family Violence Act. I say this because we cannot exclude people because of their sexual orientation.

This is my watch. I have a duty to stand up for those who are being left out or left behind. This act should include the LGBT community, and any

substitute that would remove the LGBT community is a substitute that I cannot support.

Isn't it ironic that today, the Supreme Court is considering section 5 of the Voting Rights Act, and we just had a statue of Rosa Parks made available to the public in Statuary Hall? Friends, it's time for us to come up to the standards of this time, and let's bring all of our people with us. The LGBT community merits our consideration. I will not vote for the substitute. I support the LGBT community.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN) to discuss the previous question. Mr. VAN HOLLEN is the distinguished ranking member on the Committee on the Budget.

Mr. VAN HOLLEN. I thank Ranking Member SLAUGHTER.

I hope tomorrow this House will finally have a chance to vote on the bipartisan Senate bill to prevent violence against women. I hope tomorrow we will also have a chance to vote on a proposal that we've now put forward three times this year to replace the sequester. Unfortunately, the rule reported out of the House Rules Committee denies us that opportunity. So let's just remind people what will happen starting March 1.

Starting March 1, if this House does not take action to replace the sequester, we will lose 750,000 American jobs between March 1 and the end of this year. Those are not my numbers; those are not President Obama's numbers; those are the numbers from the nonpartisan, independent Congressional Budget Office—750,000 fewer American jobs by the end of this year if we don't replace the sequester.

This majority in this House has not taken any action this year in this Congress to prevent that sequester from happening beginning Friday, not one step. We have now asked three times for the opportunity to vote on our alternative.

So what's our alternative, Mr. Speaker? Our alternative would replace the sequester with a balanced mix of cuts and revenue generated by closing tax loopholes and tax preferences that benefit the very wealthy.

So very specifically—because it's a concrete proposal—we would get rid of the direct payments that go to agribusinesses, something that used to have bipartisan support because that's an unnecessary subsidy that has outlived its purpose. So that's a cut.

□ 1310

We also say we no longer need taxpayer subsidies for the big oil companies. Guess what? That's an idea that was proposed by President Bush who said taxpayers should no longer be giving these big breaks to big oil companies; they don't need that extra taxpayer incentive in order to keep producing oil and making record profits. So we do that.

Then we say to folks who are making $2 million a year that we're going to limit the number of preferences you can take. We're going to limit the number of tax breaks that you take that allow you to effectively pay a lower rate than the people who work for you. So if you're making $2 million or more per year, we say you should pay an effective tax rate of 30 percent.

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

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. If you take that balanced combination of targeted cuts and the elimination of tax breaks that disproportionately benefit very wealthy people, guess what happens? You get the same deficit reduction over the budget window, so you reduce the deficit by the same amount as you would get if you allow the sequester to take place throughout this year, but you do it in a way that does not lose 750,000 American jobs. You do it in a way that does not cause disruption at our airports; in a way that does not cause disruption to our food safety system; in a way that does not cause disruption to the nurses who are caring for our veterans in military hospitals and veterans hospitals around this country; and in a way that does not disrupt our military operations.

So, Mr. Speaker, we just have a simple question: Why is it that as we gather here Wednesday, we're denied the opportunity to even have a vote on this alternative, this balanced alternative, to prevent the loss of 750,000 American jobs? We're not asking Members of this House to vote for our alternative, although we think it's a good one and would urge them to do so. We're simply asking that in the people's House we have a vote on an alternative to something that will create these great job losses and that great disruption.

I think the American people are going to ask themselves why we were not even granted that opportunity with less than 3 days to go before we hit that across-the-board sequester, which is just Washington-speak for massive job loss and massive economic disruption.

In addition to the job loss, according to the independent Congressional Budget Office, it will cause one-third less economic output in the United States of America in this year at a time when the economy remains very fragile. So I ask, finally, Mr. Speaker, give us that opportunity at least to vote so people have a choice to prevent the sequester.

I thank the gentlelady from New York, the ranking member of the Rules Committee.

Ms. SLAUGHTER. Mr. Speaker, I'm delighted to yield 1 minute to the gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership as the senior Democrat on the Rules Committee.

Today, we have an interesting discussion. We are debating the rule that will enable us to bring to the floor the Violence Against Women Act. As part of the debate on the rule, we are asking a ''no'' vote on the previous question which will enable us also to not only vote on the Violence Against Women Act but, at completion, to go on to voting on the proposal that the Democrats have to resolve the sequester issue.

I'll start first, though, with the Violence Against Women Act. As of yesterday, it was over 500 days since the Violence Against Women Act had expired. The reauthorization is long overdue. Last year, the Senate, in a bipartisan way, passed a bill that was comprehensive, that did the job. The House Republicans resisted that. Here we are again, this year, last week, the Senate, in a bipartisan way, passed 78–22 the Violence Against Women Act, which is comprehensive and does the job. That means 78 percent of the Senate voted—78 percent of the Senate voted—for this Violence Against Women Act. It means also that all of the women in the Senate, Democrats and Republicans alike, voted for this act. It also means that a majority of the Republicans in the Senate—a majority of the Republicans in the Senate—voted for this comprehensive Violence Against Women Act.

So the Senate has passed it overwhelmingly with the majority of Republicans supporting it. The President stands ready to sign it. Democrats in the House support it. We will call upon the leadership of GWEN MOORE, who has a similar bill in the House. We stand ready to support the Senate version. The Senate has passed it, we support it, the President is ready to sign it, and, once again, the Republicans in the House are the obstacle to passing this legislation.

It's really hard to explain to anyone why we would say to the women of America, Women of America, step forward; we are stopping violence against women. Not so fast if you're an immigrant, not so fast if you're a member of the LGBT community, not so fast if you're a Native American. What is that? Violence against some women but not others? Quite frankly, the groups that are excluded by the House bill are the groups that are in the most need of protection against violence.

So I would hope that in the course of the debate that we will move on to on the Violence Against Women Act that we will all open our hearts to what is needed to reduce violence in the lives of America's women.

In the meantime, we have a procedure that is not preferable, we have asked over and over again, as the distinguished gentleman from Maryland (Mr. VAN HOLLEN) has said, this will be the third time we've asked to get a vote on a Democratic alternative. The American people want to know why we can't pass something to avoid sequestration. We have this proposal that is

fair, that does make cuts, that does produce revenue, and that does not impede growth with jobs in our economy. All we want is a vote. Why do we have to beg, hat in hand, for a vote on the floor of the House in this marketplace of ideas? What are the Republicans afraid of? They may be afraid that it will win because it makes so much sense that their Members may be attracted to vote for it. Or they may not want to put their Members on record voting against something that is so balanced, that is so commonsense driven that is a solution, a solution to sequestration.

What does sequestration mean? Well, whatever it means, this is what it equals: sequestration equals unemployment. Sequestration equals job loss. And we just cannot have a slowing down of our economic growth. We cannot afford losing the 700,000 jobs. That's the low estimate that has been put forth by economists and by the Congressional Budget Office itself.

We urge people to vote ''no'' on the previous question, which means that we would then be allowed to come to the floor to take up the Violence Against Women Act and also to take up the sequestration bill. It is really something that deserves debate on the floor of the House.

The Republican leadership has said, well, we voted on that last year. Last year was another Congress. That Congress ended. How to make a law: Congress ends, we have an election, and a new Congress begins. The Constitution says that bills that relate to revenue or to appropriations must begin in the House. So they said, We did it last year. It doesn't count. Let the Senate begin. That's not what the Constitution says.

So let us take our responsibility and not be afraid of the ideas that people sent us here to discuss. We don't have to agree on every point, but we certainly should have an opportunity on the floor of the House. People across the country are talking about this. You can't turn on any media without their talking about this. The only place we can't talk about it or get a vote on it is on the floor of the House of Representatives. That's plain wrong.

I urge a ''no'' vote on the previous question, a ''no'' vote on the Republican Violence Against Women Act, and a ''yes'' vote on the bipartisan Senate bill when we have an opportunity to vote on that.

□ 1320

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I would like to yield 15 seconds to Mr. VAN HOLLEN for clarification, and following that I will yield 2 minutes to the gentlelady from Florida (Ms. WASSERMAN SCHULTZ).

Mr. VAN HOLLEN. Mr. Speaker, just three numbers: 750,000 fewer American jobs, cutting growth in GDP by one-third, not economic output but growth in GDP by one-third. That's one number. The second number: three, the number of times we've tried to get a vote on this. The third number: zero, the number of times our Republican colleagues this year have tried to resolve the sequester issue.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 2 minutes.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. Speaker.

I rise today in support of this comprehensive and bipartisan effort to end violence against women.

The Violence Against Women Act recently passed by the Senate properly updates this crucial legislation for the 21st century by providing necessary resources and support to all victims of domestic violence regardless of their race, ethnicity, or sexual orientation. An overwhelming 78 Senators, including 23 Republicans, recognize the need for these protections, and I'm thrilled that we're finally moving to recognize the same.

I'd like to express my gratitude to the champions of this bill in the House, including the gentlelady from New York. Several of my colleagues and I, along with hundreds of groups and thousands of concerned citizens all across the country, have worked tirelessly these past few weeks to make sure that the voices of survivors and advocates could be heard over partisan debate. That is why the bill we consider today reflects the needs of vulnerable populations that have been ignored in the past. It will give Native American tribes the tools to hold abusers accountable, LGBT survivors the protection they need to access services, and immigrant survivors the independence necessary to escape violence.

I'm proud to vote in favor of a comprehensive Violence Against Women Act for my constituents, for my children, my daughters, and I urge all of my colleagues to do the same.

Mr. NUGENT. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time.

May I inquire of my colleague if he has any more requests for time?

Mr. NUGENT. I do not.

Ms. SLAUGHTER. If not, then I'm prepared to close.

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

This has been a wonderful day for us in some way because we are finally debating the Violence Against Women Act, with a great possibility of passing the Senate bill, which will protect all women in the United States and not just some. It's terribly important that we do that. And I think we may have caused some confusion there as we talk about violence against women, and we're also talking about the previous question which deals purely with sequestration. I would like to close speaking about that.

I think everyone understands the importance that we attach to the Violence Against Women Act, but we are also very much concerned about sequestration. The reason we have brought it up on a previous question on the Violence Against Women Act is we've had absolutely no other opportunity to bring it up.

The American public has been told over and over again that twice this House has passed legislation dealing with sequestration. All of us know—I'm not sure the public knows, but let me make it clear—that anything done before December 31 of last year is no longer valid.

Nothing has been done this term to stop the sequestration. The only effort that has been made to do so has been done by Mr. VAN HOLLEN, the ranking member of the Budget Committee. He has a very moderate request, one that does not do great harm either to the employment situation in the country or to the output of GDP, and what he said was terribly important.

What we are about to embark on here is totally unknown. We know that it's bad. I think everybody has understood that it's bad. Why we would continue to do it is beyond my imagination. But let me make it absolutely clear here: no opportunity has been given to our side of the House to even attempt to deal with sequestration. This is it.

For any Member of the House of Representatives who would like to go on record saying that they don't want sequestration to take place on March 1, this is your only opportunity. So we are asking that you will vote ''no'' on the previous question so we can at least go on record in this House and we can do our very best to stop what, by all accounts and by what all important economists say, will be an unmitigated disaster.

If we defeat the previous question, we will offer the amendment, which will 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 deficit. It is a balanced approach, Mr. Speaker, not a meat-ax across the board.

We have to act now if we're going to avert this crisis. I can't reiterate enough that this is our only chance. If we're going to avoid the unnecessary cuts to essential programs, the time is now.

Mr. Speaker, I ask unanimous consent to insert the text of the 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 gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I strongly urge all of my colleagues in this House, because none of us want to face that abyss, to vote ''no'' to defeat the previous question, and I yield back the balance of my time.

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

I support this rule and encourage my colleagues to support it as well.

Every day, people flee their homes because of violence they suffer at the hands of a domestic partner. If there's something we can do to stop that violence to save those women and children, then we need to do it. Inaction is unacceptable. I've seen the consequences of doing nothing too many times when it comes to domestic violence.

We have before us a rule that provides the House with multiple options on how we take a stance against domestic violence right here and right now. We may not agree on which of these two visions is the best one, but I think we can all agree that something must be done. That's why I say to you, Mr. Speaker, support the rule before us today. If you want to do something, anything, then you need to start with voting for the rule. That's the first step. That's what we need to pass first and foremost so we can debate those options.

Some folks here will like the Senate's vision of the Violence Against Women Reauthorization Act more than they like the House alternative. Others have problems with the Senate bill and think the House's plan is the way to go forward. Either way, if you want to take a stand against violence against women, then you need to support this rule.

This rule is how we move to the next step, to debate the options before the House to ensure that law enforcement departments, organizations like the Dawn Center back home, and victims of domestic violence can get the support that they so desperately need.

There are those who want to confuse this with another issue before this House, but this is the issue that we have today, the issue on domestic violence, the Violence Against Women Act.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 83 OFFERED BY MS. SLAUGHTER OF NEW YORK

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 699) To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to repeal and replace the fiscal year 2013 sequestration. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Ways and Means, the chair and ranking minority member of the Committee on the Budget, and the chair and ranking minority member of the Committee on Agriculture. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 1 o'clock and 28 minutes p.m.), the House stood in recess.

□ 1514

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCCLINTOCK) at 3 o'clock and 14 minutes p.m.

HOUR OF MEETING ON TOMORROW

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 83; adopting House Resolution 83, if ordered; and agreeing to the Speaker's approval of the Journal.

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

PROVIDING FOR CONSIDERATION OF S. 47, VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 83) providing for consideration of the bill (S. 47) to reauthorize the Violence Against Women Act of 1994, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 229, nays 196, not voting 6, as follows:

[Roll No. 51]

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
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
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
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
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
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
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 (FL)
Young (IN)

NAYS—196

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
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
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
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
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
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Coble
Culberson
Granger
Hoyer
Waters
Young (AK)

□ 1543

Ms. SINEMA, Ms. ESHOO, Mrs. BEATTY, Messrs. AL GREEN of Texas and GALLEGO changed their vote from ''yea'' to ''nay.''

Mr. McINTYRE changed his vote from ''nay'' to ''yea.''

Mr. McCLINTOCK changed his vote from ''present'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HARPER). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 414, nays 9, not voting 8, as follows:

[Roll No. 52]

YEAS—414

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon

McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—9

Broun (GA)
Garrett
Gohmert
Huelskamp
Jones
King (IA)
Massie
McClintock
Salmon

NOT VOTING—8

Coble
Culberson
Davis, Rodney
Foxx
Granger
Smith (NJ)
Smith (TX)
Young (AK)

□ 1550

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 for:

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on rollcall No. 52 I was on the floor and tried to vote when it was closed. Had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 293, nays 119, answered "present" 1, not voting 18, as follows:

[Roll No. 53]

YEAS—293

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Becerra
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell
Capps
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chu
Cicilline
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Connolly
Cook
Cooper
Costa
Cramer
Crawford
Crenshaw
Daines
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fattah
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Grayson
Griffith (VA)
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holt
Horsford
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (GA)
Johnson, Sam
Jones
Joyce
Kaptur
Kelly
Kennedy
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lankford
Larsen (WA)
Larson (CT)
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Sean
Marchant
Marino
Markey
Massie
Matsui
McCarthy (CA)
McCarthy (NY)
McClintock
McCollum
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meadows
Meeks
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Negrete McLeod
Neugebauer
Noem
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascrell
Payne
Pelosi
Perlmutter
Perry
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Rice (SC)
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (WI)
Salmon
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
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Speier
Stewart
Stutzman
Swalwell (CA)
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Thornberry
Tierney
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Upton
Van Hollen
Vargas
Velázquez
Wagner
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
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Miller, George
Price (GA)
Ribble
Richmond
Young (AK)

□ 1558

So the Journal was approved.

The result of the vote was announced as above recorded.

AVERTING SEQUESTRATION

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

Mr. LANGEVIN. Mr. Speaker, I rise today to call on Republican leaders to keep the House in session until Congress fulfills its responsibility to the American people by averting sequestration.

With Rhode Island unemployment at 10.2 percent, my constituents cannot afford a single day of these indiscriminate cuts. They will have a negative impact on Rhode Islanders seeking job assistance, teachers educating our children, and countless seniors who rely on food assistance, not to mention the numerous jobs in our defense industry.

We've found compromise in the past. Since April of 2011, Congress has reduced the deficit by over $2.5 trillion, cutting spending by over $1.4 trillion,

with almost $3 in spending cuts for every $1 of revenue. Mr. Speaker, Democrats in the House and the Senate, along with the President, have put forward balanced proposals to avert these devastating cuts. I urge you to listen to the American people and bring balanced legislation to the floor for a vote. Our communities cannot afford to wait.

NATURAL GAS OFFERING ENERGY REVOLUTION

(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, the Congressional Natural Gas Caucus has relaunched with a four-member bipartisan leadership team in order to expand efforts and organizational resources in the 113th Congress.

Despite a fragile economic recovery, the Nation is witnessing an energy revolution through which energy resource development is offering economic growth, new jobs, and lower energy costs. America's newly found ability to access expansive reserves of natural gas is a large part of this new domestic resource base, which has afforded new opportunities for America's manufacturing sector based on the comparative advantages of lower energy costs and for American families as they heat their homes at a fraction of the cost.

Despite these new fortunes, there are countless policy challenges that must be leveraged for the Nation to continue benefiting from this abundant, clean, low-cost energy source.

The mission of the Congressional Natural Gas Caucus is to educate Members of Congress and the public about the importance of natural gas as a domestic energy resource and its role in meeting the Nation's energy demand and in attaining energy security.

I, along with my fellow cochairs—Representative GENE GREEN from Texas, Representative TOM REED from New York, and Representative JIM COSTA from California—encourage Members to join us in this effort today.

AVERTING SEQUESTRATION

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

Mr. ENYART. Mr. Speaker, I rise today because southern Illinois folks are worried about sequestration undermining the economy and costing us jobs. I want to share with you today a letter about those concerns. This letter is from the supervisor of a young National Guard family.

Sarah and Mike, a young couple, one small child and another on the way, both deployed to Afghanistan with us in 2008. If nothing changes, Sarah will get hit with the furloughs, and Mike will probably lose his full-time National Guard job entirely. This is just devastating. Obviously, don't blame you. You weren't even in Congress when the Budget Control Act passed. But real people are going to get hurt—bad—veterans and soldiers. This is just incredible. I cannot believe Congress is going to let this train wreck happen. I know you know this, but it matters a great deal to us in DOD and the Guard, both to the civilian employees who will be the immediate victims, and to the rest of us who have to deal with the fallout.

OBAMA ADMINISTRATION PLAYS POLITICS

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

Mr. ROONEY. Mr. Speaker, yesterday the administration, in an effort to drive home the devastating impacts of sequestration, indicated that they would begin releasing criminal aliens held in detention centers across the United States. This policy is not only a shortsighted scare tactic, but it is also a completely inappropriate way to handle our fiscal problems.

By releasing these criminals out into the communities, the Obama administration is also playing politics with American safety. Not to mention, the administration is placing an undue additional burden on the already strained Federal programs that have succeeded in identifying, arresting, and removing criminal aliens. Ordering the release of criminals back into our communities because their crimes aren't serious enough to qualify for deportation completely ignores DHS's core mission to address our Nation's illegal immigration problem. We're putting our communities at risk, stressing local law enforcement, and not saving a dime once repeat offenders find themselves back in the system.

Mr. Speaker, we are a Nation of laws. We would do well to remember that.

AVERTING SEQUESTRATION

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to speak out today against the automatic cuts known as sequestration which are set to kick in days from right now. These cuts were designed to be so painful and so terrible that they would never see the light of day. This is budgetary insanity. That is why I have opposed sequestration from the start.

Earlier today, I met with the Quad Cities Chamber of Commerce and representatives from the Rock Island Arsenal. Last week, I met with a defense contractor from Rockford, Illinois, and I toured the USDA Research Lab in Peoria, Illinois. That's the place where they figured out how to mass produce penicillin, and these are the kinds of programs that are at risk. These programs are rightly worried about the impact of sequestration.

We will see job losses because of this flawed budget process, and it will have a trickle-down effect throughout the region that I represent. Our residents will have less money to eat out. They'll have less money to see a movie or to shop at our small businesses. We cannot afford to have this happen.

I introduced my first piece of legislation a couple of weeks ago, the Government Waste Reduction Act. It is a bipartisan, commonsense approach to reduce government waste and not impact the middle class. This type of approach is reasonable, responsible, and rational, and that's what I would call for in a bipartisan fashion.

□ 1610

SEQUESTRATION

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

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to talk about Ruth. She's 91 years old, from my hometown. And Ruth, like many of my constituents, through the years, she's lost her network of family and friends.

After coming home from the hospital, she was unable to shop or cook and could barely get out of bed. According to Ruth, her life was literally saved by a Federal program called Meals on Wheels that delivers more than a million meals to seniors in need each day.

On Friday, as a result of mindless, indiscriminate budget cuts known as sequestration, folks like Ruth, across this country, will be in jeopardy of going hungry, and that is wrong. So I urge my colleagues to do what is right, come together, stop the sequestration, and implement a long-term, balanced approach to reducing our national debt.

Mr. Speaker, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore (Mr. BENTIVOLIO). Under the guidelines consistently issued by successive Speakers, as recorded on page 752 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request until it has been cleared by the bipartisan floor and committee leaderships.

SEQUESTRATION

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

Ms. DUCKWORTH. Mr. Speaker, last week I traveled across my district listening to my neighbors, who cannot afford the cuts that will go into place under sequestration. At Harper College, school superintendents told me that sequestration will cut vital programs and jeopardize the future of our children.

In Hanover Park, I listened to officials discussing desperately needed

transportation investments. With sequestration, we will lose both construction jobs and potential new investments in our business parks.

In Itasca, veterans who would sacrifice everything for our Nation wonder why Congress can't come together and stop the cuts that will hurt this country they love so much. They didn't go home until they got their mission accomplished, and we shouldn't go home until we revolve this self-inflicted crisis.

Both parties agreed to the sequester. The time for finger-pointing and assigning blame is over. We should immediately vote on and pass commonsense measures like stopping Medicare fraud, ending subsidies for oil and gas industries, and ending tax loopholes for large corporations.

Mr. Speaker, I ask unanimous consent to bring up House Resolution 699, a balanced bill to replace the sequester with spending cuts and revenues, a measure that would save thousands of jobs.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

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

Mr. BARBER. Mr. Speaker, we are now less than 48 hours from sweeping and irresponsible, across-the-board budget cuts that will go into effect on Friday. These cuts will weaken our military, harm our border security, undermine economic recovery, and hurt southern Arizona families.

We must work together. We can, I am confident, craft a rational, bipartisan solution to reduce the debt so these cuts can be avoided.

Last week I stood with officials from the University of Arizona, the city of Tucson, law enforcement, Border Patrol agents, civilian employees of the airbase and the garrison at Fort Huachuca, and local health care groups and community agencies to demand that we take action on sequestration.

The critical services that these groups and individuals and countless others provide to Arizonans will be cut because Congress has not come together with a commonsense solution. In my districts, these cuts mean longer wait times at the border and ports of entry, and less security between them. This is absolutely unacceptable.

Sequestration hurts the ability of returning veterans to find a job. This is also unacceptable.

And as I've said before, I'm willing to work here with all of my colleagues to find a middle ground. We owe our communities a budget, one that balances new revenues, eliminates ineffective programs and allows vital services to continue.

We should not recess tomorrow. We should stay here and do our job.

SEQUESTRATION

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

Mr. WOODALL. Mr. Speaker, as a freshman here on the House floor just 2 years ago, it does my heart good to see my freshman colleagues coming down from the other side of the aisle, because I came down with that same vision 2 years ago to work together to address the big issues that are out there.

I serve on the Budget Committee, Mr. Speaker, and for fiscal year 2013, we're going to post a $1 trillion annual deficit. This sequester that every Member is rightly concerned about is $85 billion, less than one-tenth the magnitude of the decisions we really need to make to get America back on fiscal track.

Is the sequester anybody's idea of the right way to do it? I don't believe that it is.

Is everyone's idea of the right way to do it to deal with that part of the budget that we don't do in discretionary spending? The big two-thirds, that mandatory spending that we have to come together on to deal with? And the answer is absolutely, yes.

I stand ready to work with my freshman colleagues on both sides of the aisle to do those big things that need to be done. But Mr. Speaker, we have raised taxes already in 2013. The CBO reports that an additional $1 trillion will come into the Treasury over the next 10 years.

What we need is not more taxes. What we need are responsible spending cuts, Mr. Speaker.

SEQUESTRATION

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

Ms. DELAURO. The House majority should bring legislation to this floor that will prevent the automatic, across-the-board cuts that will occur on Friday. These dangerous, indiscriminate cuts threaten our economy and vital services for our children, for women, for seniors, small businessmen, and our servicemembers in uniform.

Today, we are spending $12 billion less on labor, health, and education programs than we were in 2002. And because of the cuts we made in the Budget Control Act, we will be spending $21 billion less on these programs in 2022. And yet, despite these already made cuts the sequester will gut labor, health, and education programs by nearly another $7 billion this year.

The results? Over 10,000 fewer people in my State will get the assistance they need to find jobs. Over 1,500 fewer Connecticut children will see vaccines for diseases. And 8,000 disadvantaged students will lose access to educational services. This will also relieve teachers and teacher aides of their jobs, thereby raising unemployment.

This is in addition to cuts that will impact food safety inspection, Meals on Wheels for seniors, support for public safety officers, and to keep air traffic controllers on the job.

I ask unanimous consent to bring up my colleague Mr. VAN HOLLEN's Stop the Sequester Job Loss Now Act. It replaces sequestration with a balanced, bipartisan approach to deficit reduction.

We have a responsibility in this body: pass a budget that protects the middle class, our seniors, and the most vulnerable—and we have to act.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

□ 1620

HOUSE VOTED TWICE TO REPEAL THE SEQUESTER

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

Mr. AUSTIN SCOTT of Georgia. What I want to remind the people of is that this House has twice passed legislation to repeal the sequester. The Senate has not done anything. Quite honestly, they have just chosen not to do their job over there.

The President has yet to give us a written proposal. But this House, the people's House, twice voted to repeal the sequester with responsible spending cuts.

THE SEQUESTER

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Time is short, Mr. Speaker. March 1 is just a few hours away, and the Republicans refuse to bring forward a balanced plan to replace the meat-ax approach to governing known as sequestration.

My constituents have been clear with me: We should stop the blame game, and we must stop this sequester from happening. New Mexicans are worried. They know what happens if we don't stop the sequester:

More than 750,000 jobs are at risk just this year.

Almost 10,000 New Mexicans won't be able to get the help and skills they need to find a job.

Small businesses, the backbone of our economy, won't be able to get the loans that they need to expand and grow.

Just in New Mexico, almost 7,000 civilian furloughs from the Defense Department, resulting in $42 million less in gross pay for those employees, forcing middle class families to deal with losses equal to one mortgage payment or more.

Lastly, one of my State's and district's largest employers, Sandia National Laboratories, has implemented a

hiring freeze. This move will stunt economic growth and be devastating to New Mexico's economy.

I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenue.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

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

Mr. GARAMENDI. I rise today to tell the story of how northern California communities that I represent will be harmed by sequestration.

Travis Air Force Base in my district makes sure that the equipment and personnel that our military needs are delivered quickly and safely around the world. They're the world's first responder when disaster strikes. Thirty-two hundred civilians will be furloughed beginning next week. They will have a loss of some $30 million of income over the next 6 months.

Near Marysville, California, Beale Air Force Base operates an intelligence, surveillance, and reconnaissance mission that supplies our Nation's military with timely information to save American lives on the battlefield. Fourteen hundred civilians will be furloughed, with $13 million in lost wages.

Families and their income are important. But so is national security, which will be compromised by sequestration.

Yuba City, one of the major places in the United States prone to flood problems, will see their critical levee protection that the Army Corps of Engineers is working on delayed and not completed for next winter's floods.

The University of California-Davis will similarly be harmed.

It's time to end sequestration, and I ask unanimous consent that H.R. 699 be brought up for a vote.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

THE EFFECT OF SEQUESTRATION ON THE MILITARY

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

Mr. PETERS of California. Tomorrow is the last day we have to avoid sequester. I've spoken on the House floor about how San Diego will be disproportionately affected. Today, I want to address our national security.

Almost one in four jobs in San Diego County are defense related. Nearly 25 percent of defense contractors are small businesses. Already, shipbuilding and maintenance contracts have been canceled, including 10 ship repairs in San Diego. Manufacturing companies that rely on defense funding could lose 223,000 jobs. Neglecting ship repairs will not only lead to job loss and threaten morale—it undermines our national security and our readiness.

Mr. Speaker, let's prove to San Diego and the America people that Congress is not broken. Let's work together to find a solution that doesn't compromise our national security and that balances fiscal responsibility with economic growth.

SEQUESTER

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

Mr. KENNEDY. Mr. Speaker, I rise today to urge my colleagues to come together and avoid sequestration. Make no mistake: These cuts aren't just fodder for newspaper headlines. They are real. They are deep. And they will hurt.

Back home in my district in Taunton, Massachusetts, we have an active chapter of Jumpstart, a national literacy organization that pairs community volunteers with low-income preschool children. They operate in tandem with the local Head Start. If sequestration happens, over 70,000 children across the country could lose access to Head Start—1,500 in Massachusetts—jeopardizing the ability of Jumpstart to continue offering their services. On top of that, the organization is run on the hard work of volunteers, most of whom come through Federal work-study programs—800 jobs lost in Massachusetts alone—or AmeriCorps—$38 million in cuts across the board.

Those are big numbers. But for a moment forget the numbers. The numbers are just a succinct way of saying there's a 4-year-old girl in Taunton, Massachusetts, whose single mother depends on Jumpstart to get her child up to speed for kindergarten while she works two jobs to keep food on the table.

Our budget is in difficult shape. It will require tough choices to clean up. But they have to be smart choices, worthy of our constituents back home who put their faith and trust in each and every one of us.

SEQUESTRATION

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

Mrs. DAVIS of California. The once inconceivable now seems to be becoming the inevitable. On Friday, the sequester, a plan designed to never be implemented, will be triggered. And now the question among the papers and pundits is exactly how bad sequester will turn out to be. My question is: Why aren't we debating how to stop it? Why are we not working together on a balanced fiscal plan? We all know it's not the right thing to do. We all know it's not the smart thing to do.

My constituents in San Diego and everyone outside of D.C. knows that it's harmful. San Diegan air traffic controllers, our Border Patrol officers, and civilian defense personnel put on leave, making us less safe and less efficient? San Diegan senior citizens, many who have served our country, sent messages stating that they will not be able to receive the meals they depend on.

San Diego teachers furloughed, disrupting our children's education? Blindly taking an ax to our budget is not a solution, it's a problem.

With that, I ask unanimous consent to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

The SPEAKER pro tempore. As the Chair previously advised, that request cannot be entertained absent appropriate clearance.

SEQUESTRATION

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

Mr. CROWLEY. Starting Friday, careless and devastating across-the-board spending cuts will hit America's economy and stifle our recovery. But the only thing my colleagues on the other side of the aisle can say is: It's about time.

Do we need to address our Nation's deficit? Absolutely. But cutting 750,000 American jobs, food safety inspections, and health care benefits for our 9/11 first responders isn't the right way to do it. The U.S. can't lead the world in medical research if we aren't funding the National Institutes of Health. We can't protect ourselves from cybersecurity threats if the very people who work on this issue are laid off. And we can't expect our children to compete in tomorrow's global economy if we deny them access to critical programs like Head Start today.

It doesn't have to be this way. Democrats and President Obama have a solution. Our plan will put an end to the slash-and-burn cuts and replace it with reductions to our deficit through the closure of tax loopholes and an end to wasteful spending.

So, Mr. Speaker, there's a way out. There's another path forward that will ensure we protect investments in our Nation's future.

I will ask that tomorrow the Speaker ask unanimous consent to bring up H.R. 699, a balanced plan to reduce our deficit.

The SPEAKER pro tempore. As the Chair previously advised, such a request cannot be entertained absent appropriate clearance.

□ 1630

VIOLENCE AGAINST WOMEN ACT

(Mr. FARR asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, tomorrow, we have two choices. We will be able to vote on this floor on a Senate version of the Violence Against Women Act. We will also have a House version that will try to be amended to that bill.

There are several reasons why the House version is not a good bill and ought to be opposed. In my district, the immigrant provisions left out of the House bill will have a profound impact on my constituents. Immigrant women are at risk of domestic violence more than any other women, and they are less likely to report their attackers due to fear of deportation. The Senate version offers protections that the House bill does not.

I have several college campuses in my district. The Senate bill would help combat violent crimes on college campuses; the House bill does not. The Senate version of the Violence Against Women Act also includes the reauthorization of the Trafficking Victims' Protection Act; the House bill does not.

Mr. Speaker, sadly, domestic violence affects the entire country. That is why it is absolutely a shame that the Republican leadership has brought up a House bill that will jeopardize the safety of millions of women by making it even harder to receive the services and programs that are available.

THE SEQUESTRATION MYTH

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

Mr. WESTMORELAND. Mr. Speaker, I'm joined by some of our colleagues tonight here to talk about the sequester. We've heard a lot about it in the last, I guess, 10 or 12 1-minute speeches about the sequester and how bad it is and how it's going to wreck our economy.

We know that it is going to affect some people's lives, and we hate that. We much preferred a different way to do the cuts. We actually have passed two bills to address the cuts in the sequester that better address the needs of this country and our spending habits and didn't affect the many thousands of people that will either have to go to part-time work or no work due to these cuts.

It's been over 300 days since we passed the first bill out of this House; yet the Senate did not take it up. And so 2 months later we passed another one that the Senate has not taken up.

The President, over the past 3 weeks or so, has traveled a little over 5,000 miles, going down to North Carolina, to Georgia, to West Palm Beach, to Ohio, to Virginia, talking about the problems. Yet even though he's traveled that many miles, it's only 1.7 miles from the White House over to the Senate. So he could have cut down on all those trips of the rhetoric and the campaign-type attitude that he's put towards governing just by traveling 1.7 miles down to the Senate Chamber and sitting down with the majority leader over there and the rest of his party and saying, look, we need to offer something back because we believe in regular order.

We think the best business that we can have and we think that our Founders and the way our Constitution is set up, that we work under regular orders. If the House passes a bill, we send it to the Senate. If the Senate doesn't agree with it, then they can either put their own bill, send it back over to us and we'll go to conference, or they can amend our bill and send it back. And then if we can't agree with that, we'll go to conference.

But that's not the way things have been operating over here.

It's been a failure, in my opinion, on the majority leader's part in the Senate that he just refuses to take them up. We're not going to do it. We're not going to debate it. It's either my way or the highway. I think the American people deserve better than that.

I'm going to give Mr. GOHMERT a few minutes, if he would like to take the time, before he has to make one of his dignified appearances, so I'll yield to him.

Mr. GOHMERT. I appreciate my friend from Georgia hosting this hour and also yielding. This is a very important topic, and people need to understand what's going on.

Now, as someone who was totally opposed to the deficit ceiling bill back in July, 1½ years ago, I told our conference the Democrats and the President are never going to allow the supercommittee to reach an agreement because they want to blame cuts to Medicare on Republicans, when the fact is that ObamaCare cuts $700 billion from Medicare, and it has been and it's starting to be and it's going to get really much worse because of those cuts from ObamaCare.

To ourselves here in the House, over the last 2 years we have cut our own budgets—the Senate hasn't, but we've cut our own budgets here in the House over a 2-year period by over 11 percent, about 11.5 percent. This sequester is going to cut us another 11 percent. We're going to have cut nearly 23 percent of our own budgets. How did we do that? Did we lay off all our staffs and have a big press conference and talk about how terrible it was going to be? No. I know in my office we basically have what you'd call a hiring freeze. If we lost somebody, we haven't replaced them.

TOM COBURN first raised this point in a letter to the Deputy Director of Management for the White House, with all this gloom and doom about all the people that the President's going to have to fire because of the sequestration, because of a cut of about 2 percent of the budget, they're going to be firing all these people or furloughing all these people. At the same time, you can go online, you can order books, and you can see all the Federal jobs that this administration is still offering.

So an easy suggestion is how about instead of firing and furloughing all these people, just hold up on hiring some folks for a while. Across America, people know how to do that in business. Instead of firing everybody that's been with you for years, that's counting on that salary, if you have to cut the budget, the first thing you do is you maybe wait to hire somebody for a bit. That would be more caring—unless of course this administration is more concerned with showing that they hired somebody instead of just maintaining what they have.

□ 1640

We will have cut our ownselves here in the House, our own budgets 23 percent, approximately, over a 3-year period. If we can do it and still get the job done, then I feel sure the people in the White House, the people in the executive departments and all those people at the EPA that are trying to shut down our own energy production and put those people out of work, heck, maybe if they just shut down EPA for a little bit and let the States continue, like Texas has, to get their water cleaner and their air cleaner, maybe the jobs would increase. The President could take credit for that just by slowing the amount of regulation this President has been throwing on the American economy.

Another thing we hear today is that the President is now saying that on Friday, after the sequestrations have started and the military is having all these massive layoffs—and actually, the truth be known, after the President will have gotten what he had been hoping and trying to get for years, even as a U.S. Senator, and that is big cuts to the Defense Department—after the Defense Department cuts kick in, then, and only then, is he going to sit down and talk to congressional leaders.

Well, that's not hard to figure out. What a great political ploy, what a great political plan. A year and a half ago, the President and the White House came up with the idea of this massive sequester, and the biggest loser would be the Defense Department. Reluctantly, some people like me said, let's don't do this, let's have other cuts, let's don't let the President's plan, with all his massive cuts to defense and basically 2 percent cuts to other entities, let's don't let that happen. Let's really cut departments, cut things we really don't need.

But we ended up going along with the President's idea for sequester. Then after he gets the cuts to defense that he's been pushing for years and years, going back to his days as a U.S. Senator, he gets to come forward and spend millions and millions of dollars running around on Air Force One condemning Republicans in the House for cutting defense.

What a great thing. He cuts defense as he's been wanting to do for years, forces the Republicans to go along with it, and a year and a half later blames the Republicans for cutting defense and says, I wouldn't have done that, but now that defense is cut, now let's talk about restoring some of that money to groups, the Acorn-like groups out there that are going to suffer because they're not going to have money to spend on electing Democrats in the next election if we don't return the sequestered money.

The thing is, it's about $85 billion in cuts from a $3.6-trillion budget—not that we've passed a budget. That's just how much money will likely be spent, approximately. And it doesn't have to be that way.

One of the things that The Wall Street Journal pointed out in an editorial February 19 was they said that Americans need to understand that Mr. Obama is threatening that if he doesn't get what he wants, he's ready to inflict maximum pain on everybody else. He won't force government agencies to shave spending on travel, conferences, excessive pay, and staffing. He won't demand that agencies cut the lowest priority spending, as any half-competent middle manager would do.

Then they go on to talk about things. One of the things we find out today is that the administration has released people charged with felonies and said, look, if you don't restore the money to my agencies that I'm demanding, then I'm going to end up releasing more criminals on the American public. That is incredible. But he knows the mainstream media will give him cover. I hope and pray the American people will not give him cover, that we will demand what we've been telling the American public we were going to do, we made cuts. The cuts will be made. Now let's look for better ways after this to make cuts to other programs that need it.

With that, I yield back to my friend from Georgia.

Mr. WESTMORELAND. I want to now introduce somebody from New York. I believe he was the executive for Monroe County for 4 years. He took a county that was going bankrupt, or fixing to go bankrupt, and turned it around, $125 million, I believe, in the rainy day, so to speak, fund. So he's got knowledge on how to do it. He's also been a very successful businessman. I think that all these agency and department heads that we have, if you can't manage to cut about 2.4 percent of your budget, you need to take a look if you're really capable of managing people and managing a department of that size.

So I would ask the gentleman from New York, one of our freshmen, a businessman, a great guy, Mr. COLLINS, to come up and try to enlighten us a little bit on what steps he took of running a government, actually turning it around and made it to where the citizens got something from the taxes that they were paying.

Mr. COLLINS of New York. I want to thank the gentleman from Georgia for that kind introduction.

I would put two words forward: when I came to my period of time as county executive in Erie County, the largest upstate county in the State of New York, and it's ''common sense.'' Common sense is something that I think frustrates the American public; it's something that we don't see in U.S. Government.

I'd like to point to the sequester as a prime example of what's wrong with Washington. We have a broken government, and we all know it. As someone who ran for Congress to focus on improving our economy, Washington can be a very frustrating place.

We are now only 2 days away from sequestration taking effect. In typical Washington fashion, we're now staring a deadline in the face with no answers for hardworking taxpayers.

The timing of this whole process should not be taking anyone by surprise, certainly not the President. President Obama is the one who proposed this sequester, and that is a fact. The President insisted that these arbitrary across-the-board spending cuts become law as part of the debt negotiations in 2011. Now, 2 days away from these cuts taking place, I'm very disappointed the President is not working with us to find a solution.

Instead, he is deliberately scaring the American people and attempting to convince them that the only way to avoid the pain is to raise taxes again. The President is threatening an apocalypse if he doesn't get his second tax hike in just 8 weeks. The hardworking families of New York's 27th District can't afford it.

And I believe the American public are seeing this sideshow for what it is: a blatant attempt to raise taxes again on American families and small businesses instead of addressing our spending addiction. Because if the President and the Senate didn't want to raise taxes again, they would have a plan. And they don't.

The House has twice passed a bill to replace the across-the-board sequester with responsible spending reductions and reforms. The House first passed this legislation 10 months ago to replace the President's sequester with smarter, more responsible, and commonsense spending cuts. The Senate and the President never addressed those bills; and they don't have a plan of their own, except raise taxes.

The good people of western New York and the Finger Lakes region know there are smarter, more bipartisan ways to cut government spending. They know that this country must reduce its spending and pay off its debt. They know that failing to do so will only mean a continued sluggish economy—and even worse, leaving our children and grandchildren with nothing but a bag of IOUs. And they know that before Washington politicians have the audacity to talk about raising taxes again and cutting our military, there are millions of dollars in waste in the Federal Government around every corner. And they are waiting—not so patiently anymore—for us to cut that waste before we tell them to hand over even more of their paycheck to the bureaucrats in the Federal Government.

Here is a question: Why is the EPA doling out grants to foreign countries, including China, at the expense of $100 million over the last decade? Why does the IRS need to run a TV studio that costs $4 million a year? And why are we paying senior citizens to play video games so we can study the impact on their brains?

□ 1650

Now, I understand these three examples don't equal $85 billion of sequester cuts, but these are just three examples of the waste. This is crazy.

Washington must do better because the American people deserve better. They deserve a Federal Government focused on balancing its budget, reducing it's spending, paying off its debt, honoring its commitments to seniors, and making sure our younger generations can actually live the American Dream.

Mr. President, let's stop the scare tactics and let's get to work.

Mr. WESTMORELAND. I want to thank the gentleman for participating.

Next I want to introduce another one of our bright young freshmen, the gentleman from California (Mr. VALADAO) of the 21st District, a dairy farmer, the son of Portuguese immigrants that has come here. He is a veteran legislator that has been with the California Assembly. We're excited about having him. He also represents a district that has been really hurt by some of the regulations and the environmental requirements that this administration has pushed.

Where he lives and where he farms, his neighbors have lost a great number of jobs due to the fact that we can't provide them any water that we promised them probably 40 or 50 years ago that had been coming to them and they really had the basket of the fruit and vegetables that we eat every day.

I yield to the gentleman from California.

Mr. VALADAO. Mr. Speaker, I agree, Congress needs to get serious about our Nation's irresponsible spending; however, broad-based, automatic spending cuts and tax increases are not the way to get our fiscal House in order.

This week, the administration warned of the devastating effects that sequestration will have on many essential services provided by the Federal Government. To be clear, while the Budget Control Act of 2011 defined the amount of sequestration cuts, implementation of these cuts is at the discretion of the administration. The administration has now threatened to cut crucial services, including laying off air traffic controllers and the inspectors that make our food safe. At the same time, our government is spending

$1.7 billion operating unused Federal properties. There are numerous bipartisan alternatives to increase the Federal Government's efficiency and eliminate wasteful spending that do not include raising taxes or cutting the essential services my constituents depend on.

Ultimately, the real solution lies in reviving our struggling economy and giving our small businesses the tools to create jobs. In California's San Joaquin Valley, burdensome environmental regulations have resulted in the fallowing of 200,000 acres of land and the loss of countless jobs. This is a prime example of government ignoring the solution while creating a problem. At no cost to the taxpayers, we could provide certainty to our communities and to the farmers in my district that we can protect jobs and actually grow our economy.

With just 2 days until sequestration takes place, it's time for all of us to get serious about our Nation's spending problem and come together to do what's best for the American people.

Mr. WESTMORELAND. I want to thank the gentleman for being here.

Next I want to allow one of my fellow Georgians some time to speak, who is another veteran legislator that came out of Georgia, who I've served with in the Georgia House, somebody from south Georgia who understands what it's about when you have to work hard and farm. He's a private business owner, an insurance agent, and a good friend.

I yield to the gentleman from Tifton, Georgia (Mr. SCOTT).

Mr. AUSTIN SCOTT of Georgia. Thank you, Mr. WESTMORELAND. I certainly enjoyed serving with you in the Georgia House where we balanced the budget on an annual basis and made cuts certainly much larger than this on a percentage basis. Quite honestly, we did it on an annual or a semiannual basis when we were there.

I want to point out one thing that you talked about that's not being talked about much here, and that is that the total cut that we're talking about is a little less than 2.5 percent of Federal spending. The problem with the sequester is not that it's an unreasonable amount that's being cut; it's where it's being cut from.

So here we are less than 48 hours from the President's sequester, our Commander in Chief's sequester, that's going to go into effect and set into place $1.2 trillion over the course, ladies and gentlemen, of 10 years. That's one of the things that needs to be pointed out. It's not $1.2 trillion over the course of this year; it's over 10 years. So you're talking about $100 billion a year out of a little better than a $3 trillion annual budget.

Of this cut that our Commander in Chief has insisted on, over half of that is going to come from national defense and our men and women in uniform and our civilian workforce and taking its toll on them. Our Secretary of Defense, Leon Panetta, I thought did a great job when he actually explained it as hollowing out our military. He told the truth about that and just what the Commander in Chief's budget reductions were going to do to our military. Obviously, we have a new Secretary of Defense coming in now, and I can't help but wonder if Secretary Panetta speaking out about what those cuts were going to do to the military isn't one of the things that maybe led to his replacement.

On October 22—just to give you a couple of specifics—in his campaign for election as our Nation's Commander in Chief, the President promised that his sequestration ''would not happen.'' The President, the Commander in Chief, promised that it would not happen. He went to great lengths to assure Americans that are working in our military and on our military bases, our civilian workforce—I represent Robins Air Force Base—he told them this will not happen. He told our defense contractors to not comply with the law and actually issue the notices that were required under the law that furloughs and layoffs may be coming.

I personally think it was politically motivated, but that's just a personal stance of mine, Mr. Speaker.

On February 6, I asked the President for a solution. I sent a letter. I've got the letter right here. I'm sure that somebody at the White House got it. We have never gotten any response from any letter that we have sent to the White House as a Member of Congress. We simply asked him to give us a written proposal on what he would do given his choice of having it exactly his way and replacing the sequester. Again, no response, no action.

On February 15, he came to our State, Georgia, and didn't go to any of our military installations. We have seven major military installations and over a dozen major military communities in the State of Georgia. He went to a county and he talked about expanding the role of the Federal Government in public education as we were approaching the sequester. The men and women at Robins Air Force Base and the other bases were left wondering what was going to happen to their paycheck. He did not even address the issue while he was in Georgia with our seven major military installations and our 12 major military communities.

Mr. Speaker, I didn't vote for the sequester, but what I'll tell you is I'm reminded of what Teddy Roosevelt said when I look at the national debt and the things we're facing right now:

> The best thing to do is the right thing, the next best thing is the wrong thing, and the worst thing is nothing.

We have to cut Federal spending or we're going to rob the next generation of Americans of the American Dream.

So I would say that here we are as a House having passed two separate bills to undo the President's sequester and 48 hours prior to the sequester going into action, and all we've heard from the President is just words. He hasn't had the guts to put a proposal in writing before this House for the American people to see. Here we are, Mr. Speaker, at the 11th hour with no action from the President, no response to my letter or any other Member's letter, to my knowledge, no plan to Congress, no plan to America. He's just a President, a Commander in Chief that's willing to let this happen to our military. Half the cuts are coming from our military. What kind of Commander in Chief do we have?

Congressman, I appreciate the opportunity to speak today and thank you so much for doing this.

HOUSE OF REPRESENTATIVES,
Washington, DC, February 6, 2013.

DEAR PRESIDENT OBAMA: As the representative of the Eighth Congressional District of Georgia, home to Robins and Moody Air Force Bases and a member of the House Armed Services Committee, I am very concerned about the impact that sequestration will have on our national security. As you are aware, on March 1, 2013, $500 billion in defense cuts will go into effect unless a law is enacted to prevent it. According to many of our nation's top military leaders, the indiscriminate cuts caused by sequestration would hollow out our forces and severely degrade our military capabilities.

On October 22, 2012, you promised that ''sequestration will not happen.'' You went to great lengths to reassure Americans that you would work to prevent it, and you even urged defense contractors not to issue layoff notifications required under law. Given your role as our nation's Commander in Chief, I believe that you share my concern over a hollowed military force. However, without your leadership I am fearful that a solution will not be reached.

We in the House of Representatives passed several bills during the 112th Congress, including H.R. 3662 and H.R. 5652, that would repeal the sequester. Based on your statements, you do not support these bills, yet have offered no alternative. Furthermore, representatives from your Administration were highly ambiguous in explaining your plan for preventing sequestration cuts. In a hearing on August 1, 2012 Acting OMB Director Zients testified that your plan to address sequestration was your 2013 budget proposal. Yet this is not a real proposal Congress could act upon, and your budget did not receive a single vote in either the House or the Senate.

We are running low on time to address sequestration and your administration's lack of meaningful action is concerning to many of my constituents. I urge you to take a more active role in resolving these senseless cuts to our national defense. I look forward to your response and to reviewing a detailed and concrete proposal that Congress can act on so that we can cooperate in a bipartisan manner to resolve sequestration.

Sincerely,

AUSTIN SCOTT,
Member of Congress.

Mr. WESTMORELAND. I thank the gentleman.

Now I want to introduce another one of our freshmen, somebody that comes to us from Florida's Third Congressional District, a veterinarian. He is actually a small business guy. I think he's been in that business for about 30 years. He also understands the effect that this sequester will have on our

military because his oldest daughter, Katie, is an active Member of the United States Coast Guard. So I hope that the gentleman will express some of those things that he feels about these cuts that are coming to our military.

With that, I yield to the gentleman from Florida (Mr. YOHO).

□ 1700

Mr. YOHO. I thank the gentleman from Georgia.

Mr. Speaker, I rise today on behalf of my constituents in Florida's Third District to voice the concerns they have shared with me over the President's sequester that will go into effect on Friday.

Make no mistake: cuts need to be made. However, I know, and my constituents know, the sequester is not the answer.

We in the House have shown, and will continue to show, where responsible spending cuts can be made. In fact, the House has tried multiple times to address this issue and has passed legislation as recently as 6 weeks ago. However, the majority leader, Mr. REID, would not address these issues.

With a Federal Government of this size and magnitude, Washington bureaucracy can afford to bear the brunt of these cuts. Not our military, not communities like Lake City, or Mayo, or Newberry, or Middleburg, Florida.

I'm working with my friend from Georgia, Congressman DOUG COLLINS, on the new Freshman Regulatory Reform Working Group, to help show exactly where some of these cuts are and to help businesses do what they do best. They grow the economy and they create jobs, bringing in more revenues to our government.

We need to, and we will, show the President and the American people that we can cut wasteful spending without hurting kids, our seniors, and that we can make responsible cuts that do not put our national security at risk, and not add to the heavy tax burden of hardworking Americans that they're already carrying.

It is a shame that the President and the Senate have avoided working with the House in a real budgeting process. I look forward to working with all my colleagues on restoring faith to the American people and bringing order back to this process.

Mr. WESTMORELAND. I thank the gentleman for being here and giving us those great comments.

Now I want to introduce another friend, our policy chairman in our Republican Conference, somebody that comes from the great State of Oklahoma, somebody that has great experience in managing people. I think he ran a youth camp, the largest youth camp in the United States, if not the world. I'm afraid to even tell you how many people. I'll let him do that. But I would like to recognize the gentleman from Oklahoma, our policy chair, Mr. LANKFORD.

Mr. LANKFORD. I thank the gentleman from Georgia.

Mr. Speaker, it's an honor to be able to stand in front of this House today.

Let me talk about families that all across America right now are struggling with their own finances. They're sitting at a dinner table this evening, because they have run out of paycheck before they have run out of month, and they're struggling through just the basics of how they're going to do life, because they're in debt and they're struggling through day to day.

They will make decisions to be able to put their house in order and to be able to resolve where they're headed as a family, because they don't want to be a family that's going to live heavily in debt. Because once you're in debt as a family, everything is about money. Every day there's a new battle about money; every day there's a new battle about spending and who's going to spend and what bill are we going to pay and how are we going to handle day-to-day life.

The hard part is that's where we are as a Nation right now. The House and the Senate and the President, we continue to argue through things about money. And every week it seems like we're fighting a new fight about money. Because, guess what, we're $16.5 trillion in debt.

For 5 years in a row, we've overspent the budget by $1 trillion a year, and there's no end in sight. We've come to a day that we have to resolve how do we get out of this hole, how do we fix this.

Let me give a quick history of how we actually got here. In 2011, the House and the Senate and the White House all agreed if we're going to have a large debt plan to get us out—at that point a debt ceiling request of $2.4 trillion—we had to have with that extension of the debt ceiling also a plan of how to reduce spending by that same amount or more so that we didn't just infinitely continue to increase debt.

So the plan was made to cut $1.2 trillion over 10 years. And then there would be a second tranche of $1.2 trillion again to reduce spending.

We couldn't come to an agreement on that. So Jack Lew, who was the President's chief of staff, came to HARRY REID and said, here's our suggestion, do a sequestration. HARRY REID rejected it initially. Then Jack Lew came back to him and said, what if we do half of it in defense spending? So an automatic across-the-board cut, if we can't find a way to reduce spending in other ways, we'll just do an across-the-board cut with half of it in defense and the other half of it from other parts of the budget.

HARRY REID agreed with Jack Lew, the President's chief of staff, and the President's plan then went to the Senate and came to the House where begrudgingly we all agreed, because none of us wanted to see this. I don't believe that the White House wanted to see sequestration as well.

But this plan that was put in place that the House, the Senate, and the White House all agreed to was to find some way to reduce spending by $1.2 trillion in long-term spending.

The first option was the select committee, the supercommittee, as it was called. It obviously failed in its task.

Shortly after that, the House of Representatives said that the select committee has failed in its task, we cannot have sequestration. And so in May of last year, the House of Representatives passed a replacement plan for sequestration so that we would not get to this point. As Americans constantly talk about Congress waiting 'til the last minute, almost 300 days ago the House of Representatives passed a plan to avoid sequestration and to do cuts and waited for the Senate to respond so that we did not have a moment like this. The Senate never answered us back.

So in December of last year, the House again passed a plan to say here's how we can replace sequestration. And, again, the Senate has never responded to that.

We're at a point now, hours away from sequestration beginning, at a point none of us wanted to be here, facing the reality that if the Senate never responds to us, we're at a point that we will step into across-the-board cuts. When that occurs, half of those cuts being in defense and a very severe cut after there was already $100 billion cut from defense 4 years ago, then $500 billion cut from defense 2 years ago, now another $500 billion cut in defense. Defense is carrying a very disproportionate number of cuts in this administration.

We've got to find a way to be able to stabilize all of our programs and to do smarter reductions of spending without having this huge hit. We've got to learn how to be able to plan ahead, both in the House and the Senate.

Why must this be done in the first place? That's the challenge. We have individuals that look at programs that are some of their favorite programs and say they're going to face an 8 percent reduction in that program this year. And there's going to be a spending cap so they don't have infinite growth over the next 10. And they look at it and say, why does it have to be that way?

Well, I can tell you why. Because we are facing a debt crisis that is not just something for the next generation. It's now.

Two weeks ago, the Congressional Budget Office released its report on the status of America and where we're headed on current law and what happens now. In that report, it detailed that right now we pay $224 billion a year just in interest. CBO 2 weeks ago released a report and said on the current path we will pay in interest $857 billion a year just 10 years from now.

So where we have said in the past, for our children they're going to have a

crushing debt, it is now this generation, because debt continues to accelerate; $857 billion, ladies and gentlemen, is larger than what we paid for the entire war in Afghanistan. We will pay that each year just in interest payments just 10 years from now if we don't get a handle on this. That's larger than all defense for a single year, that's larger than all Medicare, that's larger than all Social Security. $857 billion in interest alone is by definition unsustainable for us as a Nation. We cannot afford to do that. We have to deal with our spending.

So how do we get on top of that? Well, the President's proposal is, let's just raise taxes on a few people. Well, guess what, the President got his tax increase in January.

As of all the reports that are coming back in now, 2013 will bring in the largest amount of revenue in the history of the country to the Treasury. We will have no year in our history we will bring in more revenue than 2013, and yet the President's proposal is we need to raise taxes again to cover that.

Well, one of the tax increases that he recommends is to just raise taxes on the energy companies. Just find energy companies and raise taxes on that. His proposal raised another $4 billion a year from energy companies.

Well, there are a couple of problems with that. One is, that's a great way to raise gas prices again, as this administration has done so many times in some of the regulatory schemes that have happened to watch gas prices continue to trickle up. It is one more shot to do that. And the second part of that is, it's $4 billion. We have over $1 trillion in deficit spending. That does not solve the problem.

□ 1710

We are overspending a trillion dollars a year, and we are spending more than a trillion dollars more than what we did just 5 years ago. It is obvious with the highest amount of revenue in the history of our country coming in, we're spending more than a trillion dollars more than we did just 5 years ago, this is a spending-driven crisis.

Mr. WESTMORELAND. We borrow about $4 billion a day. We spend roughly $10 billion and borrow about $4 billion. So this energy tax would just keep us from borrowing for 1 day.

Mr. LANKFORD. Right. And it would drive up the cost of gasoline yet again for all Americans. It doesn't solve the problem; it continues to exacerbate the problem.

Our issue is we're facing a difficult moment. But this is not a moment that is manufactured by some sequestration event. This is a moment that has been created by overspending year after year after year. And now the acceleration of debt and deficit and interest payments each year is climbing so quickly that if we don't get on top of it soon, we will not be able to get on top of it in the days ahead.

This is not just a manufactured, short-term crisis. This is a serious economic crisis for the United States. And if it is a serious crisis for us, it is a serious crisis worldwide. We have the responsibility as the largest economy on the planet to be responsible with our finances and to get our economy back on track so that the entire world's economy can begin to get back on track.

Mr. WESTMORELAND. I thank the gentleman for bringing up that point because I think a lot of people may not realize that we're talking about $85 billion here. As the gentleman stated, you know, we spend $10 billion a day. So, I mean, this is 8½ days that we're saving.

My son-in-law was a DA, assistant DA, and I remember a couple of years ago, he was furloughed for 14 days, which is almost twice as much as we're talking about here. He didn't have to put his children in an orphanage or go hungry or anything else. They managed their bills. That's all we're saying. While we've all heard the sky is falling, I think it is something that we can deal with, especially if we have competent heads of these agencies.

So, you know, just looking at some of the other money that we're spending, $268 million in executive branch conferences, whether it's for the Department of Defense, Homeland Security, Health and Human Services, $268 million just for the conferences, I think we can cut those conferences out for a year. Or maybe cut them down, maybe not be quite as expensive or elaborate as they are.

You know, when I came to Congress, I came from a building, a construction background. I considered myself somebody capable of looking at a set of plans and giving an estimate of what it was going to cost and having a vision of what it was going to look like. I remember one time I had a customer come in who wanted a roof designed a certain way, and I tried to tell them it wasn't going to work. They had seen it somewhere else and had gotten somebody to draw it. The one thing I did learn in the building business is that somebody can draw something, but it doesn't necessarily mean that you can build what they draw. And so I tried to explain to them, I said, This isn't going to work; it's going to cause problems; it's going to look bad. But they still wanted to do it. Their house, I did it. The next thing I know, they come up complaining about it. And I said, Look, this was your idea; I did exactly what you said. And they didn't like it, but it was something that they had to live with or pay to get it changed.

The same thing has happened here with this administration. You know, this was their idea. This was something that they wanted to do. I think a lot of people said, No, this is a bad idea; we don't want to do this. But yet they were so desperate to come up with something to cut the spending of this country that they agreed to it. And now all of a sudden, the originator of the idea doesn't like it. And he says, Oh, no.

But rather than sitting down and talking to the people that could make a difference and make a change, he decided to go out and travel the country to talk to people who couldn't. And it's turned out it's going to be a bad outcome, but it is the only outcome that could come from the plan that was drawn.

Now, let me say this again about the spending. When you think about the fact that we spend $10 billion a day—think about that, $10 billion a day. And we borrow about half of it. About 42 percent of it we borrow from somebody else. And keep this in mind: the Federal Reserve buys, in combination with different things, they buy about $85 billion worth of mortgage-backed securities every month—$85 billion every month. They print the money to do that. So we've got bigger fish to fry.

As several people have said today, we've got to get serious about this. I'm accountable to 700,000 people—just like every Member of this body is—at home, but I'm also accountable to my children and my grandchildren and their children. And I want one day, when they sit in my lap or come up to me and say, Papa, couldn't you do something about this? I want to be able to tell them, I tried, baby. I tried to do it. We all tried to do it, but nobody wanted to cut. Nobody wanted to save. We just kept putting it on your charge card.

And so while this $85 billion is going to be tough, it's going to be hard, it's going to hurt some families, it's going to cause some people to go to part-time employment rather than regular employment, but you know what, it's $85 billion that's not going to go onto our children's credit cards. I think that's what we've got to remember. We keep kicking the can down the road. People my age and in my generation, we may not ever have to pay the tab for this, but my children, and for sure my grandchildren and my great grandchildren, are going to end up paying this tab. So we're not really doing that much other than shifting it from our responsibility and our burdens to the next generation and the next generation's burdens.

I see another one of our bright freshmen. Mr. Speaker, anybody out there who has been watching, they understand that we have a bright freshman class. This gentleman is from Illinois, Mr. RODNEY DAVIS. And so, Mr. DAVIS, I'm glad to yield you time.

Mr. RODNEY DAVIS of Illinois. I thank the gentleman from Georgia.

I rise today, Mr. Speaker, to remind us all what President Kennedy told us. He said:

> Let us not seek the Republican or Democratic answer, but the right answer. Let us not seek to fix the blame for the past, but let us accept our own responsibility for the future.

That's where we stand today with this looming sequestration. It's time to get beyond the party politics. It's time to stop the blaming and the finger-

pointing. The truth is, it took both parties, the House, the Senate, and the President, to approve sequestration. And it's going to take both parties, Republicans and Democrats, a House, a Senate, and the President, to resolve it. The decisions we will have to make won't be easy, and no one—no one—will get everything they want, but that's why we were elected. That's why our constituents entrusted us to serve in this body.

So let us take this opportunity to do the job that we were sent to Washington, D.C., to be in this House, the privilege of serving in this House, let's do our jobs, do what our constituents sent us to do. Let's put aside the partisan politics. Let's work together, compromise with principle, and govern, govern like statesmen. It is expected and, I will say, Mr. Speaker, it is demanded of us.

Mr. WESTMORELAND. I thank the gentleman for those words.

I'll close by saying this. This job is not easy. It's not exactly what everybody might think it is, but it's something that we don't need to squander.

□ 1720

It's an opportunity that everybody in this House has been given that probably less than 12,000 people have ever had since this country has been founded. We don't need to squander this opportunity.

And we need to honor those that have come before us, that have fought and died, the men and women right now that are in Afghanistan and other parts of the world that are putting their lives on the line and in danger every day, not for us to be running up the debt on them.

We've got less than 1 percent of the people in this country that protect the rest of us. And so, you know, why are we trying to do them harm?

We're trying to fix that, and I want them to know that, that we are trying to fix that, and we're going to try to fix it in the CR.

And for the young voters out there, I want y'all to know that this is not something that we're purposely doing to hurt you or your family. This is something that we're doing for your children, or trying to do for your children.

All we're asking is that you might encourage others to join us in this fight, to try to save this country from going down the road of debt and bankruptcy that we're headed on, and instead turn it around to the bright future that we all want to have for this country and for a better Republic, and something that will bring us back to the forefront, to be held in the same esteem that we've always been held in by the other countries in this world, not somebody that's continuing to dig a hole of debt for our future.

I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SALMON). The Chair would ask Members to address their remarks to the Chair.

CONGRESSIONAL PROGRESSIVE CAUCUS HOUR: SEQUESTRATION

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

Mr. POCAN. Mr. Speaker, I rise today on behalf of the Congressional Progressive Caucus to repeat and enhance the calls made by our colleagues today to put a stop to these disastrous spending cuts known as sequestration.

It's been interesting. For the last 45 minutes I've listened to people from the other side of the aisle talk very passionately about their concerns on government spending, on debt, on government waste. And yet, almost not a single one of those issues is covered by what we have before us in the next 48 hours, which is sequestration.

Sequestration is a thoughtless approach that makes irresponsible, indiscriminate cuts down virtually every single budget line. If you think there is waste with a $4 million TV station in the IRS, as one speaker said, sequestration won't stop that. If you think we have too much debt, sequestration won't stop that. If you think we have too much fraud, abuse, and waste, sequestration won't stop that.

But what sequestration will do is have a real impact on the middle class families, not just in Wisconsin, where I come from, but across the country, and that's why so many of the people in the Progressive Caucus and Democrats have such a strong concern about what this country is facing, because of this House, this Chamber's inability to act in the next 48 hours.

You will hear from a number of people from different parts of the country this afternoon who are going to talk about the very real impact of sequestration on their States and on their districts, and the very impact that I think the middle class is feeling that doesn't really relate to what we heard for the last 45 minutes, but relates to the very issues that people care about—education, health care and so many other areas.

It's funny, last week I got a chance to be back home in my district, and as I talked to the people of south central Wisconsin, it's not at all what you hear talked about here in Washington, D.C. It's almost as if it was a different country, not just the District of Columbia, but a completely different country when we talk about sequestration.

And what people care about is, how do they make sure they've got a job? How do they make sure they've got enough money to pay for the food on their table, to support their children, to provide opportunities for their families?

But instead what we see is quite different with the sequestration cuts that are going to happen. There's a real impact on the middle class, and it's pending and it's looming because we can't get the people in this room to sit down and get our jobs done.

I heard multiple stories over the last week, and just in the last 45 minutes, about how sequestration came about. I can tell you, people in Beloit and people in Barneveld and people in Baraboo and small communities across Wisconsin don't care about the finger-pointing of how it happened. They don't care that in 1985 this idea started, and it's been a bad idea. It was such a bad idea that it was agreed to last year because they thought absolutely no one would go for this idea, and now we have people arguing, don't worry; we'll fix it a month from now.

I can tell you, in Wisconsin, we're a little different. When our check oil comes on in Wisconsin, we check our oil, and if we have to we put oil in the engine. Here in Washington, D.C., we just keep running it until the car stops and the engine breaks down, and then we all decide that we're going to somehow fix the engine, which is a much more costly process. But I guess that Wisconsin common sense doesn't happen in Washington, D.C., and it's clearly not happening in this House as we deal with sequestration.

I have a couple of colleagues here who are going to share some stories, and then I'm going to come back and share some more stories from my area, some of the very cuts you're going to see in Wisconsin and nationwide. I'm going to share some real stories from people who, not just from my district but across the country, are talking about the impact on their lives.

I want to share a little bit about my experience. I spent 6 years on a budget-writing committee in the Wisconsin Legislature, and I chaired that committee. And we did things in a very different way and in a very bipartisan way, something that is a foreign concept to Washington, D.C.

First I would like to recognize one of my colleagues from the west coast. Representative MARK TAKANO is a fellow freshman. He represents the Riverside area of California. A teacher by profession for over 20 years, also a community college board member, so he's had a lot of experience and is recognized in our caucus as one of our foremost experts on education. But he knows the real-life impact that this is going to have on California and on his district.

I would like to yield some of my time, Mr. Speaker, to the gentleman from California.

Mr. TAKANO. I'd like to thank the gentleman from Wisconsin for yielding some time to me this evening.

Mr. Speaker, there seems to be a lot of talk from my friends on the other side of the aisle about whose idea the sequester was, instead of actually working to stop this from happening.

Make no mistake. If the House Republican leadership really wanted to

stop the sequester from taking effect, they could do so. It's the House Republican leadership that is sitting back and letting the sequester go through.

My friends on the other side of the aisle seem to forget how we arrived here. In 2011, it was the Democrats who wanted a clean raise of the debt ceiling, which had been the process for decades, under Republican and Democratic Presidents. But the extreme wing of the Republican Conference demanded cuts, and chose to hold the American economy hostage.

What we got was the Budget Control Act of 2011, which Speaker BOEHNER said was 98 percent of what he wanted. And here we are, a year and a half later, Mr. Speaker, up to the eleventh hour again, dealing with another manufactured crisis instead of talking about jobs and how to improve the economy.

But again, we must deal with the soap opera that is the House of Representatives. Every time the House of Representatives wants to pass some meaningful legislation, we're forced to go through this pattern where our citizens are put through weeks of drama on pins and needles wondering what will happen. But then what happens is the governing majority finally comes together to pass legislation with substance, legislation that is sensible.

But who is this governing majority that passes meaningful legislation?

It's made up nearly of the entire Democratic Caucus, and a handful of moderate, sensible Republicans. When we faced the fiscal cliff, which nearly every credible economist said would be disastrous for our economy, it took a commonsense governing majority of 172 Democrats and 85 Republicans to come together to save the economy from ruin.

□ 1730

On the vote to provide aid to victims of Superstorm Sandy, after weeks and weeks of delay, with leaders of their own party up in arms, finally the governing majority emerged with 192 Democrats and only 49 Republicans. I understood the need to help the victims of Superstorm Sandy. I'm from California, where earthquakes and other natural disasters are a reality, as are tornados in the Midwest and hurricanes in Florida. Most Americans understand that it is a basic function of the Federal Government to provide aid to victims of natural disasters; but still the Republican caucus was divided, and it took reasonable people to come together to help those in need.

And just last night, we got word again that the governing majority is needed in order to pass some real legislation as we take up the Violence Against Women Act. The reality is, to pass anything with substance, Speaker BOEHNER needs the Democrats.

So when the House of Representatives takes up the Senate version of the Violence Against Women Act, what will the governing majority look like? Go to Twitter and tell me what you think the vote will look like with the hash tag Boehner Needs Dems.

Mr. BOEHNER, the governing majority has done its job with the fiscal cliff, with aid to Sandy victims, and I'm willing to bet that the governing majority will do its job once again with the sequester and the Violence Against Women Act.

Speaker BOEHNER, when you're ready to get serious, we, the governing majority, are here to help.

Mr. POCAN. I'd like to thank the gentleman from California for those remarks.

You've heard a little bit from the west coast. You heard a little bit from the heartland. Now we can hear a little bit from the east coast, the State of Pennsylvania, and another colleague of mine, another member of our freshman class that we have of 49, and now soon to be 50 freshman Democrats in this House of the 113th Congress. Representative MATT CARTWRIGHT is a lawyer by trade. He represents consumers and making sure they get their fair share in this country. Mr. CARTWRIGHT also is a member of the Oversight and Government Reform Committee, where he is the ranking Democrat on a committee to make sure that economic development is a priority for the people of this country.

It is my honor to yield to the gentleman from Pennsylvania.

Mr. CARTWRIGHT. I thank the gentleman from Wisconsin.

I'm here to address the draconian and irresponsible and indiscriminate effects of this ridiculous sequestration program that's slated to take effect on March 1. I use the word ''indiscriminate'' advisedly. It is indiscriminate. It is as if the government were a surgeon and seeking to take out a cancer, a lesion making a patient sick. Instead of being given a scalpel to take out that lesion, the surgeon is forced to use a meat cleaver.

That is an appropriate analogy for what this sequestration is doing because it is an indiscriminate set of cuts across the board to the discretionary spending in the United States. No responsible business person would ever engage in such a budgetary process. No one with any sense would do this in the government. And yet we're left with this.

Instead of repealing it and replacing it promptly, what we see is that the Speaker is instead engaging in finger-pointing and in the blame game to avoid moving forward and fixing the problem in the first place. It's irresponsible, and it has to be dealt with differently.

I say that if Congress cannot come up with a replacement to the sequester before the end of this week, we should eliminate the sequester entirely. One million working Americans should not be forced to pay the price for what is nothing more and nothing less than stubbornness and hard-headedness. We would prefer to replace the sequester with a balanced approach to deficit reduction.

The Progressive Caucus already introduced a bill called the Balancing Act that reflects what the American people already voted for this past November. The Progressive Caucus Balancing Act replaces the sequester with a balanced approach to new revenue and necessary Pentagon cuts, and it creates jobs all over the country. It equalizes the cuts we've already made with revenue by closing tax loopholes for America's wealthiest individuals and corporations.

But we shouldn't just sacrifice our economic recovery because Republicans are unwilling to vote for one single penny in new revenue, new contributions from their billionaire friends and corporations. We have to look at what these cuts mean in the sequester. The sequester involves 70,000 children being kicked off Head Start. No one in this Chamber disagrees about the importance of Head Start. Early childhood education is absolutely essential in creating the foundation for learning in children all over the world. And that's what Head Start is about. There will be 70,000 American children kicked off Head Start. That's what happens when you use a meat cleaver instead of a scalpel.

We're talking about more than a million kids who will see their schools lose education funding. We're talking about emergency responders who will lose their jobs, meaning slower response times and weaker disaster preparedness. We're talking about layoffs and furloughs for Social Security workers that is going to cause delays and hassles for millions and millions of Social Security recipients—people who depend month in and month out on their Social Security checks to put food on their table.

In my district, the 17th Congressional District of Pennsylvania, we have one county—Schuykill County—where 149,000 people live. Out of 149,000 people who live there, fully 38,000 of them subsist on Social Security checks. If those checks are delayed, if those people get hassled getting those checks because of this sequester, that is a crying shame.

We're talking about cuts to air traffic controllers, for those of us who have to fly around as part of our jobs. We're talking about cuts to airport security agents. All of this is going to mean longer waits, travel disruptions.

The consequences of more massive budget cuts are real. This isn't a game we're talking about. In fact, economic growth in the United States is going to slow because of this sequester. Hundreds of thousands of jobs will be lost and more people will have to rely on government assistance to meet their basic needs than ever before. This is exactly the opposite of what we need to be doing in the United States, and it's the opposite of what the American people asked for in the November election. It's time that our colleagues across the

aisle—the Republicans—wake up to what is really about to happen to American families. It's time that we eliminate the sequester.

I want to talk to you a little bit about specific examples of what we expect to happen in my home State, the Keystone State of Pennsylvania. If sequestration was to take effect, we're talking about job losses to the Tobyhanna Army Depot, which is something that for the last 60 years has provided electronic refurbishing to Army equipment. We're talking about command and computer and communications control to Army equipment that is refurbished right there in Tobyhanna, Pennsylvania, by as many as 5,400 dedicated, patriotic people supporting our warfighters for the last 60 years with this kind of electronic equipment.

□ 1740

We're talking about cuts to Tobyhanna Army Depot of $309 million over 10 years as a result of this reckless and irresponsible sequester.

We're talking about teachers and schools. Pennsylvania is going to lose approximately $26.4 million in funding for primary and secondary education, putting around 360 teacher and teachers' aide jobs at risk.

About 29,000 fewer students would be served and approximately 90 fewer schools would receive funding if this nonsensical sequester program goes through.

Head Start and Early Head Start services in Pennsylvania alone would be eliminated for approximately 2,300 children, reducing access to critical, critical early education.

And then children with disabilities on top. Education for children with disabilities: Pennsylvania will lose about $21.4 million in funds for about 260 teachers, teachers' aides, and staff who help children with disabilities in school.

Even worse, protections for clean air and clean water. Pennsylvania would lose as much as $5.7 million in environmental funding to ensure clean air and air quality, as well as prevent pollution from pesticides and hazardous waste.

In addition, Pennsylvania could lose another $1.5 million in grants for fish and wildlife protection.

We're going to sacrifice our schools, we're going to sacrifice the environment, all in the name of stubbornness and wrongheadedness—mule headedness—on the part of the people who should be coming to the people, the Republicans, who refuse to engage in any sort of responsible revenue legislation whatsoever.

Finally, military readiness. In Pennsylvania, about 26,000 civilian Department of Defense employees would be furloughed, reducing gross pay in Pennsylvania alone by around $150.1 million in total.

This isn't a joke. We talk about deadlines here in Congress; there are hard deadlines and there are soft deadlines. We have seen Congress only moves when there's a hard deadline, when there's an actual cliff we're about to go over.

This is irresponsible in itself because I think—it is the case that many here in this Chamber believe that March 1 is a ''soft deadline'' because all that's happening are furlough notices are going out and people are not actually losing their jobs for another 30 days or so. For example, the Tobyhanna Army Depot, furlough notices are slated to go out in the middle of March for furloughs that actually take place at the end of April. There are those in this Chamber who think that's a soft deadline that doesn't really matter, it's just a furlough notice anyway.

Well, I'm here to tell you, Mr. Speaker, that furlough notices go to real families—real families who have to plan for their budgets, real families who have to plan on how they're going to feed their children and clothe them and pay the mortgage and keep the car running and keep gas in the car. They have to think about how they're going to do all these things when they're holding a piece of paper that says you're losing your job in 30 days. It's cold comfort for them, for those families, to hear that, well, this may not happen when they're holding it in black and white, a letter that tells them they're going to be out of work in 30 days.

This is no way to run a government; this is no way to make a budget; and this is no way to be responsible with the finances of the United States of America.

Mr. POCAN. Thank you, Mr. CARTWRIGHT, for continuing your fight for families in Pennsylvania and across the country.

When I listen to Mr. CARTWRIGHT and I listen to Mr. TAKANO and I listen to speakers throughout the day from the Democratic side of the aisle, I can't help but feel that there is an overwhelming—when you look at sequestration, you're really looking at what's happening right now in Europe, and it's called austerity. We know that right now, by doing these massive cuts in Europe like we're now trying to pattern right here in the United States, we know what the net effect is. Right now in England, they are facing a triple-dip recession—not just a double dip, a triple-dip recession. We look at where they are in unemployment; their unemployment is rising. We look at where their deficit is; it isn't going away. All they've done is taken away the very tools that stimulate our economy.

When you take away the jobs that Mr. CARTWRIGHT and Mr. TAKANO talked about, that means real people don't have money to spend and build the economy. When you take away the loan guarantees as this sequester will do, real small businesses don't have capital so they can grow and hire more workers. When you have the very effects that we are seeing done right now in Europe happen here, well, what effect do you think we're going to have? I can guarantee it's not going to be fixing that $4 million TV station at the IRS that we heard about. Instead, it's going to have a real impact on every single family throughout the country that's not in the top 1 percent.

So at this point, I want to share a few statistics from the heartland, and then I've been joined by another colleague from Florida. We are literally going across the country and showing what these impacts have. But let me share some statistics from my State.

We know from a George Mason University study that over 2 million people in this country could lose their jobs because of the sequester. That's 36,000 jobs in Wisconsin, a State that, unfortunately, thanks to our Governor, we have not bounced back like other States in our region. It's those failed economic policies that we've had in Wisconsin by our Governor that have already held back our economic growth, and now we're going to jeopardize 36,000 more jobs in my home State.

Wisconsin is going to lose millions of dollars—$19 million for education just for disadvantaged students and for special ed. That's going to affect tens of thousands of students in our State.

Head Start funding, while we know the impacts that are going to happen nationwide that Mr. CARTWRIGHT talked about, it's going to have hundreds of kids who are not going to have that funding in my State of Wisconsin.

The University of Wisconsin-Madison—which is one of the most important public universities in this country, it is a world-class institution for research, for stem cell research, for all sorts of biotech and high-tech innovations, one of the best graduate programs in almost every program in the entire country, and yet we know they're going to see about $36 million lost that would go into research and development and financial aid and other programs that will affect real people and real jobs in my State.

I have had doctors come and medical schools come to us in the State of Wisconsin and say they are going to lose the ability, because of the sequester, to have people in residence programs. I think it was 900 or 1,000 people won't have positions. And one of the best ways we keep doctors in Wisconsin, in the rural parts of Wisconsin where it's tough sometimes to keep those doctors, is by having residency programs. That will be cut because of the sequester.

Nine hundred thousand fewer patients will be served as a result of $120 million in cuts to community health centers that are vital in those rural communities in Wisconsin. In my district, in Dane County alone, we have an agricultural economy that's greater than 15 States in this country—that's just one county in my district—and yet we're going to see those programs hurt and cut, as well as programs like Meals on Wheels. Four million meals may not

happen in Wisconsin because of those cuts.

Finally, one of the areas that I think we hear lip service to from people on the other side of the aisle—and you see real action from people on this side of the aisle—is what are we doing for small businesses, not the big businesses, not those who outsource jobs overseas, not those who domicile in other countries so they don't have to pay taxes. I'm talking about the small businesses like mine that I deal with on a daily basis.

For 25 years I've had a small business. It's the people who pay their taxes and who hire the workers who are the real economic engines for our community.

□ 1750

Well, thanks to the sequester, we could see up to $900 million less in loan guarantees to help stimulate the economy. So what sequester is is nothing more than an austerity policy that's going to provide so many cuts and damages to the economy that we will see, according to what we've been told by the experts, could cut our economic growth in half in the next year. And we can't afford to have a double-dip recession, much less a triple-dip recession, like we're seeing right now in Europe.

With that, I would like to yield to yet another great freshman colleague of mine. This is a woman from southern Florida. Like myself, we've spent time in our legislatures. She is an expert in many areas, and she was a legislative leader in the State of Florida. I could think of no one better to tell us about the potential cuts in her State than Ms. FRANKEL from south Florida.

Ms. FRANKEL of Florida. Thank you, Congressman, and thank you for inviting me to join you today. I don't want to go through all the statistics. I guess I could because sometimes we forget that we're talking about real people. Let me just keep it very, very simple.

First of all, in the State of Florida, the beautiful State of Florida—I tell people I live in paradise—we're finally turning the corner with the economy. Over the last several years, we literally lost millions of jobs. Our construction industry went bust. Of course, the whole country was hurting, so tourism got hurt. And now we're starting to turn things around. The value of our homes is going up, the tourists are coming back, and people are finding work.

The worst thing that could happen right now—the worst thing that we could do here in Congress to our economy back home—is to remove so much money in such a quick time from our economy that it would put our job market in a tailspin. Outside analysts say that just in the State of Florida, over the next year, we could lose 80,000 jobs. Now, we're not talking about 80,000 government jobs. We're talking about the removal of government spending—that horrible government spending—from our economy. It will mean 80,000 Floridians, mom and pops are not going to be able to pay their mortgage or send their kids to college. And they could be a teacher, or they could be a bus driver, or they could be a manager in a hotel. It's going to affect all walks of life.

Just like your State—and I heard Mr. POCAN talk about the effects where he lives—we will lose money from education, our science programs, and our transportation infrastructure. But what I want to talk about is a couple people today. I want to talk about real people.

I talked earlier today about Ruth. I don't know if you heard me talk about Ruth, but if you didn't hear me talk about Ruth, I want you to know about Ruth, because Ruth is 91 years old. Congratulations, Ruth, for getting that far along in life.

But let me tell you what happens when you get to be 91. I know. I'm not 91 yet, but I have a lot of constituents in Florida who have retired to the area where I live. Do you know what happens when you get to be 91? So many of the people who you love, so many of the people who you grew up with, your children, your friends, your neighbors, they pass on. And by the time you get to be 91 and you've moved away from your family—in Florida it happens often—you are left alone. So when Ruth came home from a stay in the hospital, she was alone. She had no ability, by herself, to shop and to cook, and she could barely get out of bed. She had nobody to help her, except she had us. She had us, the safety net of the United States of America.

With the safety net of the United States of America, she had delivered to her, on a regular basis, meals from a program called Meals on Wheels, so she could eat every day. It astonishes me that on Friday—it's Friday, right? On Friday, we hit a phase of our history, what we call sequestration, which means that literally hundreds of thousands of our seniors like Ruth across this country face the prospect of not having a meal each day.

I'm going to tell you one more story, and then I'm going to yield back. This is a story of a young woman named Tanjee. And this is a good story, because Tanjee, when she was a young mother, a young single mother, when she was working really hard but not making a lot of money—a lot of people in this country work really hard but they don't make a lot of money—and she has four children. And in order for her to go to work every day to provide for those children, she needed to leave them in a safe, nurturing environment, and she did so in a location in my town called the YWCA. They had a Head Start program. And today, her children, one has become a teacher, one is in the military, and two are in high school. What would have happened to her children had the United States of America not been there for her?

I want everybody to know that it's not just about numbers. There's lots of numbers. This is about flesh-and-blood people who are going to be hurt by our inaction.

So, with that, Congressman, I want to yield my time back to you and thank you for inviting me to participate today. Let's keep fighting to stop the sequestration, and let's get our fiscal house in order in this country in a balanced way and not in a way to kick people out of jobs and take food from seniors and quality child care from children.

Mr. POCAN. Mr. Speaker, can I inquire how much time remains?

The SPEAKER pro tempore. The gentleman from Wisconsin has 25 minutes remaining.

Mr. POCAN. Mr. Speaker, the gentlewoman from Florida hit it exactly on the head. This is about real people. This is about the effects that sequestration will have on real people, the kind of people who, when they hear ''sequestration,'' they think it's a medieval torture. Average people don't come up with a term that only Washington could devise, which is what we've done with the sequester.

Let me tell a real story from my district. There's a woman in Marshall, Wisconsin, who sent me an email. I'd like to share that with the American people.

Here's what she says:

> It's being reported that the effect of the sequester on average Americans will be minimal. In the case of our family, this is not true. My son is a civilian firefighter at Offutt Air Force Base in Omaha. Today, he gave me a call to tell me that all the firefighters would be getting a letter Friday explaining that their shift crew size will go from 19 to seven immediately. As a firefighter, he must work 106 hours—versus 80 for the rest of us—to receive overtime. In addition, their overtime will be eliminated. That will result in a 40 percent reduction in pay for my son's family. His wife is in graduate school, and they had their first child in December 2012. There is a real face to the reductions. Please use your energy and Wisconsin progressive common sense to put a stop to this across-the-board reduction.

That's another real story of someone being affected. It's not about a $4 million TV station at the IRS. It's about the real people in this country who will see the impact in the next month and the next month and the next month.

□ 1800

And as much as the Republicans tell us that they'll try to fix it a month from now—again, I don't know why you wouldn't just fix it instead of letting these devastating cuts come in.

I want to share another story that came in from Oregon, Wisconsin. This is from a case manager who works with seniors at Meals on Wheels. Let me read their story. They said:

> I work in Beaverton, Oregon, as a case manager for seniors and people with disabilities. I work with seniors who live on $700 a month. That's all they have to pay for rent, utilities, food, and medication. If Congress cuts funding for the programs that my department administers, the seniors I work with could end up in the hospital, sick, or just living on the streets.

Budget cuts also affect our jobs. I'm a single parent with a child who goes to school. So if there are cuts, I might need assistance myself.

We see the faces of our seniors, we see their homes, and we see how they live on a very limited income. Some legislators say it's too much money and we can't afford it. But if we don't provide services, these people could literally die if we take away their life support. That's what our services represent to the seniors who I work with: life support.

Look, this isn't about pointing fingers and assessing blame on whose idea this was. Let's figure out how to get it done, how to fix this.

I can tell you, when I served on our finance committee in the State legislature in Wisconsin, I had the opportunity to serve on that for 6 years. I served on that 16-member committee when there were 12 Republicans and 4 Democrats; I served on that committee when there were eight Republicans and eight Democrats; and I served on that committee and chaired it when there were 12 Democrats and 4 Republicans. I've been on pretty much every configuration you can have. The way we did our budgeting was we would literally spend 3 days a week, 8 hours a day for 3 or 4 months just agonizing over every detail of the budget because it was important. Every single program we had, every single dollar we spent meant something to someone. We had to make sure that we were spending it in the most wise and efficient way possible.

I've heard a lot about how Federal Government spends too much, how there's waste, fraud, and abuse, but the sequester doesn't address that. The sequester addresses these across-the-board, indiscriminate, irresponsible cuts we would never do when we were actually laying out the budgets we did back in our State of Wisconsin.

I feel that these real cuts, these real effects that we're going to see could be stopped, but the only way we can do that is to actually have that impact right here in this House of Representatives. We need to get people to come back to the table. Stop the finger-pointing, stop the blaming, stop saying you'll fix something a month later, maybe.

I'll tell you, last week when I was back in Wisconsin, I have heard more than 10 or 20 times that people have no confidence in Washington. How many times have we just kicked the can on the debt ceiling? How many times have we faced a deadline and the days before maybe started talking? Here we are 2 days before these meat-ax cuts will take effect, and this House has done nothing.

We need to take a much wiser approach to this. We need to make sure that we stop these cuts that are going to have real impacts to small business owners, to seniors, to parents with children who go to school, to health care for so many hundreds of thousands of people across this country, to the people who are going to medical school, to the people going to our universities, to the researchers, to everything that we've heard of just in the last 45 minutes. From California, to Pennsylvania, to Florida, to Wisconsin, you've heard the real impacts of the sequester. Now it's up to us, the House of Representatives, to act. Yet we haven't.

We've had our opportunities, and the Progressive Caucus and the Democrats have put forth real alternatives that will provide both cuts and revenue that will really deal with the amount of money that we have to face in the next 2 days to take care of, and yet no one has come to the table. There's no other plan in this room right now offered to deal with the sequester that we're going to face in the next 48 hours.

On behalf of the Progressive Caucus and our ability to talk today to the public, I hope you've heard the real impact of the sequester. I hope you'll contact your Representatives, no matter where they are across the country. Email them, call them and tell them, Go get the job done. You've got 48 hours to do that. I don't want cuts to the schools that my kids go to. I don't want my grandparent or my parent or my neighbor to lose their ability to get that Meals on Wheels. I don't want my neighbor who is a small business owner who is trying to jump-start the economy to lose access to capital.

You have to make that call because you're our bosses. So, please, in the next 24 hours, reach out to us and tell your Member of Congress to get to work. Our job is to end the sequester. If we don't, you'll be watching, and you expect more of us.

Mr. Speaker, with that, I yield back the balance of my time.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 27, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 27, 2013 at 1:57 p.m.:

Appointments:

Joint Committee on Taxation.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

GUN VIOLENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from California (Ms. SPEIER) for 30 minutes.

Ms. SPEIER. Mr. Speaker, I'd like to compliment the gentleman from Wisconsin and the freshman Members who participated in the last hour for a job well done in underscoring what the sequester means to Americans across the country.

I'm going to shift gears now as I'm joined by my good colleague from Virginia (Mr. MORAN). We're going to talk about gun violence.

Those of us who've been victims of gun violence see horrific pictures in our minds over and over again. Mine was over 30 years ago, but I am still haunted by visuals of that day: my leg being blown up, my arm being blown up, and really thinking that I was going to die.

When you look death in the eye, there's a certain clarity that comes to you, a certain clarity about what's important, a certain fearlessness to deal with issues that maybe you wouldn't have dealt with under other circumstances.

Now I am haunted by more recent events in Newtown. I'm haunted by the story told by Veronique Pozner about little Noah, her son.

Little Noah was shot 11 times. A little child was shot 11 times. She made a point of having an open casket at his funeral for one reason, because this is not just about numbers. This is about human beings. This is about visualizing what happens when someone is gunned down.

She had an open casket, and she invited the Governor of Connecticut to the funeral because she wanted the Governor to see this little cherub face. She said it's not little angels going to Heaven. This little boy had his mouth blown off and his jaw gone and his hand gone. She wanted the Governor to remember that little face when legislation came to his desk.

It's time for all of us here in this House to stop thinking about numbers and start thinking about people. Yes, over 1,800 people have died since Newtown, and over 500 of them have been children. If we do nothing else but focus on the children in this country, that should call us to action.

I'm going to talk about a child, a child from my district, an infant, a 3-month-old infant. This infant was named Izak Jimenez. He was just a little tyke. His parents had come from the baby shower, had put him in his car seat, and the mother and the father with the 4-year-old child were in the front seat.

□ 1810

It was mistaken identity. Gang members—two young kids, 16 and 17 years of age—came and shot up their truck. They killed this little baby. They killed him. The parents were shot. The 4-year-old was spared. They were 16- and 17-year-old kids. When they were found, they had extra handguns. They're not legally allowed to have those handguns, but somehow they got them into their hands.

We are not debating the Second Amendment when we talk about gun

violence prevention. The Second Amendment is secure. It's even more secure since the Heller decision, when the Heller Court said:

The Second Amendment guarantees every American the opportunity to have a gun for recreational purposes and to protect themselves in their homes, but having said that, it also provides government with the right to provide certain levels of regulation.

So what are those certain levels of regulation?

Why don't we start with something really simple, really straightforward, and that is universal background checks. Don't we want to make sure that people who go to gun dealers to buy guns legally have the right to buy the guns? That they're not felons? That they're not ex-felons? That they haven't been charged and convicted of drug trafficking? That they haven't been convicted of misdemeanor domestic violence, or that they haven't been adjudicated by a court as being mentally incompetent? Of course we do, and this number says it all. A Quinnipiac poll this month said that 92 percent of Americans believe that we should have universal background checks.

Why can't we come together—Republicans and Democrats, parents of small children and older children, people who have encountered on one level or another gun violence—and say, certainly, we can do this; certainly, we can have universal background checks so that guns don't get in the wrong hands, so that 16- and 17-year-old kids don't get a hold of a gun and then shoot up an innocent family?

So what does Wayne LaPierre say about that? This is pretty interesting.

Back in 1999, after Columbine, Wayne LaPierre was really clear about universal background checks. He said:

On behalf of the NRA, we think it's reasonable to provide mandatory instant criminal background checks for every sale at every gun show—no loopholes anywhere for anyone.

That's what he said in 1999.

Now, mind you, a recent poll by Frank Luntz—a Republican pollster—of just NRA members and non-NRA gun members, found that 74 percent of NRA members and 83 percent of gun owners support a universal background check. So did Wayne LaPierre in 1999.

What is he saying today?

Today, before Senator LEAHY, when asked, ''You don't support background checks in all instances at gun shows?'' Mr. LaPierre responds, ''We do not because the fact is the law right now is a failure the way it is working. None of it makes any sense in the real world.''

I would submit to my good friend Mr. MORAN that this is the real world and that we are dealing with real people. I know that you would like to comment, from your perspective, on the state of gun violence and the lack of gun violence prevention in this country.

Mr. MORAN. I thank the very distinguished gentlelady from California.

Thank you for heroically sharing with us the horrific experience that you went through in your very early adulthood. That, understandably, continues to shape your view of gun violence. Hopefully, others will share that view without having to go through such a horrific experience, but thank you particularly for putting a face on the tragedy at Newtown and on the gun violence that we have experienced all too often in this country.

I do think that the tragedy of 20 tiny, little children being blown to bits has changed the conversation and has changed the attitude of the American people, as evidenced by the 92 percent who understand that universal background checks are appropriate. In fact, more than three-quarters of NRA members believe that to be the case, despite what Mr. LaPierre's official position is. It would seem that, perhaps, he is more interested in representing the gun manufacturers than the members of the association.

I also learned today, as many of us did, that the chair of our Judiciary Committee, out of concern for the inconvenience that it may cause gun purchasers, has decided that the Judiciary Committee is not going to be considering universal background checks.

Ms. SPEIER. Will the gentleman yield on that point?

Mr. MORAN. I yield to the gentlelady from California.

Ms. SPEIER. I was unaware that he had made that statement today.

In California, we have universal background checks. We have a universal background check for private sales in which you have to do it through a local gun dealer. Even with all of that burden, you might argue—if that's what the Judiciary chairman is arguing—that 600,000 guns were purchased last year in the State of California.

Mr. MORAN. I thank the gentlelady.

I believe that California's laws are far more sane than the laws of many other States, particularly the laws of my own State of Virginia.

The situation we have today is that over 40 percent—almost half—of the guns purchased in this country don't have to go through a background check; 6.6 million firearm sales occurred at gun shows and through private arrangements that didn't have to go through a background check. That's not even fair to the retail sellers, who have to require the background check and comply with the law.

It's almost as though you have two security lines at an airport—one in which you're going to have to stand and have the machine go around and check for metal and so on and then another line that you can just walk through without being checked. So which line would criminals choose?

Ms. SPEIER. And how is that equal protection under the law?

Mr. MORAN. It just doesn't seem to make sense.

This is a democracy. It would seem that we have some responsibility, regardless of our own views, to be responsive to the overwhelming opinion of the American people.

I'd like to share with my dear friend and colleague another interesting fact, and that is that auto deaths fell to 32,000 and that deaths from firearms, including suicides and accidents, are over 30,000. So they are roughly the same. The Centers for Disease Control estimates that by 2015 there will be significantly more deaths from firearms than deaths from motor vehicles. It has already occurred in Virginia. We had 875 reported firearm deaths in the last year compared to 728 motor vehicle deaths.

Now, with regard to motor vehicles, we have acted proactively in the form of seatbelt laws; we have improved safety standards for the manufacturers of the vehicles that are made in this country and for the vehicles that are sold in this country; we have harsher penalties for drunk driving, as well as having mandatory driver training classes. They've worked, and they've saved lives.

□ 1820

Why can't we do it with firearms? It seems wholly consistent with the appropriate way, the way that the American people want us to respond to a problem, and this is more than a problem. This is an extraordinary situation that demands action by this body.

So I would hope that regardless of the views of the chair of the Judiciary Committee, even of many of the Members, some of whom have an A rating from the NRA, that we would be responsive to the overwhelming majority of the American people, and even NRA members, and act responsibly.

In Virginia, we are one of the three States that are the principal source for trafficking of guns. Florida and Georgia are the other two. People go in oftentimes with straw purchasers, and they buy large quantities of guns. They put them in the trunk of their car and drive to a street corner in an urban area, and they sell them. And invariably they end up in criminal activity, oftentimes causing the deaths of people, many innocent people such as you observed earlier, Ms. SPEIER.

I want to thank the Congresswoman. She is a leader on this fight. It is a terribly important battle. We can't let it go. Time is not on our side. Time is on the side of the NRA. That's why invariably they have prevailed previously. We can't let that happen today. We can't let that happen now. The American people deserve more, and certainly the families of those very young victims at Newtown, Connecticut, deserve action on our part. I thank the gentlelady from California. You're a wonderful leader. Thank you for your courage and your leadership.

Ms. SPEIER. I thank the gentleman from Virginia for his articulate commentary about this issue.

You know, the time has come for all of us to stop quaking in our boots because the NRA leadership has spoken.

You know, I've spoken to a number of my Republican colleagues over the last few weeks, and they are without any kind of rational reason for why they can't support one thing or another. Their beliefs have become so molded by what the leadership of the NRA says. Now the NRA leadership isn't reflecting the NRA membership, and that's what we've got to remember. The NRA membership supports universal background checks.

Let me share with you what Wayne LaPierre recently said, actually in a speech over the weekend, to continue to promote what I would call paranoia and fearmongering. He was talking about universal background checks, and he said:

> It's aimed at registering your guns. And when another tragic opportunity presents itself, that registry will be used to confiscate your guns.

The American people know that's not true. A tragic opportunity, that's what he calls that horrific incident in Newtown, Connecticut. Opportunity? He has lost all sense of reality.

We owe it to every American to do something rational around gun violence prevention. And I am not going to stand here and be cowed by NRA leadership and not do what's right. And oh, yes, I have already gotten plenty of threatening Facebook pronouncements. I don't care. I owe it to Noah Pozner. I owe it to little Izak. I owe it to Gabby Giffords. I owe it to 32 Americans every day who get killed because of gun violence.

So let's move on and talk a little bit about an internal NRA memo. This memo lists national organizations with supposed antigun policies. Well, it's really kind of interesting when you look at this. This is the enemies list that the NRA has developed. There are lots of organizations and people's names on it. We just highlighted a few here.

The American Association of Retired Persons is on their enemies list. You've got to be kidding me.

Hallmark Cards. Now, I had to look long and hard to find out why Hallmark Cards would be on the enemies list for the National Rifle Association. I guess 20 years ago they contributed to an initiative to try and prevent a mandatory conceal and carry in a State, and that put them on the enemies list.

The YWCA, the Young Women's Christian Association; the Anti-Defamation League, and many other Jewish organizations, I might add; the League of Women Voters, the organization promoting all of the smart voting that goes on in this country, all of the opportunities for all of us to be able to access our legislators. And then the American Federation of Teachers and the National Education Association. These people, these organizations, can't all be wrong. But the NRA has put them on their enemies list.

Let me give you some other names you might find kind of interesting. These are celebrities, not organizations, but they include the likes of actress Lauren Bacall, Tony Bennett. Tony Bennett is on their enemies list. Is this taking us back to the McCarthy era? Sean Connery is on the enemies list. Michael Douglas, Billy Crystal, Kathie Lee Gifford, Leonard Nimoy, Mary Tyler Moore, John McEnroe, and Barry Manilow.

Now, come on. In this country, we would create a list, an organization would create a list of enemies because they support gun violence prevention?

Mr. Speaker, I'm dumbfounded by what goes on here from time to time. I'm particularly dumbfounded by the inability of this Congress and this House to stand up to the NRA leadership and stand up for America.

I'm going to close, Mr. Speaker, by memorializing two people in California that died yesterday, two Santa Cruz police officers in the line of duty, doing their job, going to a home to determine whether or not there had been some domestic altercation. Elizabeth Butler was a 10-year veteran with the Santa Cruz Police Department. Loran Baker, known as Butch, was a 28-year veteran of the Santa Cruz Police Department. It's a small town. It's a comfortable town. It's a loving town. It's an easy-going town. There are only 90 officers on their police force. They have never had a shooting death of a police officer in the history of that city. But yesterday, they lost two of them, by a man who had body armor on, loaded down with guns, who had been convicted in Oregon of a sex offense of sorts, and who had a gun and did not have a conceal permit. He comes down to California with his gun—shouldn't have had a gun because at that point he was an ex-felon—shoots two Santa Cruz police officers. Between them, they have five children.

Let's do it for the children of this country. Let's do it for law enforcement in this country. Let's do it for all of us so we can go to the mall and we can go to church and we can go to school and not be in fear of being mowed down by violence

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

Ms. SPEIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 28, 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:

533. A letter from the Under Secretary, Department of Defense, transmitting the Strategic and Critical Materials 2013 Report on Stockpile Requirements; to the Committee on Armed Services.

534. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Wayne County, PA, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

535. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Halifax County, NC, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

536. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Duval County, FL, et al.) [Docket ID: FEMA-2013-0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

537. A letter from the President and CEO, Corporation for Public Broadcasting, transmitting the Corporation's 2011 annual report regarding the activities and expenditures of the independent production service; to the Committee on Energy and Commerce.

538. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2009-2010, pursuant to 42 U.S.C. 15005 Public Law 106-402, section 105; to the Committee on Energy and Commerce.

539. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting an extension of the waiver of the restrictions contained in Section 907 of the FREEDOM Support Act of 1992, pursuant to Public Law 107-115; to the Committee on Foreign Affairs.

540. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-647, ''Consumer Protection Act of 2012''; to the Committee on Oversight and Government Reform.

541. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-643, ''Autonomous Vehicle Act of 2012''; to the Committee on Oversight and Government Reform.

542. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-644, ''New and Used Tire Dealer License Act of 2012''; to the Committee on Oversight and Government Reform.

543. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-645, ''Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

544. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-646, ''Pre-litigation Discovery of Insurance Coverage Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

545. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-631, ''Public Vehicle-for-Hire Innovation Amendment Act of

2012'', pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

546. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-637, ''Affordable Dwelling Unit Hardship Waiver Temporary Act of 2012''; to the Committee on Oversight and Government Reform.

547. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-634, ''Excise Tax Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

548. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-638, ''Pipefitting, Refrigeration and Air Conditioning Mechanic Occupations Equality Act of 2012''; to the Committee on Oversight and Government Reform.

549. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-639, ''Department of Parks and Recreation Revenue Generation Clarification Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

550. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-633, ''Regulation of Body Artist and Body Art Establishments Clarifying Amendments Act of 2012''; to the Committee on Oversight and Government Reform.

551. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-640, ''Foster Youth Statements of Rights and Responsibilities Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

552. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-641, ''Criminal Fine Proportionality Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

553. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-642, ''Basic Business License Renewal Amendment Act of 2012''; to the Committee on Oversight and Government Reform.

554. A letter from the Chairman, Council of the District of the Columbia, transmitting Transmittal of D.C. ACT 19-648, ''Workforce Job Development Grant-Making Authority Act of 2012''; to the Committee on Oversight and Government Reform.

555. A letter from the Deputy Secretary, Department of Commerce, transmitting the Chesapeake Bay Office Biennial Report for fiscal years 2011 and 2012; to the Committee on Natural Resources.

556. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Elkton Oregon Viticultural Area [Docket No.: TTB-2012-0005; T.D. TTB-111; Ref: Notice No. 130] (RIN: 1513-AB88) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

557. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Indiana Uplands Viticultural Area and Modification of the Ohio River Valley Viticultural Area [Docket No.: TTB-2012-0004; T.D. TTB-110; Re: Notice No. 129] (RIN: 1513-AB46) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. DEFAZIO (for himself and Mr. CHAFFETZ):

H.R. 845. A bill to amend chapter 29 of title 35, United States Code, to provide for the recovery of patent litigation costs, and for other purposes; to the Committee on the Judiciary.

By Mr. OLSON (for himself, Ms. MCCOLLUM, Mr. ROSKAM, Mr. BARROW of Georgia, Mr. GUTHRIE, Mr. PALAZZO, Mr. ROE of Tennessee, Mrs. BLACK, Mr. COBLE, Mr. RIBBLE, Mr. HARPER, Mr. MCKINLEY, Mrs. BLACKBURN, Mr. PASCRELL, Mr. RENACCI, Mrs. CAPITO, Mr. NUNES, Mr. TIBERI, Mr. BILIRAKIS, Mr. LOEBSACK, Mr. MULVANEY, Mr. CRENSHAW, Mr. BUCSHON, Mr. PRICE of Georgia, Ms. JENKINS, Mr. OWENS, Mr. REED, Mr. AMODEI, Mr. KINZINGER of Illinois, Mr. SCHOCK, Mr. BRALEY of Iowa, Mr. BURGESS, Mr. HARRIS, Mr. ROGERS of Michigan, Mr. HECK of Nevada, Mrs. CAPPS, Mr. SHIMKUS, Mr. GRIFFIN of Arkansas, Mr. LATTA, Mr. WALDEN, Mr. BOUSTANY, Mr. MATHESON, and Mr. TERRY):

H.R. 846. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; 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. GERLACH (for himself, Mr. FARR, Mr. YOUNG of Florida, and Mrs. CAPPS):

H.R. 847. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture.

By Mr. THOMPSON of California (for himself and Ms. SPEIER):

H.R. 848. A bill to direct the Attorney General to make grants to States to develop systems to retrieve firearms from armed prohibited persons; to the Committee on the Judiciary.

By Mr. SMITH of Washington (for himself, Mr. BRADY of Pennsylvania, and Mr. GALLEGO):

H.R. 849. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the section 251A sequestrations and to reduce the security and nonsecurity discretionary spending limits by $320 billion from fiscal year 2014 through fiscal year 2021, and to suspend the statutory limit on the public debt until February 1, 2017; to the Committee on the Budget, 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. ROYCE (for himself, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. POE of Texas, Mr. SHERMAN, Mr. CHABOT, Mr. CONNOLLY, Mr. SMITH of New Jersey, Mr. MEEKS, Mr. WILSON of South Carolina, Mr. KEATING, Mr. MCCAUL, Mr. CICILLINE, Mr. SALMON, Mr. SCHNEIDER, Mr. DUNCAN of South Carolina, Mr. KENNEDY, Mr. KINZINGER of Illinois, Ms. MENG, Mr. COTTON, Ms. FRANKEL of Florida, Mr. COOK, Mr. HOLDING, Mr. WEBER of Texas, Mr. PERRY, Mr. RADEL, Mr. COLLINS of Georgia, Mr. MEADOWS, Mr. MESSER, Mr. MARINO, Mr. SIRES, Mr. HIGGINS, Mr. VARGAS, Mr. ROHRABACHER, Mr. LOWENTHAL, Mr. STOCKMAN, and Ms. GABBARD):

H.R. 850. A bill to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Ms. SCHWARTZ, Mr. RANGEL, Mr. LEWIS, Mr. LARSON of Connecticut, Mr. KIND, Mr. NEAL, Mr. BECERRA, Mr. DANNY K. DAVIS of Illinois, Mr. LEVIN, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 851. A bill to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. LEWIS, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RUSH, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. WATT, and Mr. VAN HOLLEN):

H.R. 852. A bill to posthumously award a Congressional gold medal to Shirley Chisholm; to the Committee on Financial Services.

By Mr. BUCHANAN (for himself, Ms. BROWN of Florida, Ms. CASTOR of Florida, Mr. CRENSHAW, Mr. DEUTCH, Mr. DIAZ-BALART, Ms. FRANKEL of Florida, Mr. GARCIA, Mr. GRAYSON, Mr. HASTINGS of Florida, Mr. MILLER of Florida, Mr. MURPHY of Florida, Mr. NUGENT, Mr. POSEY, Mr. RADEL, Mr. ROONEY, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. SOUTHERLAND, Ms. WASSERMAN SCHULTZ, Mr. WEBSTER of Florida, Ms. WILSON of Florida, Mr. YOHO, Mr. YOUNG of Florida, Mr. HINOJOSA, Mr. CUELLAR, and Ms. BROWNLEY of California):

H.R. 853. A bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Ways and Means, 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. MCCAUL:

H.R. 854. A bill to direct the Secretary of State to designate Iran's Islamic Revolutionary Guard Corps Qods Force as a foreign terrorist organization, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HALL (for himself, Ms. SCHAKOWSKY, Mr. TERRY, Ms. LOFGREN, Mr. LOEBSACK, Ms. BONAMICI, Mr. DOGGETT, Mr. ELLISON, Mr. BLUMENAUER, Mr. CICILLINE, Ms. NORTON, Mr. KEATING, and Mr. WHITFIELD):

H.R. 855. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of optometrists; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. SCHOCK, Mr. WESTMORELAND, and Mr. ROE of Tennessee):

H.R. 856. A bill to amend the Internal Revenue Code of 1986 to require the social security number of the student and the employer identification number of the educational institution for purposes of education tax credits; to the Committee on Ways and Means.

By Mr. COOK:

H.R. 857. A bill to amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the Department of Defense sequestration for fiscal years 2013 and 2014 and sequester such eliminated sums over a period of fiscal years 2015 through 2021; to the Committee on the Budget, and in addition to the Committee on Appropriations, 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. FORTENBERRY (for himself, Mr. HINOJOSA, Mrs. CAPITO, Mr. WALZ, Mr. WOMACK, and Mr. COURTNEY):

H.R. 858. A bill to amend section 520 of the Housing Act of 1949 to revise the requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Financial Services.

By Mr. JORDAN (for himself and Ms. SPEIER):

H.R. 859. A bill to rescind certain excess conference costs from any agency that overspends on conferences, and for other purposes; to the Committee on Appropriations, 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. KIND (for himself and Mr. LEWIS):

H.R. 860. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property eligible for the energy credit and to permit new clean renewable energy bonds to finance qualified biogas property; to the Committee on Ways and Means, and in addition to the Committee on Science, Space, and Technology, 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. KING of New York (for himself, Ms. SCHAKOWSKY, Mr. HASTINGS of Florida, Mr. GRIJALVA, Mr. OWENS, and Mr. ELLISON):

H.R. 861. A bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act; to the Committee on the Judiciary.

By Mrs. KIRKPATRICK (for herself and Mr. GOSAR):

H.R. 862. A bill to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mrs. BLACKBURN, Ms. NORTON, Mr. RANGEL, Ms. MOORE, Mr. MORAN, Mrs. DAVIS of California, Mr. HONDA, Mr. GRIJALVA, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. CICILLINE, Ms. MATSUI, Mr. ELLISON, Ms. LORETTA SANCHEZ of California, Mr. PETERS of Michigan, Mrs. CAPPS, Ms. DELAURO, Mr. MCGOVERN, and Ms. BROWN of Florida):

H.R. 863. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Natural Resources, 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 Mr. MCINTYRE (for himself and Mr. JONES):

H.R. 864. A bill to direct the Secretary of Veterans Affairs to designate at least one city in the United States each year as an ''American World War II City'', and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself, Mr. MEEKS, and Mr. RANGEL):

H.R. 865. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 866. A bill to establish a grant program to assist States to establish universal prekindergarten in public schools and public charter schools; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself and Mr. KLINE):

H.R. 867. A bill to prohibit and deter the theft of metal, and for other purposes; 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. PAYNE (for himself, Ms. NORTON, and Mr. CLAY):

H.R. 868. A bill to authorize the Director of the Bureau of Justice Assistance to make grants to States, units of local government, and gun dealers to conduct gun buyback programs; to the Committee on the Judiciary.

By Mr. PITTS (for himself and Mr. CARNEY):

H.R. 869. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. CONYERS (for himself, Ms. CHU, Mr. CLAY, Mr. MCDERMOTT, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. BROWN of Florida, Mr. CUMMINGS, Ms. EDWARDS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. COHEN, and Ms. FUDGE):

H.R. 870. A bill to establish the National Full Employment Trust Fund to create employment opportunities for the unemployed; to the Committee on Education and the Workforce, 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. RANGEL:

H.R. 871. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Affairs.

By Mr. RANGEL:

H.R. 872. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, 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. RANGEL:

H.R. 873. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, 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. RUNYAN:

H.R. 874. A bill to award a Congressional Gold Medal in recognition of Alice Paul's role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. SENSENBRENNER (for himself, Mr. HALL, Mr. WESTMORELAND, Mr. BROUN of Georgia, Mr. SMITH of Texas, and Mr. GRIFFIN of Arkansas):

H.R. 875. A bill to provide for a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 876. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. TURNER (for himself, Mr. HOLT, Mr. CICILLINE, Mr. LANGEVIN, Mr. HIGGINS, Mr. KEATING, Mr. BLUMENAUER, and Mr. STIVERS):

H.R. 877. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. ROHRABACHER (for himself, Mr. SHERMAN, Mr. GERLACH, Mr. HIGGINS, Mr. POE of Texas, Mr. SALMON, Mr. STOCKMAN, Mr. HUNTER, Mr. GOHMERT, Mrs. BACHMANN, Mrs. LUMMIS, and Ms. LORETTA SANCHEZ of California):

H. Res. 86. A resolution expressing the sense of the House of Representatives that Dr. Shakil Afridi is an American hero and that he should be immediately released from custody by Pakistan; to the Committee on Foreign Affairs.

By Mr. GRIFFIN of Arkansas (for himself, Mr. WESTMORELAND, Mr.

BENTIVOLIO, Mr. HUIZENGA of Michigan, Mr. STIVERS, Mr. ROSS, Mr. BURGESS, Mr. LOBIONDO, and Mr. CRAWFORD):

H. Res. 87. A resolution expressing the sense of the House of Representatives that the President should suspend the delivery of F-16 fighter aircraft, M1 tanks, and other defense articles and defense services to the Government of Egypt; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself, Mr. MCCLINTOCK, Mr. WESTMORELAND, Mr. ROHRABACHER, Mr. COFFMAN, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. COHEN, Mr. DIAZ-BALART, Mr. SHERMAN, Mr. HIGGINS, Ms. ROS-LEHTINEN, Mr. FALEOMAVAEGA, and Mr. COTTON):

H. Res. 88. A resolution amending the Rules of the House of Representatives to prohibit the consideration of any bill or joint resolution that appropriates foreign assistance for more than one country; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PASTOR of Arizona introduced a bill (H.R. 878) for the relief of Martha Palmillas de Morales; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DEFAZIO:

H.R. 845.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries; To constitute Tribunals inferior to the Supreme Court;

By Mr. OLSON:

H.R. 846.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution. The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. GERLACH:

H.R. 847.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 848.

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 laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vest by the constitution in the government of the United States, or in any department or officer thereof, as enumerated in Article I, Section 8, Clause 18.

By Mr. SMITH of Washington:

H.R. 849.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1, 2, 14, 18

By Mr. ROYCE:

H.R. 850.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Article I, Section 8 of the U.S. Constitution

By Mr. PASCRELL:

H.R. 851.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RANGEL:

H.R. 852.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Authority of Congress to enact this legislation is provided by Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 5 (relating to the coinage of money)

By Mr. BUCHANAN:

H.R. 853.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. MCCAUL:

H.R. 854.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 3; and Article I, Sec. 8, Clause 18.

By Mr. HALL:

H.R. 855.

Congress has the power to enact this legislation pursuant to the following:

The reference to the Commerce Clause is applicable to this bill: ''This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution''

By Mrs. BLACK:

H.R. 856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have the 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. COOK:

H.R. 857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution:

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. FORTENBERRY:

H.R. 858.

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. JORDAN:

H.R. 859.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

''No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

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''

By Mr. KIND:

H.R. 860.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. KING of New York:

H.R. 861.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mrs. KIRKPATRICK:

H.R. 862.

Congress has the power to enact this legislation pursuant to the following:

Under Aticle I. Section 7 Congress has the authority to pass bills for the good of the nation.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 863.

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. MCINTYRE:

H.R. 864.

Congress has the power to enact this legislation pursuant to the following:

''This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.''

By Mr. NADLER:

H.R. 865.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Ms. NORTON:

H.R. 866.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution.

By Mr. PAULSEN:

H.R. 867.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. PAYNE:

H.R. 868.

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, Clause 14 of the United States Constitution

By Mr. PITTS:

H.R. 869.

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 and Article IV, Section 3 of the United States Constitution.

By Mr. CONYERS:
H.R. 870.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. RANGEL:
H.R. 871.
Congress has the power to enact this legislation pursuant to the following:
To regulate Commerce with Foreign Nations
By Mr. RANGEL:
H.R. 872.
Congress has the power to enact this legislation pursuant to the following:
To regulate Commerce with Foreign Nations
By Mr. RANGEL:
H.R. 873.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
To regulate Commerce with Foreign Nations
By Mr. RUNYAN:
H.R. 874.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution.
By Mr. SENSENBRENNER:
H.R. 875.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Mr. SIMPSON:
H.R. 876.
Congress has the power to enact this legislation pursuant to the following:
''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the 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), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''
By Mr. TURNER:
H.R. 877.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States
Mr. PASTOR of Arizona:
H.R. 878.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 4

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

[Omitted from the Record of February 26, 2013]

H.R. 661: Ms. MOORE and Mr. CÁRDENAS.
H.R. 665: Mr. FALEOMAVAEGA.
H.R. 671: Mr. PAYNE.
H.R. 679: Ms. BORDALLO, Mr. CONNOLLY, Mr. COTTON, Mr. HANNA, Mr. KLINE, and Mr. LOEBSACK.
H.R. 683: Mr. TONKO, Ms. HAHN, Mr. CARTWRIGHT, and Mr. SWALWELL of California.
H.R. 684: Mr. QUIGLEY, Ms. LORETTA SANCHEZ of California, and Mr. DUNCAN of Tennessee.
H.R. 686: Mr. BRALEY of Iowa.
H.R. 688: Mr. HANNA, Mr. HUNTER, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 695: Mr. JOHNSON of Ohio, Mr. STIVERS, Mr. BUCSHON, and Mr. LABRADOR.
H.R. 699: Ms. ESTY.
H.R. 712: Mr. GIBSON.
H.R. 719: Mr. MILLER of Florida.
H.R. 721: Mr. THOMPSON of Pennsylvania.
H.R. 728: Mr. TAKANO, Mr. POCAN, and Ms. CHU.
H.R. 732: Mr. JOHNSON of Ohio, Mr. BURGESS, Mr. COLLINS of New York, Mr. RENACCI, Mr. SIMPSON, Mr. ROE of Tennessee, Mr. FORTENBERRY, Mr. KLINE, and Mr. SCHOCK.
H.R. 736: Mr. CAPUANO.
H.R. 749: Ms. PINGREE of Maine, Mr. HURT, Mr. YOUNG of Alaska, Mr. LOEBSACK, and Mr. PAULSEN.
H.R. 755: Mr. PAULSEN, Mr. KLINE, Mr. OWENS, Mr. ELLISON, and Mr. STIVERS.
H.R. 769: Mr. KEATING and Mr. NOLAN.
H.R. 780: Mr. CALVERT and Mr. VALADAO.
H.R. 792: Mr. HECK of Nevada, Mr. JONES, Mr. COFFMAN, and Mr. PITTENGER.
H.R. 793: Mr. RANGEL, Ms. ESHOO, Mr. LOWENTHAL, Mr. FARR, and Mr. HASTINGS of Florida.
H.R. 794: Mr. CONNOLLY.
H.R. 795: Mr. GOODLATTE and Mr. THORNBERRY.
H.R. 811: Mr. SERRANO, Mr. MEEKS, and Mr. RANGEL.
H.R. 816: Mr. HECK of Nevada, Mr. SENSENBRENNER, Mr. FLORES, Mr. KELLY, Mr. RODNEY DAVIS of Illinois, Mr. HUIZENGA of Michigan, and Mr. COLLINS of New York.
H.J. Res. 20: Mr. TIERNEY.
H.J. Res. 21: Mr. TIERNEY.
H.J. Res. 25: Mr. ELLISON and Mr. TIERNEY.
H.J. Res. 26: Mr. GOWDY.
H.J. Res. 31: Ms. TSONGAS and Ms. ESHOO.
H. Con. Res. 16: Mr. KIND, Mr. ROSKAM, Mrs. HARTZLER, Mr. CARNEY, Mrs. LUMMIS, Mr. YOUNG of Alaska, Mr. JOHNSON of Ohio, Ms. SCHWARTZ, Mr. GUTHRIE, Mr. DUNCAN of Tennessee, and Mr. FARENTHOLD.
H. Con. Res. 17: Mr. RICHMOND and Mr. SERRANO.
H. Res. 19: Mr. MCNERNEY, Mr. DEUTCH, Mr. GARAMENDI, and Mr. CLAY.
H. Res. 36: Mr. MEADOWS, Mr. HUNTER, and Mr. MCCLINTOCK.
H. Res. 69: Ms. WASSERMAN SCHULTZ, Mr. RAHALL, Mr. PETERS of California, and Mr. GRAVES of Missouri.
H. Res. 71: Mr. HUIZENGA of Michigan, Mrs. BUSTOS, and Mr. TERRY.
H. Res. 72: Mr. SMITH of Washington.
H. Res. 77: Ms. LOFGREN and Mr. HONDA.

[Submitted February 27, 2013]

H.R. 180: Mr. COOPER.
H.R. 183: Mrs. CAROLYN B. MALONEY of New York and Ms. SHEA-PORTER.
H.R. 281: Ms. MOORE.
H.R. 303: Mr. HUNTER, Mr. TIBERI, Mr. PIERLUISI, Mr. ELLISON, Mr. MICHAUD, Mr. SCHRADER, and Mr. KILMER.
H.R. 318: Mr. ROE of Tennessee and Mr. AL GREEN of Texas.
H.R. 322: Mrs. NOEM.
H.R. 324: Mr. AUSTIN SCOTT of Georgia, Mr. PETRI, and Mrs. HARTZLER.
H.R. 335: Mr. MILLER of Florida, Mr. HUFFMAN, and Mr. TIBERI.
H.R. 351: Mrs. MCMORRIS RODGERS and Mrs. NOEM.
H.R. 354: Mr. DIAZ-BALART, Mr. RODNEY DAVIS of Illinois, Mr. CARTER, and Ms. WASSERMAN SCHULTZ.
H.R. 375: Mr. OWENS.
H.R. 377: Mr. VEASEY, Mr. BERA, Mr. FALEOMAVAEGA, Mrs. KIRKPATRICK, Ms. DUCKWORTH, and Mr. HORSFORD.
H.R. 445: Mr. CICILLINE, Mr. DINGELL, and Mr. PETERS of Michigan.
H.R. 508: Mr. FINCHER.
H.R. 523: Mr. GENE GREEN of Texas and Mr. PETRI.
H.R. 525: Mr. WELCH and Mr. YOUNG of Indiana.
H.R. 530: Mr. LOEBSACK, Mr. HIGGINS, Mr. GRAYSON, and Mr. CROWLEY.
H.R. 537: Mr. BLUMENAUER.
H.R. 539: Mr. BARTON.
H.R. 571: Mr. FRANKS of Arizona, Mr. STIVERS, Mr. GIBBS, and Mr. PASCRELL.
H.R. 572: Mr. GIBBS, Mr. STIVERS, Mr. PASCRELL, and Mr. ROONEY.
H.R. 582: Mr. LAMALFA, Mr. PETRI, and Mr. CARTER.
H.R. 593: Mr. WENSTRUP, Mrs. ROBY, and Mrs. BLACKBURN.
H.R. 596: Mr. DAINES, Ms. TITUS, Mr. GARDNER, Mr. PERLMUTTER, Mr. PEARCE, and Mr. HUFFMAN.
H.R. 621: Mr. GRAVES of Georgia and Mr. REED.
H.R. 627: Mr. ELLISON.
H.R. 629: Mr. AL GREEN of Texas.
H.R. 634: Mr. OWENS and Mr. FINCHER.
H.R. 635: Mr. WALDEN.
H.R. 641: Mr. PIERLUISI.
H.R. 649: Ms. CHU, Ms. WILSON of Florida, Mr. VARGAS, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, and Mr. MCDERMOTT.
H.R. 661: Mr. ELLISON.
H.R. 664: Mr. OWENS, Mr. VARGAS, and Mr. ISRAEL.
H.R. 670: Mr. ANDREWS.
H.R. 671: Ms. TITUS.
H.R. 684: Mr. GRIJALVA and Ms. SCHAKOWSKY.
H.R. 688: Mr. BRALEY of Iowa, Mr. MILLER of Florida, Mr. HASTINGS of Florida, Mr. MAFFEI, Mr. DENHAM, Mr. HUIZENGA of Michigan, Mr. SERRANO, Mr. ROHRABACHER, and Mr. DINGELL.
H.R. 693: Mr. SENSENBRENNER.
H.R. 699: Mr. BRADY of Pennsylvania.
H.R. 719: Mr. MAFFEI.
H.R. 730: Mr. GRAVES of Georgia.
H.R. 749: Mrs. HARTZLER, Mr. WALBERG, and Mr. PERLMUTTER.
H.R. 755: Mr. TERRY, Mr. HALL, Mr. CALVERT, and Mr. VAN HOLLEN.
H.R. 756: Mr. THORNBERRY and Mr. STEWARD.
H.R. 762: Mr. WESTMORELAND, Mr. STIVERS, and Mr. ROGERS of Michigan.
H.R. 763: Mr. DESJARLAIS, Mr. GIBBS, Mr. RIBBLE, Mr. LONG, Mr. JONES, Mr. WILSON of South Carolina, Mr. SCALISE, Mr. GRIMM, Mr. POE of Texas, and Mr. PETRI.
H.R. 766: Mr. CONYERS, Mr. WELCH, Ms. SHEA-PORTER, Mr. ENYART, Ms. CHU, and Mr. DOGGETT.
H.R. 780: Mr. HUDSON.
H.R. 782: Mr. WESTMORELAND and Mr. BENTIVOLIO.
H.R. 792: Mrs. BLACKBURN and Mr. GRIFFITH of Virginia.
H.R. 811: Mr. MAFFEI and Mr. CROWLEY.
H.R. 816: Mr. POE of Texas, Mr. SOUTHERLAND, Mr. SCHRADER, Mr. YOHO, Mr. STEWART, and Mr. GOHMERT.
H.R. 828: Mr. MCKINLEY, Mrs. BLACK, and Mr. RENACCI.
H.R. 833: Mr. COFFMAN, Mr. PALAZZO, Mr. GRIMM, Mr. YOUNG of Florida, and Mr. CALVERT.
H.R. 840: Mr. FALEOMAVAEGA.
H.J. Res. 20: Mr. LYNCH and Mr. RYAN of Ohio.
H.J. Res. 31: Mr. KEATING.
H. Res. 30: Mr. GARAMENDI, Mr. PAYNE, Mr. MORAN, Mr. COOK, Mr. QUIGLEY, Mr. RICHMOND, Ms. BROWNLEY of California, and Mr. CROWLEY.
H. Res. 35: Mr. YOUNG of Florida.
H. Res. 36: Mr. WHITFIELD and Mr. GRAVES of Georgia.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, FEBRUARY 27, 2013 No. 28

Senate

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Reverend Ronald Derrick, National Chaplain for the American Legion of Rigby, ID.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, thank You for this day. Grant us Your presence. We stand in a room representing power and authority given by Your hand. Keep us mindful that one day we shall stand in a greater room and give an accounting of the decisions made this day. Therefore, I pray with words that have been spoken down through the ages that You, O Lord, will grant to these leaders of our Nation health, peace, concord, and stability that they may administer the government without failure.

Direct their counsel according to that which is good and well pleasing in Your sight. May it be said of them that they performed the duties of their office faithfully and impartially.

Bless each individual present here today, for by blessing the individual, You have blessed this Nation. To You be the glory.

In Your most Holy Name I pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY.)

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 27, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period of morning business with the majority controlling the first 30 minutes and the Republicans the final 30 minutes.

Yesterday, the Finance Committee reported the nomination of Jacob Lew to be Treasury Secretary. We hope to reach an agreement to move this nomination forward today.

In addition, I filed cloture on the motion to proceed to the American Family Economic Protection Act. If no further consent is reached, that cloture vote will be tomorrow morning.

I will now yield to my friend from Idaho. Senator CRAPO.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

WELCOMING THE GUEST CHAPLAIN

Mr. CRAPO. Thank you, Senator REID.

I rise today to thank Chaplain Ronald L. Derrick for joining us today to offer the Senate's opening prayer. I am honored to have the privilege of welcoming this esteemed Idahoan to the U.S. Senate to serve as our guest chaplain.

Chaplain Derrick, who is joining us from Rigby, ID, has many years of service to our community and our Nation. He served our Nation in the U.S. Army from 1966 to 1968. He retired from his Bonneville County, ID, job after 23 years as a printer and mail clerk and he is also a former county coroner, Driggs Chamber of Commerce president, and volunteer EMT firefighter. In 1987, the American Legion recognized Chaplain Derrick as Idaho's firefighter of the year.

Chaplain Derrick was ordained into the ministry in 1979 through the Solid Rock Pentecostal Church, and he continues to serve in various aspects of ministry. Reflecting his long spiritual contributions to the community, he was given the high honor of serving as National Chaplain of the American Legion for the 2012–2013 term. Through this position, he performs and oversees services and provides prayers and guidance for the Legion's 2.4 million members. As a 40-year member of the American Legion, he has a strong connection with his fellow veterans, servicemembers, and the communities he serves. In addition to serving as National Chaplain, he has served at a number of other leadership positions in the American Legion. Truly, his devotion to those in his community and his Nation has touched the lives of many in civic and spiritual ways.

Chaplain Derrick has been married for 45 years to his wife Bird, who serves as the Department of Idaho Auxiliary Chaplain. They have three children: Tim, Andrew, and Dana Sue, and nine grandchildren.

Chaplain Derrick, thank you for your dedication and service and the blessing you are bringing to the Senate today.

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

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This Congress and our Nation have considerable challenges ahead. These challenges require fortitude and understanding. I join you in praying for our country, and greatly value your prayer today and your service.

The ACTING PRESIDENT pro tempore. The majority leader.

THE SEQUESTER

Mr. REID. Mr. President, this week, Speaker BOEHNER made some harsh accusations. I will not repeat them here on the Senate floor. Suffice it to say he thinks the Senate isn't moving quickly enough to avert the sequester—the across-the-board-cuts that will cost 750,000 Americans their jobs unless Congress acts and acts quickly.

The Speaker's charge is really weak sauce, considering that House Republicans spent 2 months refining the art of doing nothing. The allegation is stranger still given the Speaker doesn't even have his own proposal to prevent the deep cuts that will strike within 2 days. In fact, the House Republicans' entire strategy for the Congress is to sit on the sidelines.

And Republicans won't work with Democrats. The Republicans have failed to make their own proposals and refuse to compromise on a balanced plan to avoid harsh austerity measures. Democrats, on the other hand, have proposed a balanced solution to this sequester—a proposal to reduce the deficit by making smart spending cuts, closing wasteful tax loopholes, and asking multimillionaires to pay a little bit more.

We will vote this week on our plan—a plan supported by three-quarters of Americans and almost 60 percent of Republicans. But once again, Republicans are too busy fighting amongst themselves to unite behind a course of action. They are, instead, doing nothing—zero.

Benjamin Franklin once said:

> The man who achieves makes many mistakes, but he never makes the biggest mistake of all—doing nothing.

Republicans appear poised to make the biggest mistake of all. They are prepared to let the sequester's painful arbitrary cuts take effect.

Across the country, meat inspectors, air traffic controllers, FBI agents, and Border Patrol agents will be furloughed and 70,000 boys and girls will be kicked out of Head Start.

These cuts will not be felt in the next few days, but they will start quickly, Lord knows. The notices that go out in 90 days will cut off all contractual payments to whoever gets a warning notice. So within a matter of weeks, we are going to feel these cuts and feel them really painfully.

As I said, 70,000 boys and girls will be kicked out of Head Start, thousands of researchers working to cure diseases such as cancer, Alzheimer's, and other dread diseases will be laid off, hundreds of thousands of Defense Department employees will take forced furloughs, creating hardship for their families and threatening national security.

To make sure everyone understands, this is not President Obama's sequester, because 174 House Republicans voted for this and 28 Republican Senators voted for this. That is 60 percent of Republican Senators and 75 percent of the House Republicans Members who voted for this. Congress has the power to avoid these self-inflicted wounds, but Democrats can't do it alone. Republicans must do their part. Compromise is never easy, but surely it is better than doing nothing at all.

RECOGNITION OF THE MINORITY LEADER

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

THE SEQUESTER

Mr. MCCONNELL. Mr. President, for months now I have been coming to the floor to urge my colleagues on the other side to help us replace the President's sequester proposal. Yet here we are, just 2 days to go until the cuts hit, and the Democrats who control Washington still haven't put forward a serious bipartisan plan—not the President and not his allies in Congress. They prefer to keep it alive as a political issue instead. Now, less than 48 hours before the clock runs out, all we are offered is a gimmicky tax hike that is designed to fail.

Look, I hope they are not expecting a round of applause for this particular act of political bravery. Is it any wonder the American people are so fed up with Washington? The American people didn't send us here to play games, they sent us here to solve problems. That means getting spending under control and putting the economy back on track.

The American people are clearly tired of the gimmicks. I can't tell you how many letters and e-mails and phone calls I have received about this sequester issue in particular, and the messages my constituents keep sending are simply this: Replacing spending cuts that both parties already agreed to, and to which the President already signed into law, with tax hikes is simply unacceptable.

One Kentuckian from Springfield put it this way:

> Hold strong and do not give in to more spending . . . Normal folks must adjust their budgets . . . so must the government.

Another constituent said it was important to stand firm in the face of the President's endless campaigning. ''Make him keep his promise of a balanced approach,'' she wrote, and that means one thing: ''Cut spending.''

A woman from Bowling Green urged me to ''hold firm against spending and kicking the can down the road.''

She wants me to hold firm against that—spending and kicking the can down the road. She said:

> I have had to cut, cut, cut. The least our government should do is seriously make cuts.

And, of course, she is entirely right. It is absurd to think the government cannot get by with a little more than a 2-percent reduction in spending when every working American had to figure out how to make do with 2 percent less in their paychecks just last month.

Some have raised concerns about a proposal that would give agency heads more discretion in prioritizing these cuts. I understand those concerns, but let's be clear about the goal here. The goal isn't to hand over congressional authority, it is to make sure these cuts actually happen and that we don't cut a penny less than we promised the American people we would cut a year and a half ago.

Look, we know most Americans think Washington's spending problem should be addressed by cutting spending. So when the President goes off on a campaign for higher taxes instead of working with Republicans to replace the sequester with smarter cuts, and when Senate Democrats put forward tax hike gimmicks instead of negotiating serious spending-cut solutions, Americans feel as though they are not being listened to.

And they have reason to be upset. They sent a divided government here to Washington, but they expect it to work. The President may not like that fact. He may wish things were different. But he wasn't elected to work with the Congress he wants, he was elected to work with the Congress he has, and that means working with both parties to get things done. It means leaving the gimmicks behind and working with us to hammer out a smarter solution to his sequester.

Republicans have been calling for Democrats to work with us on the sequester over and over. We are still ready to work with them to get something responsible passed, but we can't do it alone. The President's party runs Washington. It is time they got off the campaign trail and started working with us to govern for a change.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Maryland.

SEQUESTER IMPACT

Ms. MIKULSKI. Mr. President, today I rise to speak on the impact of sequester on the American people, on their safety, their security, our economy, and the way local and State governments can use wise resources to protect their people.

I know we have each been assigned 10 minutes. I have a robust number of Appropriations Committee members who want to speak. I will ask the Chair to let me know when I have used 5 minutes, and if Senator LANDRIEU arrives, I will then yield to her.

The ACTING PRESIDENT pro tempore. The Senator will be so notified.

Ms. MIKULSKI. I come today not only as the chair of the entire Appropriations Committee but as the chair of the subcommittee that funds the Commerce Department, Justice Department, and the majority of our science agencies.

I wish to talk about the impact on public safety and our future, but you have to know I come with a heavy heart.

I note and bring to the attention of my colleagues that a guard was killed in a Federal prison on Monday. This guard worked at the Federal penitentiary in Canaan, PA. He was stabbed and attacked by a prisoner with homemade weapons. The entire Justice Department, the Office of Prisons, the union people who represent them, all mourn at Mr. Eric Williams' death. We don't know the full extent, and I will be asking for a report on the investigation on how this happened. But one of the things I do know as the chair of the committee, we face prison overcrowding. We have Federal prisons, some we don't even open because we refuse to put the money in.

You can say: Well, Senator BARB, you are on the committee. Why don't you put the money in? We are in gridlock, deadlock, hammerlock on not being able to move our bills in regular order with due diligence and oversight. That is why we are at this crisis of sequester: Oh, boy. Can't we just cut 2 percent like American families?

American families don't run prisons. They don't build their own roads. They don't have to put out their own local police department. They depend on their government to do that. They are willing to expend revenue, pay taxes so they are protected. There are reasons people are in Federal prison. They were bad guys and gals who did bad things, and when they are in prison, they still want to do bad things, such as attack a prison guard. Do you know what sequester will mean? Across-the-board cuts. It will have a direct impact on America's prisons.

Oh, sure. The prisoners will still have their food. They will still have their hour to be able to do their exercise. But the prison guards will face furloughs, layoffs, and even reductions in the workforce. We are placing them at risk while they protect us from risk. Where are our national priorities?

One of the ways we can honor this man is to get serious about our appropriations process. I wish to cancel the sequester and come up with a balanced solution of revenues and strategic, targeted cuts, not across-the-board cuts to 1,300 correctional guards who might face layoffs.

About our Federal prosecutors. We in Maryland have one of the best U.S. attorneys going after violent gangs, drug cartels, child predators, mortgage frauds. But we are going to say to those smart lawyers who can make megabucks in law firms, stick with us. But when you do, you can be laid off and furloughed. Why is it that the criminals are able to hire the lawyers, but the Federal Government doesn't want to pay for them? Priorities.

We need to be able to have the right law enforcement at the Federal and State level to catch the bad guys, whether it is white-collar crime, such as mortgage fraud, or street crime, or despicable crimes such as trafficking in women and children.

We have to look out for our FBI, our major force in counterterrorism. They face, again, layoffs, and it will go to our local law enforcement. We will be cutting the funds for things such as the Byrne grants, which enable local law enforcement to put cops on the beat and buy the equipment they need to protect themselves. There is a program here that we have a line item. It is not the biggest thing in the Federal budget, but it is the biggest thing to cops. Why? Because it buys bulletproof vests.

The ACTING PRESIDENT pro tempore. I advise the Senator she has consumed 5 minutes.

Ms. MIKULSKI. I could talk another 55. I could talk another 505. But I want everyone to get the point that cuts have consequences. So things such as, oh, why don't we cut the budget as families do—well, let's do what families do. They, first of all, make plans and stick to them. I think it is time we have a regular order.

I want to deal with this sequester now. I want to look at this thing called the continuing resolution so it resolves the funding for fiscal 2013, for fiscal 2014, to work on a bipartisan basis across the aisle and across the dome. Let's look at our spending, how we protect the American people, and make public investments that help create jobs today and jobs tomorrow.

In conclusion, before I turn to my most able subcommittee chair on Homeland Security, Senator LANDRIEU, I just wish to say to the family of Officer Eric Williams, the entire Senate wishes to express its condolences to the family. I believe we can show our deepest sympathy by making sure it doesn't happen in our Federal prisons. Let's get on and solve the problem of sequester. Let's work together and get the job done.

I yield to Senator LANDRIEU, the chair of the Subcommittee on Homeland Security, a very crucial committee.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate—and we all do—all the Senators, even Senators on the other side of the aisle I think admire her tenacity and her leadership and, most importantly, her knowledge and understanding of the importance of the Federal budget on the private sector economy. Obviously, the Senator from Maryland understands its impacts on Maryland, but she also understands the impacts to our Nation.

No one speaks more passionately and more knowledgeably about the challenges before families than Senator BARBARA MIKULSKI from Maryland, from a working-class family herself. Her parents and grandparents, immigrants to this country, operating a small business, a bakery—a wonderful business—not only understanding how to run their own business themselves but for all the neighbors who came in every day to talk about their problems.

When the Senator says she knows what families do in tight budget times, she is correct. Families do cut back, but they plan their reductions. They don't pull the rug out from underneath the college tuition for their kids. They don't kick grandma out on the street and put her in a homeless shelter. They make smart decisions about budgets. Let me say to my colleagues on the other side who fail to understand the other part of the equation, they also try to bring in more revenue to the family base. Either the wife gets a job or the husband gets a job or the wife goes back to school to get a nursing degree so instead of making $6 an hour, she can bring in $16 or $18 an hour.

Families work on both sides of the equation. But for some reason, we have half this Chamber that only wants to work on one side of the equation. It is only about cuts, cuts, and more cuts, even though they are senseless, they are dangerous, they do not make sense for our country, and they most certainly don't just impact the government—of course, which is the enemy of the other side—they impact our economy. They impact our ability to grow this economy. Every cut that comes down in a senseless way, and even cuts that are planned, are harmful to the private sector.

I know this not only as a Senator from Louisiana and chair of the Homeland Security Committee but particularly as chair of the Small Business Committee. Our phone has been ringing off the hook with small businesses—not government workers but private sector workers and contractors—that are afraid, and have every reason to be, about the results of this sequester to their bottom line because they are providing the government a good service or a product the government needs, whether it is in health care, whether it is in education or whether it is in homeland security. But I digress a little bit. So let me get back to the central message as chair of Homeland Security.

I rise to speak in opposition to the damaging sequester that is scheduled to take effect this Friday. There is no question Congress must act to reduce our annual deficits—must continue to act. Let me underline ''continue.'' We have been reducing spending. We have set targets of spending lower than what would have normally been set because we are tightening our belts. We were trying to tighten our belts even at a time when the economy was shrinking. Most economists will tell us that in times of economic constriction, governments need to spend more money to try to prime the pump to get the country moving in the right direction. The President has led in this direction. We have helped to follow his lead; therefore, avoiding the worsening of a depression and a recession.

But contrary to the evidence all over the place that this is working, the other side is going to ratchet it down with these senseless reductions—and even well-planned reductions at this point are very difficult—and rejecting a balanced approach which Democrats have called for. Most independent observers understand we have to have an increase of revenues coming in because we are at the lowest level to the GDP since Eisenhower was President and some continued reductions. But they are rejecting that and going cuts only, cuts only. They said: We raised revenues. That is it. We raised $600 billion. We can't go any more. I am here to tell you, we have to go a little bit more, and the sooner we do that, the better we are going to be.

There are people who make over $1 million in this country or companies that are enjoying loopholes they shouldn't be enjoying at the expense of the middle class and at the expense of the economic growth potential of this country, which is substantial, contrary to the laments on the other side of this aisle that the sky is falling.

Every businessperson I talk to says: You know what, Senator. There is such promise out there. This energy industry is getting ready to boom. Natural gas is a great blessing to our Nation. But we may not experience any of that because we can't get 5 cents to invest in an airport or dredge one of the bayous or rivers in my State because of the tightening down of these spending cuts.

The other side of the aisle, despite the mounting evidence, continues to argue against any revenues. Their cuts-only approach, cut it all, cut it now; don't worry about what you cut, just cut it, is not going to lead this country to economic prosperity.

The reality is our deficit reduction so far has been completely lopsided: 72 percent has come from spending cuts, only 28 percent from revenues. It is not balanced, and we have to find a balance. We have already cut $1.5 trillion from discretionary spending over 10 years. In recent years, revenues coming in to the Federal Government as a percentage of GDP were at the lowest levels since Eisenhower. I said 16 percent. My notes say 15.1 percent. So let me correct myself. I didn't realize it was that low. I thought it was 16.7.

So while I support cuts—and have supported them in the past and continue to try to find them in my own budget, $42 billion for Homeland Security—we must have a balance.

This sequester that is going to go into effect in Louisiana will cost us $15.8 million in funding for primary and secondary education. Early Head Start services will be cut to over 1,400 children who desperately need a better start in life. Our ability to develop oil and gas will slow down due to Interior Department cuts. Louisiana's Department of Defense civilian employees—over 7,000—will be furloughed, costing Louisiana residents $36 million in gross pay.

As chairman of the committee, I am asking for the Senate to consider the impacts of these cuts on securing our homeland. We have made a tremendous amount of progress. We have avoided attacks, and some have been very close calls. This is not done because of a wish and a prayer. This is done because of smart research, investing in border security, investing in cybersecurity, investing in training of local police officers who can identify threats on the ground, whether it is in New York or Baton Rouge or New Orleans. We have avoided some attacks. As the Senator from Washington State knows, this does not just happen by magic. This happens because we are making investments in people, in their training. This is at risk today.

The sequester would effectively decrease the number of Border Patrol agents by 5,000.

I wish to make a statement and ask for 2 more minutes. I understand the Senator from Arizona, Mr. MCCAIN, and the Senator from South Carolina, LINDSEY GRAHAM, met with the President to talk about immigration reform. I am very glad we may make some progress on bipartisan support for immigration reform. Clearly, the country is asking for it, the business community needs it, our agricultural sector needs it, and the Latino population deserves it. But are we going to try to do education reform on a reduced budget in Homeland Security? What do they expect us to do in a Homeland Security budget without giving us some additional resources to hire the additional judges who are going to be needed, the additional patrols, et cetera? So I ask Senator MCCAIN, how are we going to afford this in the Homeland Security budget? I look forward to having that discussion with him. On cyber security, the sequester would delay for a year the ability of the Department of Homeland Security to deploy technology to protect our Federal computer systems from attack.

In the last minute I have, I ask unanimous consent to have printed in the RECORD a letter we received this morning from Secretary Napolitano, who is preparing her agency for difficult tasks.

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

U.S. DEPARTMENT OF HOMELAND SECURITY,
Washington, DC, February 26,2013.

Hon. MARY L. LANDRIEU, Chairman,
Subcommittee on Homeland Security Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN LANDRIEU: Thank you for your comments during the Senate Appropriations Committee's February 14, 2013, hearing on sequestration. I share your deep concerns and wanted to follow up on your request to identify impacts to our Nation's economy and international trade activities that this unprecedented budget reduction to the Department of Homeland Security (DHS) would have.

Sequestration would have significant impacts on our economy, including travel, tourism and trade. Reductions mandated under sequestration would require furloughs and reduced staffing at our Nation's ports of entry and airport security checkpoints, which would have serious consequences to the flow of trade and travel throughout the country.

Trade and travel is absolutely essential to our economy. According to the U.S. Travel Association, one new American job is created for every 33 travelers arriving from overseas. DHS's U.S. Customs and Border Protection (CBP) staff and operate 329 ports of entry across the country, welcoming travelers and facilitating the flow of goods essential to our economy. Each day, almost one million people arrive at these ports of entry by land, sea, and air. In Fiscal Year 2012 alone, DHS processed more than 350 million travelers, including more than 98 million international air travelers as well as $2.3 trillion worth of trade.

The automatic budget reductions that could be implemented on March 1, 2013 would be disruptive and destructive to our Nation's security and economy. At major gateway airports average wait times will increase by 30–50%. At our busiest airports, such as John F. Kennedy International, Los Angeles International, and Chicago O'Hare, peak wait times could grow to over four hours or more during the summer travel season. Such delays would affect air travel significantly, potentially causing thousands of passengers to miss flights with economic consequences at the local, national, and international levels. New flights that bring in hundreds of millions of dollars to the U.S. economy would be delayed or potentially denied due to reduced staffing.

Sequestration will also impact our Nation's land borders. For example, daily peak wait times at the El Paso Bridge of the Americas would increase from one hour to over three hours. Peak wait times at the Port of Buffalo Lewiston Bridge would increase by nearly six hours, significantly slowing travel across the northern border. Midsize and smaller ports would experience constrained hours of operation, affecting local cross-border communities.

At our seaports, delays in container examinations would increase to up to five days, resulting in increased costs to the trade community and reduced availability of consumer goods and raw materials. At cruise terminals, processing times could increase to up to six hours, causing passengers to miss connecting flights, delaying trips, and increasing costs.

Last year, the Transportation Security Administration (TSA) screened approximately 640 million people and their carry-on items at checkpoints, and more than 426 million

checked bags. DHS also screened over 629 million pounds of cargo with TSA proprietary canine teams. Sequestration would require TSA to reduce overtime and not backfill vacant Transportation Security Officer positions, leading to increases in airline passenger wait times by as much as an hour during peak travel periods at our Nation's largest and busiest airports.

Additional effects of sequestration would be felt by the American public from reductions to U.S. Coast Guard (USCG) fisheries law enforcement, aids to navigation, and other important activities that help ensure the safe flow of commerce along U.S. waterways and the protection of natural resources. These reductions will impact the Coast Guard's ability to respond to issues impacting the U.S. Marine Transportation System that generates more than $3.2 trillion of total economic activity, moves 78% of foreign trade, and sustains over 13 million jobs each year. USCG also will have to reduce its patrols of the 3.4 million square mile U.S. Exclusive Economic Zone—impacting fisheries enforcement and resulting in more incursions by foreign vessels, exploiting our natural resources. Reduced Coast Guard presence protecting the U.S. fishing industry would impact an industry which generates $32 billion in income and supports over one million jobs annually.

The Department appreciates the strong support it has received from Congress over the past 10 years. As we approach March 1, I urge Congress to act to prevent sequestration and ensure that DHS can continue to meet evolving threats and maintain the security of our Nation and citizens. Should you have any questions or concerns at any time, please do not hesitate to contact me at (202) 282–8203.

Yours very truly,

JANET NAPOLITANO.

Ms. LANDRIEU. I ask for 30 seconds to complete my remarks.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Ms. LANDRIEU. One of the issues I have been very focused on is international travel. I do not have the time to go into the details. It is an important industry for our country, not just for Louisiana and New Orleans, which are way up on the list of places people want to come. The travel industry is important.

Last week Roger Dow said:

Travel has led the nation's economic recovery—generating more than 50 percent of all jobs created since the beginning of the recession. The indiscriminate sequester cuts threaten to derail travel-led recovery. These across-the-board cuts may punish travelers with flight delays, long security lines at [TSA] checkpoints and multi-hour waits to clear Customs and Border Protection.

This is not a time to cut back on investments we have made in increasing travel, 10 years after 9/11 ground this industry to a halt. Now is not the time to put up a yellow light or a red light, and that is what the sequester is going to do—it is going to be blinking yellow at a time when we need green all the way.

We need to find a way to break through. This Senator is willing to compromise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise as chairman of the Interior Appropriations Subcommittee to highlight the urgency and importance of addressing sequestration. These imminent cuts will have real impacts on the environment and on thousands of jobs related to infrastructure investment and environmental protection.

The reductions required by sequestration will also come on top of other deep cuts these programs have already absorbed over the last 2 years. Even though Interior bill programs make up less than 3 percent of total Federal discretionary spending, we have already seen more than $2 billion in cuts to environmental programs over the past 2 years. If sequestration moves forward, it will mean an additional $1.6 billion in across-the-board cuts to the Interior bill.

We have already been forced to take $1 billion out of water infrastructure funding. Under sequestration, EPA's State Clean Water and Drinking Water Revolving Fund Programs will lose another $130 million. In addition to potential public health impacts, these cuts will mean 7,000 fewer construction jobs at a time we need to put more people to work. These cuts will be made worse by more than $50 million in additional reductions to grants that help States run their environmental agencies, including supporting clean water programs. The consequences will fall squarely on communities such as those in my home State of Rhode Island that are already struggling to keep pace with their infrastructure needs.

Just as we cannot place the burden of our Nation's growing financial debt on our children, we cannot place the burden of repairing our failing infrastructure on the next generation also. We have immediate needs that require immediate investment.

I am also concerned about cuts to our Nation's land management agencies, including the National Park Service, which is slated for $130 million in cuts. Sequestration will affect all 398 of our national parks, from the largest to the smallest. It means fewer seasonal personnel to assist visitors, which means fewer jobs. It also means fewer visitor services, more facility closures, and less upkeep and maintenance of our Nation's premier public lands.

These cuts are obviously bad news for the millions of people who visit our national parks every year, but it is worth pointing out that these cuts are also bad news for local economies that depend on national parks. Nationwide, parks support more than 250,000 private sector jobs and contribute almost $13 billion annually to local economies. Even Roger Williams National Memorial in my home State of Rhode Island attracted nearly 51,000 visitors in 2011, with nonlocal visitors adding more than $3.2 million to the local economy. The Roger Williams National Memorial is one of the smallest of our national parks. Even this small park is a major factor in my community. These closures and cutbacks will certainly affect the bottom line of communities across this Nation if fewer families are able to visit and enjoy our Federal lands and our national forests.

Sequestration will also impact programs that generate revenue for the Federal Government. The Interior Department oversees onshore and offshore energy development and expects those activities will be slowed dramatically.

The trial for the 2010 Gulf of Mexico oil spill—and my colleague from Louisiana was so effective and so critical to the response of the Federal Government for her home State of Louisiana and the whole gulf coast—that started on Monday is an important reminder of how critical these activities are to preventing these disasters rather than somehow try to recoup losses after the fact. Yet the Department will be forced to furlough employees who conduct lease sales, issue permits for new development, conduct environmental reviews, and inspect operations. That is no way to run a railroad or a national Department of Interior.

These cuts could result in 300 fewer onshore oil and gas leases in Western States and processing delays for the 550 offshore exploration and development plans expected this year. Companies may decide that development is not worth it because of the uncertainty, which will lead to less production and smaller royalties for the Treasury. In other words, the cuts required by sequestration could actually end up costing the government money rather than saving money and could take away from the developing ability of the United States to become more and more energy independent through production within the country rather than buying petrochemicals and petroleum products from overseas.

The sequester is a real problem for environmental programs in the Interior bill and throughout nearly all government programs. But there are ways to prevent this meat-ax approach to addressing the budget. Indeed, Democrats have put forward a specific and clear plan—half cuts and half revenue—to replace the sequester. Simply, we have put a plan forward that puts jobs first by cutting specific wasteful spending and closing dubious tax loopholes. This bill gives the economy more breathing room by offsetting the sequester with smart policies that should be enacted even if there were no threat of sequester.

Let's be clear what is at stake. The Director of the nonpartisan Congressional Budget Office recently testified that the 2013 sequester will result in 750,000 lost jobs and a 0.6-percent reduction in GDP for 2013. Lost jobs and lower growth—that is what sequester is going to produce. I don't think the people of Rhode Island or anyone else in the United States wants to have Congress support policies that mean fewer jobs. We have a crisis in Rhode Island, a jobs crisis that should be addressed before anything else.

We hear from the other side of the Capitol that we must have a sequester to address the budget. But over the last few years, as my colleagues have pointed out, we have slashed the deficit by $2.4 trillion over the next 10 years. The bulk of that reduction, $1.7 trillion, has come through spending cuts. We have been cutting. Indeed, my Republican colleagues have repeatedly held the economy hostage in order to cut spending that benefits the vast majority of Americans and protect tax cuts that benefit the wealthy few. That is not economically efficient, and that is not fair.

We see the results in my home State of Rhode Island—a 10.2-percent unemployment rate. That is unacceptably high. And 12.3 million Americans across the country are still unemployed. This Republican agenda of protecting the wealthiest and not investing in job creation is out of step with the majority of Americans. Most Americans would prefer right now that we address the jobs crisis. And by the way, more people working means we also address the deficit. They pay taxes, they don't qualify for unemployment insurance, and they don't apply for other programs. That is the smart way and the way we should deal, at least in part, with our deficit problem.

We should not be jeopardizing our economy. We should not be allowing these loopholes to exist that allow multinational corporations to ship our jobs overseas. We should not let these loopholes that give benefits to oil and gas companies that are recording historic profits linger, all ultimately at the expense of investing in programs like those that will put Americans to work in the parks and rebuilding our infrastructure across America. More austerity—and that is what this sequester is all about, especially in the form of these reckless cuts—will hurt the economy. We should instead be working to create jobs.

We should also recall that we are here today as a legacy of the Republican brinkmanship of threatening to allow the United States to default on its national debt. That is why we are here. Let's not forget that. The sequester was a means to avoid what would have been a catastrophic default.

Now we have the opportunity to change course, to invest in our people and invest in growth and do it in a balanced way. We cannot cut our way to prosperity. The President said that. These contractionary policies—this austerity the Republicans are urging upon us—will reduce economic growth at a time we need to expand economic growth, not only to create jobs but to truly address the deficit in a responsible, reasonable way. We have come through the threat of default on the debt with severe and unbalanced spending cuts. Now is the time to have a balanced approach. I urge that this balanced approach be adopted quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. How much time remains on our side?

The PRESIDING OFFICER. The majority has 2 minutes remaining.

Mrs. MURRAY. Madam President, I have come today to join the other Appropriations subcommittee chairs to really implore the Senate and this country to take a look at what will happen if sequestration occurs.

In just one day, unless Republicans drop their opposition to our compromise bill, sequestration will be a reality.

Now, we have heard from a wide range of economists and other experts about how harmful these cuts will be to our economy. They will hurt job creation, reduce our economic growth, and impact the most vulnerable among us.

According to HUD, the cuts required under sequestration would put 125,000 tenants at immediate risk of losing their housing vouchers, leaving low-income residents facing higher rents, eviction or homelessness.

At the same time, communities would be left with fewer ways to help the homeless.

In fact, the cuts would place formerly homeless people back on the streets, since HUD estimates that the cuts would threaten housing or access to emergency shelter for 100,000 people.

Sequestration will also disrupt some of the most fundamental work of our government, such as its management of the air transportation system.

Every year, U.S. airlines carry hundreds of millions of passengers, many of them travelling for business or tourism. And our aviation system carries freight valued at hundreds of millions of dollars every year.

This is possible because the FAA is a world leader in managing air traffic and protecting the safety of our skies.

These cuts will force them to furlough their entire workforce, including each and every air traffic controller and safety inspector.

With these furloughs, we can expect that every FAA facility and every air traffic control tower will be short-staffed every day of the week through the rest of this fiscal year.

In order to protect the safety of our skies, they will be forced to reduce the level of air traffic.

For these reasons and so many more, sequestration is the wrong answer to the fiscal challenges facing the country.

The cuts will hurt the most vulnerable in our society, and it will hurt our ability to compete in the global economy.

There is no question that we must address our deficit, but we must be smart about how we do it.

That is why Democrats have put forward a credible, responsible plan to replace sequestration.

Our legislation builds on the precedent set in the year-end deal, and it is in line with the balanced approach the American people favor.

It would replace half of the first year of sequestration with responsible spending cuts, and half of it with revenue from those who can afford it most.

Our bill calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as middle-class families pay, and would eliminate needless tax breaks for oil and gas companies and companies shipping jobs overseas.

At the same time, it would make responsible cuts.

Our bill would eliminate direct payments to farmers that have been paid out even during good times, and for crops farmers were not even growing.

And as the drawdown from Afghanistan is completed, our bill will make adjustments to our military that are in line with a strong 21st century strategy.

This legislation meets Republicans halfway.

It would protect the families and communities we represent from slower economic growth, fewer jobs, and weakened national defense.

And it would allow us to move past sequestration, towards working on a fair, comprehensive budget deal that provides certainty for American families and businesses.

So I would like to ask my Republican colleagues to seriously consider our proposal.

The American people want a balanced deal. Let's deliver.

We have heard people talk about job creation being impacted, reducing our economic growth, impacting the most vulnerable among us. In my subcommittee that oversees transportation and housing, we are going to see incredible impacts. HUD housing would have to put 125,000 tenants at immediate risk of losing their housing vouchers and putting them back on the streets at a time when we are just starting to really focus on our veterans and that growing number of veterans who are on our streets and making an impact across the spectrum. We will see a huge impact on housing.

On the transportation side, every sector we oversee will be impacted. We have heard a lot of talk about our U.S. airlines. They carry hundreds of millions of passengers every year. It is a huge impact on our economy. Our FAA is a world leader in managing air traffic and protecting the safety of our skies. These cuts will force the FAA to literally furlough every single employee and impact our air traffic control and safety systems.

It does not have to be this way. The Senate majority has put forward a very balanced approach to replace sequester, and in the longer term, as budget chair, we are working now to bring to the Senate a 10-year budget plan that will replace sequestration in a responsible way, work us to a manageable debt and deficit, and invest in our country again so we can grow. Let's get out of this crisis-management mode, pass a replacement to sequestration in the short term that we have offered,

and get back to the regular order in the Senate. That means our country can get back to managing their families and their businesses and communities in a responsible way. We can do that by voting to put in place our replacement. I urge our colleagues to do that tomorrow morning when we have a chance to vote on that.

Mr. LEAHY. Mr. President, I want to thank the Senator from Maryland and commend the very energetic way she has taken on her new responsibilities as Chairwoman of the Appropriations Committee. She has played a leading role in educating other Senators and the American people about the real impacts of sequestration.

While most of the media has focused on the projected consequences for programs and jobs here at home, there are also consequences for the budget of the Department of State and foreign operations, which is directly related to the national security of the United States.

It might interest people to know that the entire Department of State and foreign operations budget amounts to one percent of the Federal budget, not the 15 or 20 percent many mistakenly believe.

That one percent is what we have to operate our embassies and consulates in over 290 countries, to process visas, carry out diplomacy, respond to humanitarian crises, and build alliances with security and trading partners. There are dozens of examples of how sequestration would harm these efforts, but I will mention just three:

Cuts in diplomatic security at a time when everyone agrees we need to do more to protect our Foreign Service Officers overseas. Funding for local guards, diplomatic security personnel, and embassy security would be reduced by $181 million from the current level.

This would force the Department of State to choose between reducing the number of local guards at overseas posts, delaying maintenance at existing facilities, or postponing construction of secure facilities to replace those that do not meet current safety standards at a time of increasing attacks against U.S. overseas diplomatic posts.

Global Health programs that prevent the spread of AIDS and pay for vaccines for children, women's health, and to combat malaria and tuberculosis, would be cut by $468 million from the current level.

A reduction of this size would end life-saving drugs to more than 165,000 people infected with the AIDS virus. It would result in thousands more deaths from malaria. Tens of thousands of people infected with TB will not receive treatment. And the health of millions of Americans who travel, study, work, and serve in our Armed Forces around the world would be put at greater risk.

Funding for disaster and refugee aid would be cut by $156 million from the current levels. With 750,000 Syrian refugees and 5,000 fleeing the country each day, now is not the time to cut these programs. Other funds to help victims of drought, famine, and extremist violence in Mali, Somalia, and Sudan, and to prevent those crises from getting worse, will also be cut.

These are just a few examples of the real world consequences, not only for the people of those countries but for the security of the United States. People need to know what is at stake.

As has been pointed out repeatedly, sequestration was included in the Budget Control Act as an incentive to negotiate. The idea was that it would have such catastrophic consequences that rational minds would replace it with a thoughtful and balanced approach to deficit reduction.

That has not happened. To the contrary, just days before the sequester is to take effect our friends in the minority party whose only answer is to slash government programs and particularly those that help the neediest, have apparently decided that sequestration is not so bad after all.

MILITARY CONSTRUCTION AND VETERANS PROGRAMS

Mr. JOHNSON. Mr. President, I thank Chairwoman MIKULSKI for organizing this colloquy among Appropriations Subcommittee Chairs regarding the real consequences of the upcoming sequester on this Nation.

Fortunately, America's veterans are spared from the direct impact of the sequester, as all programs funded through the Department of Veterans Affairs are exempt. Veterans hospitals and clinics will continue to operate normally, veterans benefits will be processed and paid, and other veterans services will continue uninterrupted.

But make no mistake about it; veterans are no more immune than any other American from the collateral damage that these senseless automatic spending cuts will inflict. Bear in mind that veterans are parents and teachers, firefighters and law enforcement officers, border patrol agents and small business owners. A large number of civilian jobs at the Departments of Defense and Homeland Security, among other federal agencies, are held by veterans. In fact, veterans comprise 44 percent of the Defense Department's civilian workforce. Veterans are subject to the same risk as any other government employee of being furloughed or laid off because of the sequester, and veteran-owned businesses face the same risk as any other small business of losing crucial government contracts.

This is not some abstract inside-the beltway issue. Eighty-six percent of the Defense Department's civilian workforce resides outside of the Washington metropolitan area. In my home state of South Dakota, approximately 1,000 Defense Department civilian employees are slated to be furloughed, reducing gross pay by about $6.3 million. This loss in income will surely reverberate throughout the local economy.

The ripple effect of the sequester on the economy and job market nationwide is particularly worrisome for veterans of the Iraq and Afghanistan wars, who already face higher unemployment rates than the general population. According to the Bureau of Labor Statistics, veterans of these two wars are dealing with an unemployment rate of 11.7 percent, compared to a national unemployment rate of 7.9 percent. The employment picture for Iraq and Afghanistan-era women veterans is even bleaker: 17.1 percent compared to a national unemployment rate for women of 7.4 percent. Furloughs, layoffs, and civilian hiring freezes have the potential to make a bad problem far worse for these veterans.

So yes, the VA is spared a direct hit from the budget axe triggered by the sequester, but veterans are not.

Another impact of the sequester that will be felt across this country is funding for military construction, which is poised to lose more than $1 billion as a result of sequestration. Like other agencies, the Defense Department does not have the flexibility to choose where to cut military construction every single project planned for construction in fiscal year 2013 will be forced to take a funding cut of approximately 9 percent.

The fiscal year 2013 program comprises more than 250 military construction projects in 42 states, the District of Columbia and overseas. As a result of sequestration, every one of those projects will have to be reassessed to determine if it can be executed at the lower funding level, or if it will need to be delayed or cancelled. The Defense Department can shift funding from one project to another through a congressional reprogramming, but that means the Department will be the sole arbiter of choosing winners and losers among the projects that Congress has already authorized. Moreover, reprogramming actions are time consuming and labor intensive, and at a time when the Department will be understaffed due to furloughs and a hiring freeze, the likelihood of delays or deferrals of military construction projects is high. Not only does this affect mission critical and quality of life projects on military installations, but it also impacts the local construction industry, and thus the local economy, in hundreds of communities throughout the Nation.

Carpet bombing the federal budget with across-the-board spending cuts is neither wise nor prudent. It's about as smart as a surgeon performing heart surgery with an axe. There will be casualties, and veterans and military families will be among those casualties.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, I thank my colleague from South Dakota, the Chairman of the Military Construction and Veterans Affairs Subcommittee, for presenting a stark and compelling explanation of the impact of sequestration on veterans and military installations, and the consequences these ill-advised budget cuts will have on local communities.

I am particularly troubled by the impact these cuts could have on Iraq and Afghanistan war veterans who are already struggling to find jobs, many of whom are also coping with combat-related physical and mental health issues. The unemployment rate among women veterans is truly shocking. These brave Americans have served on the frontlines of our war on terrorism, and they should not be subject on their return home to a manufactured budget meltdown that could further complicate their job prospects and job security.

Of course we need to rein in the federal debt, but we need to do so in a thoughtful, constructive way that brings both reasoned budget cuts and additional revenue to the table. The President has called for, and Senate Democrats are proposing, a balanced way forward.

NNSA AND CCE

Ms. MIKULSKI. As the Chairman of the Energy and Water Development Appropriations Subcommittee, I would ask the Senator from California to describe the impact of sequestration on the Department of Energy and the Corps of Engineers.

Please provide specific examples that would help Members of Congress and the American people understand the consequences of sequestration on basic and applied research for future energy technologies, nuclear weapons modernization and nonproliferation activities, and maintaining critical water infrastructure.

Mrs. FEINSTEIN. I thank the Senator for her leadership on bringing much needed attention to the arbitrary and damaging cuts of sequestration on important government programs.

I would like to start by highlighting the impact of sequestration on national security activities. A semi-autonomous agency within the Department of Energy, known as the National Nuclear Security Administration, or NNSA, is responsible for safeguarding the country's nuclear weapons stockpile.

NNSA has recently embarked on a major modernization effort. The purpose is to upgrade aging infrastructure and replace aging components in nuclear weapons. These investments are being made so that NNSA can reduce the size of the stockpile, consistent with New START Treaty obligations, and certify each year that nuclear weapons remain safe, secure, and effective without underground nuclear testing.

Sequestration would cut close to $600 million from the nuclear weapons program, essentially freezing and reversing modernization efforts. Specifically, cuts in funding would put at risk NNSA's ability to refurbish nuclear weapons that are needed by the Air Force and Navy to meet nuclear deterrence missions, delay construction of facilities needed to replace old facilities that do not meet modern health and safety standards but are necessary to manufacture critical nuclear weapons components, result in furloughs and/or lay-offs of up to 5,000 contractors at the eight NNSA sites across the country, and reduce oversight of NNSA nuclear facilities resulting in less frequent and thorough audits and evaluations of security at the sites. This would come at a time when security lapses have occurred at a major site storing nuclear weapons materials.

Ms. MIKULSKI. It is my understanding that NNSA also funds nonproliferation activities. Would sequestration undermine the 4 year goal of securing all vulnerable nuclear materials around the world by the end of December 2013?

Mrs. FEINSTEIN. NNSA has sufficient funding to meet the 4 year goal, but securing materials is not the same as permanently removing and disposing of them. Even with the 4 year goal nearly complete, thousands of kilograms of highly enriched uranium and plutonium enough materials for dozens of nuclear weapons still present a terrorism risk. Terrorists are indifferent to sequestration.

The sequester would impose cuts of nearly $200 million from the nonproliferation program. Efforts to remove additional nuclear materials would be delayed In addition, NNSA would not be able to deploy additional radiation detection equipment at border crossings that are most vulnerable to nuclear and radiological smuggling. Of particular concern is NNSA missing the deadline to build and deploy new, more accurate sensors that can detect other countries' nuclear weapons tests. NNSA would not be able to build the sensors before the Air Force is scheduled to launch its satellites.

Ms. MIKULSKI. Equally important to our national security are efforts to reduce U.S. dependency on foreign oil and mitigating the effects of global warming. What impact will sequestration have on basic research needed to accelerate future energy technologies?

Mrs. FEINSTEIN. The Department of Energy maintains U.S. leadership in scientific and technological innovation by supporting basic research through its Office of Science. The goal is to advance energy technologies and operate world-leading facilities to accelerate scientific discoveries.

Sequestration would cut about $250 million from the Office of Science. Specifically, these cuts would result in hundreds of layoffs at national labs, universities, research facilities, and private sector companies that rely on Office of Science funding grants for energy research, reduce operations of major scientific facilities, meaning less research and development in one of the highest priority research areas designing novel materials which is critical to advancing energy technologies, stop almost all construction projects that are replacing aging infrastructure at the national labs that are needed to support science missions and attract the best scientists from around the country and the world, and allow no, or very few, new awards to advance high performance computing to stay ahead of Chinese competition and develop the next generation system, known as exascale, before the U.S. reaches the limits of current technology.

These cuts would come at a time when many other countries are making significant investments in energy research and development. Many experts are already warning that current investments are not sufficient to maintain U.S. competitiveness in energy technologies.

Ms. MIKULSKI. Before our time is up, let's also discuss the impact of sequestration on water infrastructure. What will be the impact on the Civil Corps of Engineers?

Mrs. FEINSTEIN. With sequestration, the Corps would likely have to close 57 recreation areas and partially close 186 recreation sites. There would also be no funding for 52 ongoing studies that were funded in FY 2012, 65 construction projects that were funded in FY 2012, and 43 dredging projects that were funded in FY 2012.

As the studies and construction projects are cost shared with non-Federal sponsors, over 115 local sponsors would be left with no Federal share to match their contributions for these studies and projects, further delaying completion of these studies and projects. In addition, only the bare minimum funding for dredging of ports and harbors will be available. This will lead to inefficiencies in transportation due to required light-loading which will ultimately lead to increases in consumer costs.

The long term effect of these delays is increasing the costs of construction projects. More money needed to complete current construction projects means less or no funding for future projects already planned.

I thank Senator MIKULSKI for the colloquy today on this issue.

Ms. MIKULSKI. I thank Senator FEINSTEIN for her sobering assessment of the impacts of sequestration.

AUTHORIZING THE REPORTING OF COMMITTEE FUNDING RESOLUTIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 58, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 58) authorizing the reporting of committee funding resolutions for the period March 1, 2013 through September 30, 2013.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 58) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

Mrs. MURRAY. Madam President, with that, I know the Republican leaders are on their way and ready to discuss this. I hope tomorrow morning we take the responsible tack of replacing the sequester and getting our country back on track.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

FISCAL POLICY

Mr. CORNYN. Madam President, I want to start with some numbers that help put our spending budget debate in perspective.

Since President Obama became President of the United States, our gross national debt has gone up by 56 percent—56 percent. Over the next decade, unless we act responsibly, it is projected to rise by another 57 percent and reach a staggering $26.1 trillion. I don't know anyone who can actually comprehend numbers that big, but that is what it is.

By comparison, the sequester—the much-dread sequester that is supposed to go into effect on Friday—would cut only 2.4 percent out of Federal spending for this next year. It would authorize $85 billion in cuts for the current fiscal year, which, as I said, is only 2.4 percent of the total Federal budget—2.4 percent. Yet the President is now traveling around the country on Air Force One, telling us that a 2.4-percent spending cut will have a catastrophic effect on our economy and on jobs. Of course, this part is predictable: The only solution he seems to offer is raising taxes once again.

We saw in December during the debate over the fiscal cliff—and I know the American people must be getting nauseated with us lurching from one financial crisis to another, with the fiscal cliffs, sequestrations, debt ceiling, government shutdown threats. It is no wonder the American people look at Washington and wonder: Can't you guys get your act together? But the solution is not to keep on keeping on and spending money we don't have and racking up more debt and deficits, nor is the solution to continue to raise taxes on the very people we are depending upon to invest in new jobs and grow their current businesses to create jobs and opportunities for middle-class families.

Rather than the nightmare scenario the President likes to talk about, Republicans and Democrats would be happy to give the President and the administration some flexibility in how it implements these 2.4-percent cuts. Unfortunately, that doesn't seem to be what the President is looking for. He doesn't seem to want to figure out how to manage these cuts as every family and every small business in America who is left with less income coming in the front door would have to do. He doesn't seem to want to manage it; he seems to want to use this to scare people in order to grow the size of government by raising more taxes. He seems to believe that only Washington and only the Federal Government can revive strong economic growth by steadily raising our levels of taxation and spending. That is sheer fantasy. The President either doesn't realize or he doesn't care that Federal spending levels are already unsustainable. Everybody knows this. This is not a mystery to anyone who has been paying attention.

For example, a single Federal program, Medicare, which our seniors rely upon to provide them the health care they need, already has $37 trillion in unfunded liabilities; again, an astronomical number that I doubt any of us can fully comprehend. But $37 trillion in unfunded liabilities is big. America's total unfunded liabilities—this is all the promises we have made which we have no current ability to pay for—exceed $100 trillion. Meanwhile, the national debt keeps going up. It is now roughly $16.5 trillion.

We are fortunate enough to now see interest rates that we have to pay on that debt at a historically low figure, but each additional percentage point of interest we would have to pay—if interest rates were simply to go up to their historic norms—would increase the cost of our service on that debt by trillions of dollars. Simply put, we cannot spend our way back into prosperity.

There are things the Federal Government can and should do to boost economic growth. We all understand this. The fact is the government is not what creates jobs. It is the private sector, small businesses in America, entrepreneurs, and the people who take a risk to start a new restaurant or open a hardware store. Actually, those small businesses are the ones that actually create many more jobs on a percentage basis than do the large Fortune 500 companies.

All we have to do is look around the country, and I know the Presiding Officer understands what is happening. We see some parts of the country that are growing fast and where jobs are plentiful. One of those is Texas, another one is North Dakota. There are some common elements in our story that I will talk about in a minute, but for the past 8 years ''Chief Executive'' magazine has ranked the best States in the country to do business. I would not have brought it up if it were not true, but the No. 1 State is the State of Texas. This week Forbes ranked the 10 best cities for good jobs, and half of those cities were in Texas—including Austin, Dallas, Fort Worth, Houston, and San Antonio.

Texas has nearly 32 percent more jobs today than it did in 1995—32 percent. Over the same period the total number of jobs nationwide increased by only 12 percent. I would think curious people would wonder why. Our State accounts for 8 percent of the U.S. population, but we accounted for almost one-third of all private sector jobs in high-paying industries between 2002 and 2011. Let me say that again so everyone is clear. Our State accounts for 8 percent of the national population, but we accounted for almost one-third of all private sector job growth in high-paying industries between 2002 and 2011. That is remarkable.

Some might wonder what the secret is, and thank goodness the States still are the laboratories of democracy where we can demonstrate the policies that actually work rather than trying to mandate a one-size-fits-all policy from Washington, DC, that doesn't work.

The secret in my State is that we have, for example, no State income taxes. We are a relatively low income tax State, although people still pay sales and property taxes. We have minimal and sensible regulations because we know that not only do taxes depress economic growth, we know government—either State government, local government, or Federal Government—that issues punitive regulations can actually dampen economic growth and job creation.

We also have a relatively low level of per capita government spending. People don't come to Texas because they want handouts. They come to Texas because they want an opportunity to work, to achieve, and to live their dreams and in the process creating a lot of jobs and opportunity for other people. We are also—and I know this is where the Presiding Officer can identify with this statement—unapologetic about harvesting our State's abundant oil and gas reserves. Indeed, Texas oil production increased by 94 percent between September 2008 and September 2012. Shale gas is natural gas that is produced by hydraulic fracturing and horizontal drilling. It has been around—actually fracking—for roughly 60 years now. When done properly, it is safe and does not damage the water supply. The shale gas now available due to horizontal drilling and hydraulic fracturing has produced a shale gas revolution in this country.

The truth is that if we get out of the way and sensibly regulate this industry, open the Keystone XL Pipeline—which the President could do, but he has not yet done—it would not only create thousands of new jobs, it would create the potential for North American energy independence. Imagine how that would change the geopolitics of the planet. In instances where the Iranian regime threatens to shut down the Strait of Hormuz and block 20 percent of the world's oil supply, it would not have nearly the impact because our country would be North American energy independent within a decade or so.

Well, I should also footnote the fact that down in Eagle Ford Shale—which

is south of San Antonio, and where I am from—they had some of the highest unemployment rates in our State. Much like the Bakken Shale, anybody who can get a commercial driver's license and pass a drug test can earn a lot of money. As a matter of fact, commercial truckdrivers in south Texas now can earn over $100,000 a year, and it is hard to find workers. They were suffering a shortage of workers because of the economic activity caused by natural gas exploration production.

The President should also reject misguided policies by the Federal Government that are killing jobs and threatening to put many oil and gas producers and refiners out of business. He should loosen restrictions on Federal lands and offshore drilling, and he should certainly issue more drilling permits. Expanding domestic energy production and eliminating harmful regulations would promote job creation and reduce unemployment, just as it has in my State.

In a larger sense, embracing this model would help the United States gain much of its economic competitiveness and fiscal credibility that we have recently lost. It would send a clear message that we are serious about rejuvenating our economy and reducing our long-term debt burden. Above all, embracing this model would show that Washington has discovered our founding principles of limited government, individual freedom, and personal responsibility.

I will close on this and say that I have not heard the President talk recently about 7.9-percent unemployment in this country, nor have I heard the President talk about the reduced number of people who are actually still looking for jobs. That number would be much higher because there are people who have lost their jobs and are still actively seeking jobs. Notwithstanding that, we know from the Congressional Budget Office that the unemployment rate will actually get worse by the end of the year. This is very urgent. It is not just about statistics; it is not just about numbers; it is about people who are hurting because they are out of work and unable to provide for their families.

One would think this would be a cause we could all come together on and address to the best of our ability using some of the powerful examples in States such as North Dakota and Texas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Dakota.

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

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

Mr. THUNE. Madam President, we are hearing a lot of discussion here in Washington and around the country this week about the so-called sequester, which I think bears some explanation. Oftentimes we talk in terms and in such a way that I think ordinary Americans have a hard time understanding the arcane world and arcane lexicon we have here in Washington, DC. Basically we are talking about these spending cuts—across-the-board cuts—that will take effect at the end of this week. It was a process that was put in place many months ago. In fact, if we go back to the Budget Control Act, which passed in August of 2011, we won't find very many people now who will claim paternity of that idea.

In fact, there is a big debate and a lot of finger pointing about whose idea this was and whose fault it was that we are where we are. I would simply point out that I think there are a lot of Republicans and Democrats who voted for the Budget Control Act, so clearly many of us voted in support of that as a last resort. Many of us didn't want that to happen. We wanted to see a deal worked out where we would actually address the major problems facing this country with regard to our spending and debt. But since that couldn't be negotiated between the President and the leadership of Congress, we ended up with this process where we had some immediate spending cuts taking effect—about $900 billion, with another $1.2 trillion to follow—hopefully achieved through reforms, including tax reform, entitlement reform, by a so-called supercommittee that met and convened for a while. However, when that committee failed to reach a conclusion, it set in process, set in motion, what we know today as sequester.

It was actually built to go until the 1st of January, in which case all of these things would take effect if nothing had happened. Clearly, nothing had happened. So when January rolled around, we ended up with this process we now know as sequester.

I wish to point out that the President has been running away from this; somehow this just imaginarily appeared, this idea of sequester. But if we go back and look at the origin of this, we see it was clearly something the President and his people put forward. Fine points have been laid out by Bob Woodward in his book and subsequent op-ed this last weekend in which he stated very clearly this was an idea that originated with the White House. In fact, Jack Lew, in his confirmation hearing before the Senate Finance Committee, actually mentioned the fact that when they were looking at something they could use—a trigger, if you will—they drew upon the Gramm-Rudman-Hollings agreement that was agreed to back in 1985 by the Congress, and that incorporated this idea of a sequester, which included an across-the-board spending cut. So, basically, it came from the White House. It came from the President and his people. That is where the idea of sequester originated. So to suggest now that somehow they didn't know about this or they didn't have anything to do with it, that it isn't their responsibility, is completely contradictory to the facts, as has been delineated by Bob Woodward in his book and many others who are familiar with those discussions.

The point, very simply, is we have a process that was put in place a long time ago. We can go back to August 2011 when the Budget Control Act was passed to find out why we are where we are today.

The other thing that is interesting to me, which I think has now added to the narrative of trying to reconstruct the history of all this, is the idea that somehow there should have been taxes incorporated in this, that we needed to have a ''balanced approach'' in the sequester. That was never contemplated. This was all on the spending side. If we look at the history of this and we actually listen to, again, the people who are familiar with those discussions—and Bob Woodward, this weekend in his op-ed said: The President is moving the goalpost. The revenues and taxes were not a part of this. But now, all of a sudden, the White House is insisting upon: We want taxes to be a part of this.

What is ironic about that is they got taxes. They got a big fat tax increase on January 1 of this year. That wasn't balanced. There were no spending cuts. That was all taxes: $620 billion. So from our perspective, the tax issue has been dealt with. The President got revenues—revenues that weren't contemplated by the sequester in the first place. Yet, today, he gets up and argues that this needs to be a ''balanced'' plan, which is a euphemism around here for: We want more of your tax dollars. We want more taxpayers' money to come to Washington, DC. We want higher taxes. That is what that message is essentially saying.

When the President and many of his allies on Capitol Hill say: We want a balanced plan, that means they want tax increases—on top of the $620 billion in new taxes the President got on January 1 of this year.

Now, what is interesting to me about this whole process is it was reported this morning that the President has called a meeting on Friday. He now wants to convene a meeting on Friday to talk about these Draconian cuts that are going to go into effect, and he has been traveling all over the country picking the most high-profile, highly visible items he can that would suggest this is going to have this profoundly dramatic impact on people around this country. So now he is coming back to Washington. When? March 1. When is that? It is the day the cuts are designed to go into effect.

Where has the President been for the last year and a half? Where is the leadership in waiting until the very day these cuts are supposed to go into effect to say: Oh, let's have a meeting to talk about what we might be able to do to avoid the impact of these across-the-board spending reductions.

So March 1. OK, here we are, eleventh hour, once again, at the last minute, the President sweeps in and says he wants to do something to try to avert this sequester. But, again, remember: We have known about this for a year and a half. This is not a new revelation. We have known this was coming for a very long time.

The supercommittee failed to produce a result in November 2011. So it is almost a year and a half now we have known the sequester is coming. In fact, last summer we passed legislation in Congress that asked the administration to give us some detail and some specificity about where these cuts were going to take place, and we got some vague outline about that. We didn't get any report from the President that enumerated these because, frankly, I don't think they had gone through the process of trying to figure out what they were going to do with it.

So here we are now 18 months later, at the eleventh hour, and the President all of a sudden says: Let's have a meeting and talk about what we might be able to do to avoid the impact of these across-the-board spending reductions. Where is the leadership in that? Why weren't we doing that 12 months ago, 11 months ago, 10 months ago, 1 month ago, last week? Why weren't we talking about this earlier? Why do we have to wait until the very last day to have a discussion about this?

Well, evidently, the President is better at campaigning than he is at governing because he has been driving all over the country—I shouldn't say driving, flying all over the country, over 5,000 miles—over 5,000 miles—campaigning on this issue to try to scare people into believing that an $85 billion across-the-board spending reduction, which represents 2.4 percent of Federal spending this next year, is somehow going to be disastrous for our economy and for our country.

Frankly, I am not in any way diminishing the impact of spending reductions. Spending reductions will have some impact—there is no question about that—for sure. But to go out and say we are going to have 90-minute lines at airports, and we are not going to have meat inspectors, and all these things they are trying to put out there to scare the American people, to dramatize and, frankly, to traumatize the American people about a 2.4-percent reduction in overall Federal spending?

Now, if a person is a member of an average American family or an American business or anybody in this country, and they know they are going to have 2.4 percent less to work with next year, what do they do? They sit down around their kitchen table and figure out what those things are they spend money on that they can live without. It is a fairly simple exercise. In most cases, people are going to pick the low-priority items. They are going to pick the things they can probably live without. They are not going to pick the things they really need and rely upon and depend upon. But I think most Americans would agree they could find a 2.4-percent reduction in their annual spending if they had to. I think that is something ordinary, average Americans have to deal with all the time: Let's just tighten our belts a little bit; let's figure out how we can get along with 2.4 percent less spending.

Well, we are talking about 2.4 percent less spending on a $3.6 trillion annual Federal budget. What does that represent? So $85 billion is a lot of money. It is a lot of money anywhere. It is a lot of money in my State of South Dakota. In the small town I grew up in, those are dimensions we didn't even contemplate in most cases.

But we think about it this way: $85 billion, the amount of money we are asked to reduce in terms of the overall Federal spending this next year, is the equivalent of how much our country borrows every single month. Every 28 days, we borrow $85 billion. So every single month, we borrow—we put on the backs of our children and grandchildren—as much money as the Federal Government is being asked to live without for an entire year: 2.4 percent of annual Federal spending.

To be fair, people will say: Wait a minute. It is not 2.4 percent because it is just affecting a certain area of the budget, and they are right. It will represent a bigger percentage simply because so much of the budget has been walled off from this, the area where the real Federal spending is; where three-fifths to two-thirds of all Federal spending has essentially, for all intents and purposes, been protected or insulated from this. There is a small 2-percent cut that would occur in some of the mandatory areas of the budget, but for all intents and purposes, what really drives Federal spending year in and year out and what is going to represent, according to the Congressional Budget Office, about 91 percent of all Federal spending 10 years from now—Social Security, Medicare, Medicaid, food stamps; mandatory Federal spending entitlement programs—that is pretty much walled off.

So we are increasingly shrinking the discretionary part of the budget which represents a smaller and smaller portion of Federal spending each and every year. But the reality is it still is 2.4 percent out of a $3.6 trillion annual budget that we are talking about. So it seems to me, at least, that all the hand-wringing that is going on in Washington right now and all the drama the President is trying to create by flying over 5,000 miles across the country, campaigning about the effects of this sequester, really gets lost in what I think every American has to deal with every single day and every single week and every single month and every single year; that is, sometimes they have to make do with a little bit less, and maybe Washington, DC, can figure out how to do that.

But we have to ask the question again: Where is the leadership? The President, on Friday, March 1—the day this happens—decides to have a meeting when we have known about this for 18 months. The Senate, under the leadership of the majority—the Democrats in the Senate—hasn't passed a budget now for 1,400 days. We have gone 1,400 days without a budget. We are going on 4 years without a budget. We spend $3.5 trillion, $3.6 trillion of the American taxpayers' money every single year, and we haven't had a budget that suggests how we are going to spend it now for going on 4 years. Where is the leadership?

The President of the United States submits a budget—which he will do sometime soon. He has missed the deadline already, but we assume it is coming in the next few weeks. But over the last couple of years when he submitted a budget to Congress, when it was voted on in the House and in the Senate, it didn't receive a single vote.

Now, it perhaps is not surprising it didn't receive a Republican vote because it had a lot of tax increases in it, but it didn't get a Democrat vote—zero, zilch—in the House or Senate. There wasn't a Republican or a Democrat who voted for the President's budget. Why? Because it wasn't serious. The President is not doing anything to meaningfully address out-of-control spending and out-of-control debt.

So here we are. The Budget Control Act finally did put in place some spending reductions, and now everybody is hyperventilating about what we can do to avoid them. How can we turn this off? How can we shut off the sequester?

I, frankly, believe we could do this in a much better way, a more responsible way when it comes to the spending reductions. We ought to do it in a way that doesn't put a disproportionate burden on the defense budget. National security represents 20 percent of total Federal spending, but it gets 50 percent of the cuts under the sequester. That is not the way it ought to happen. I am all for—and plans have been offered and twice passed by the House Republicans—to replace this sequester with other—what we believe are more responsible spending reductions. But that passed the House of Representatives; it can't pass in the Senate.

The President has had no interest in looking at some alternative. The only alternative he is interested in is the one that would do the most harm and the most damage to the American economy; that is, more taxes. If he gets taxes on this, if he gets taxes to turn off the sequester like the taxes he got on January 1, it will not be enough because it is never enough.

People who believe in big government and believe the way to solve deficits is to raise taxes are never going to raise enough revenue. If you do not address what is really afflicting our country—and that is out-of-control spending—you have not done anything to solve the problem, which the $620 billion tax increase on January 1 demonstrated. The amount of money, the

amount of revenue generated from that tax increase January 1 will fund the government this year for less than a week—less than a single week.

This is not a revenue problem. This is not a tax problem. This is a spending problem. It is time for some leadership. It is time for the President to quit campaigning, to come back here, and to start governing. But here we are—Friday, the day it is all set to take effect—we have a $16 trillion debt. The Congressional Budget Office says at the end of the next 10 years it is going to be $26 trillion. We are adding $1 trillion a year. We are borrowing 40 cents out of every $1 we spend. Revenues coming into the Treasury, according to the Congressional Budget Office, are going up, actually; and by 2015 they are going to be 19.1 percent of our entire economy, which is more than a percentage point higher than the 40-year historical average.

Revenues are going up, and for the next decade, according to the Congressional Budget Office, revenues will exceed, by about a percentage point, the 40-year historical average. So revenues are coming up to above historical averages, and yet we continue to run trillion-dollar deficits as far as the eye can see.

Well, we have to get our spending under control. We have to get the economy going again. The Republican staff on the Joint Economic Committee put out a study that suggested if we had revenue growth like we have had—average revenue growth—for the past 60 years, if we had that in the past 4 years, the deficits today would be half of what they are. That is the impact of economic growth. That is why growing at 1½ to 2 percent is not enough. We have to grow at 3 to 4 percent. But to grow at 3 to 4 percent, we have to have policies that promote growth, that allow the economy to expand. We cannot keep piling on new taxes and new regulations and making it more difficult and more expensive for people who create jobs in this country to create those jobs.

So the economy will continue to grow at a sluggish, anemic rate. We will continue to have these high deficits, particularly if we do not get our spending under control. It is about exercising fiscal discipline and responsibility when it comes to our spending. It is about putting policies in place that promote job creation and growth in this country. That is what it is going to take to get this country back on track. Yet the President is out campaigning around the country. He comes back now at the eleventh hour, and on March 1 he decides to have a meeting at the White House to talk about something we have known was going to happen now for 18 months—18 months.

We have the most predictable crisis, according to the Simpson-Bowles Commission, we have ever seen—the spending and debt crisis that is in front of us. We have known about it for a long time. You can see it. It is like a slow-moving train wreck out there. You are just watching it. You just know it is going to happen, and yet nobody is doing anything to turn off the engines.

It is high time we did that. I hope the President will engage. I hope we will get for the first time now in almost 4 years, 1,400 days, a budget in the Senate that puts a plan in place—a real plan, not a fake plan, not a phony plan, not a plan that has a bunch of tax increases, but a plan that actually addresses what drives Federal spending and debt in a way that will put us on a more sustainable fiscal path and ensure that future generations of Americans have a higher standard of living, a higher quality of life than what previous generations have had, not a lower and a less one. That is the path we are headed on today if we do not change course.

Madam President, I yield the floor.

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. BAUCUS. Madam 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. BAUCUS. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 26, the nomination of Jack Lew to be Secretary of the Treasury, with 8 hours for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JACOB J. LEW TO BE SECRETARY OF THE TREASURY

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

The bill clerk read the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury.

The PRESIDING OFFICER. Under the previous order, there will be 8 hours of debate equally divided in the usual form.

The Senator from Montana.

Mr. BAUCUS. Madam President, America's first Treasury Secretary, Alexander Hamilton, once said:

> The confidence of the people will easily be gained by a good administration. This is the true touchstone.

Hamilton's words take on new prominence today as we task our next Treasury Secretary to gain the trust of the American people and restore confidence in our Nation's economy.

Nineteen of twenty-four Senators on the Senate Finance Committee voted yesterday on a bipartisan basis in favor of Jack Lew's nomination. Senators on both sides of the aisle spoke to his character and to his integrity. He is well qualified to be the Nation's next Treasury Secretary and will work to build the people's confidence and restore trust and certainty in both our government and in our economy. That will be his touchstone.

I am certainly not alone in supporting Mr. Lew for the crucial role as the administration's top adviser on economic policy. Yesterday's overwhelming support for Mr. Lew came after one of the most thorough reviews of any candidate for the position—a process that included hours of interviews with Mr. Lew, the examination of 6 years' of tax records, and more than 700 questions for the record.

In comparison, the committee asked Secretary Geithner 289 questions, Secretary Paulson 81 questions, and Secretary Snowe 75 questions. Mr. Lew has met personally with more than 40 Senators since being nominated for Treasury Secretary last month, answering questions and addressing any concerns. Throughout the confirmation process, Mr. Lew has been open and transparent. And, as I hope a vote in the Senate will soon show, he has gained the trust and the confidence of many in this Chamber.

Mr. Lew has a long and distinguished career focused on public service, with experience in both academia and on Wall Street. Most recently, he was the White House Chief of Staff. He has also served as Budget Director of the Office of Management and Budget in the current administration and under President Clinton, where, I will note, he helped guide our Nation through one of the greatest periods of economic growth in America's history.

Mr. Lew has also served in the U.S. Department of State as Deputy Secretary for Management and Resources. Mr. Lew has demonstrated time and again that he has the experience and knowledge to help get the Nation's economy back on track.

We need a strong man at the helm to help tackle the many fiscal challenges facing our Nation, and I believe Jack Lew is that man. Just 2 days from now, on March 1, across-the-board budget cuts known as the sequester will hit. Madam President, $85 billion in Federal spending will be sliced from thousands of programs, including Medicare, rural development, and early education. The nonpartisan Congressional

Budget Office predicts the cuts could slow the economic recovery and result in another year of sluggish growth and high unemployment.

I firmly believe we need to cut our debt and get our fiscal house in order. We know there are places to trim the fat. The American public knows that, certainly. But we need to take a scalpel to waste and inefficiency, not allow a hatchet to hack into American jobs.

Our economy will be put to the test again in just weeks when the continuing resolution expires on March 27. We face the threat of a government shutdown. And on the horizon, the Federal borrowing limit will be reached in late May. That will require another extension of the debt ceiling.

This is no way to run a country. Congress has been lurching from one fiscal showdown to the next, leaving the Nation with uncertainty. The only way we will be able to get past these budget battles is by working together. We all know that; we just have to start doing it—Republicans and Democrats, Members of the House and the Senate. We need to work together to put in place policies that create more jobs and spark economic growth.

It is deeds, not words. We have enough words about working together. We have to actually start performing the deeds and working together.

We will need to work with Mr. Lew and with the administration to put the Nation's economy back on track. We need to get off this roller coaster ride. It is like a yo-yo. There is no stability. There is no certainty. Going from one fiscal crisis to the next is undermining our economy.

To give families and businesses certainty, we must agree on a balanced comprehensive plan to cut the debt that includes both revenue and spending cuts. The math will not work any other way. A long-term balanced plan will bridge the budget battles and make real progress toward solving our deficit problem. A balanced plan will also encourage businesses to invest, enable investors to return to the markets with confidence and, most importantly, put Americans back to work in a growing economy. That is the bottom line, more jobs, more good-paying jobs. We need more certainty and predictability so businesses may hire, expand, and people are able to get those good-paying jobs.

Over the past 2 years I had a standing weekly call with Treasury Secretary Geithner. Every week we would go to the phone at 9:45 on Wednesdays, and about once a month we personally visited, would get together to go over issues. No matter where we were, what we were doing, we would always try to pick up the phone once a week to check in. I will tell you, it was on the minute, 9:45. Each of us knew the other was going to be there.

Secretary Geithner and I grew to become friends and trust each other. Our families started to have dinner together, do things together. It is that trust and confidence that is so necessary and which is necessary to work together to make things happen. The conversations proved invaluable as we worked to overcome numerous economic challenges.

I continue the outreach with Mr. Lew. I have been having a standing weekly call with him in anticipation he will soon be Treasury Secretary, and I am going to keep it up. I know he wants to also. It is very heartening, frankly. He has been very open and receptive and is eager to work with all of us here in the Congress to strengthen America's economy and create more jobs. He wants to do a good job. He knows he must talk with us and communicate with us in order to do that. Working together will be key to promoting economic growth and stability.

If confirmed by the Senate, one of Mr. Lew's first acts as Treasury Secretary will be affixing his signature to all new Federal Reserve notes. I am not sure if people will be able to read his loopy signature. It is an inside joke that sometimes people have a hard time reading his handwriting. His signature will be on the Federal Reserve notes, and that loopy signature is described as looking more like a scratched-out slinky than a name. That is Mr. Lew. That is the way he signs. Mr. Lew promised the President that if confirmed he will work to make at least one letter legible in order to not deface America's currency, and we will hold him to that promise.

In addition to the signature of America's Treasury Secretary, the front of every U.S. dollar bill has the seal of the United States Treasury. Look closely and you will see the symbols of balancing the scales to represent justice. There is a chevron containing 13 stars which represents the 13 original colonies. Underneath the emblem is a key which notes Treasury's official authority.

If confirmed, we will be trusting Mr. Lew with the authority to oversee America's financial system and economic policy. He will play a critical role in the upcoming debates on priorities and spending cuts. We will be relying on him to ensure our government and finances are sound. We will be asking him to work with us to return some stability and confidence to our economy. We will be asking him to work with us to ensure the United States remains a great world power in this competitive global economy. It is a great responsibility he has, one which I believe Mr. Lew will live up to.

Two hundred twenty-four years ago, this body, the U.S. Senate, approved the first Cabinet position for this young Nation when it unanimously approved Alexander Hamilton to become first Secretary of the Treasury. I ask my colleagues to confirm Mr. Lew today to be our Nation's 76th Treasury Secretary, to enable him to begin work helping to strengthen our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I rise today to speak on the nomination of Mr. Jacob Lew to be Secretary of the Treasury. This is an important nomination. With our still-struggling economy and our growing fiscal problems, the next Treasury Secretary is going to have a lot on his plate. That being the case, we have worked on the Finance Committee to vet Mr. Lew, to examine his background credentials, and provide a complete picture of his qualifications for this post.

I wish to offer a few comments about our review process, what we have learned, and the reservations about the nominee that remain with me now that this process is complete.

Let me begin by saying a few words about the process itself. For well over a decade, the Finance Committee has followed a specified procedure when considering executive branch nominations. Sadly, that procedure was not followed in the case of Mr. Lew.

After publicly announcing Mr. Lew's nomination, the White House waited 16 days before submitting any of his paperwork. That was an atypically long delay and, in addition to slowing the vetting process, it ensured Mr. Lew would not be confirmed in time to prevent a vacancy at the Treasury Department. A nomination hearing was scheduled to be held only 12 calendar days after the paperwork was received, even though the nominee had not answered all of the questions submitted to him.

That is simply not the way our process has worked in the past, and the undue haste seriously hampered our ability to thoroughly examine Mr. Lew's background and his qualifications.

Once the hearing was completed, as is customary, members of the Finance Committee submitted written questions for the record. Since that time, anonymous administration sources have decried the very notion that members of the Finance Committee had the audacity to ask hundreds of questions of Mr. Lew as part of their constitutional advice-and-consent responsibilities.

Let me be clear. I will vigorously defend the right of any Member of Congress, regardless of party, to ask questions of nominees until they are satisfied they have obtained all the relevant information, and especially in the case of the Treasury Secretary, which is one of the most important assignments in our government today and always has been. If we go all the way back to the time of Alexander Hamilton, we know what he meant to this country by establishing the financial system of this country as the Secretary of the Treasury.

In the case of Mr. Lew, there were several reasons why he ended up being asked numerous questions. First, the nomination process, as I mentioned, was abbreviated due to the haste of the administration. That meant the questions which through the course of ordinary business could have been resolved

through discussion had to be asked in written form.

Second, due to the general unresponsiveness of the administration to requests for information over the last few years, there is a pent-up demand for information and any semblance of responsiveness from the executive branch.

Third, Mr. Lew's responses to many questions have been opaque. He has dissembled often. That being the case, it seemed the only way to get answers to straightforward questions was to continue to ask for clarifications in an attempt to break through the wall of obfuscation Mr. Lew had constructed. I have no doubt he could have answered most of these questions in much less numerical form than he did.

Even after extensive questioning, there remain several serious concerns with Mr. Lew's background, his lack of responsiveness, and the evasive manner in which he answered many questions which were posed to him. Unfortunately, many of these concerns will go unaddressed, as Mr. Lew seems to be following the standard stonewalling strategy used by so many officials in the Obama administration.

For years now administration officials have gone out of their way to be unresponsive to information requests from Congress, and that is simply unacceptable. Far too often, legitimate inquiries submitted to the executive branch go unanswered for months at a time. Requested deadlines are discarded. Indeed, in some instances information requests are ignored entirely. When responses are given, substantive and direct questions are given meaningless political answers. This has gone on far too long and it needs to stop.

Mr. Lew, for his part, has promised me that he would be responsive to inquiries submitted by Members of Congress. While his answers to questions throughout the confirmation process give me reason to doubt his commitment to being responsive, I intend to hold him to that process moving forward. I believe he is an honorable man and I believe he will try to do this.

I wish to take a few minutes to address some additional substantive concerns I have about Mr. Lew, his background, and his qualifications for this post.

Let's consider Mr. Lew's Citigroup years. At Citigroup Mr. Lew was managing director and chief operating officer of two units, Global Wealth Management and Citigroup Alternative Investments. Mr. Lew claimed repeatedly while managing, directing, and operating those Citigroup units he essentially undertook back-room operations such as firing people, moving office space, integrating computer systems, eliminating redundancies, and things of that nature.

Mr. Lew has also repeatedly stated he did not design financial products at Citigroup, make portfolio decisions or, in his words, opine on investments. In fact, when asked about investment products which were marketed and sold by the Citigroup units he oversaw, he could not remember any specific details.

It needs to be noted some of those investments ended up generating enormous losses for investors. For example, funds called MAT, ASTA and Falcon, which were marketed, sold, and managed by the Citigroup units Mr. Lew oversaw ended up being the subject of lawsuits and successful arbitration claims, where success was based on investors convincing arbitrators the funds were misrepresented and mismanaged by Citigroup. The losses to investors from these funds numbered in the billions. In fact, some financial advisers at Citigroup protested internally the misrepresented securities caused enormous damage to Citi's reputation.

One of Mr. Lew's bosses at Citigroup argued on behalf of the investors and against Citi's stock price and bottom line by saying the investors had been wronged and should be made whole. She was subsequently fired.

From all information I have seen, Mr. Lew did not similarly stand up for wronged investors while on Wall Street. Perhaps it is because he did not know what was going on in the firm or at his firm. We don't really know. Despite the fact the funds in question led to probably the largest losses in the history of the units Mr. Lew oversaw, Mr. Lew claims that he cannot recall anything about them. If you ask anyone familiar with the funds and controversies surrounding them, they will say you would need to have been away on a desert island to not have heard about the problems that these funds faced. Yet, once again, Mr. Lew continues to deny having any memory of them.

At the same time Mr. Lew claims while he was at Citigroup he learned a lot about financial markets and the dangers of risk. Indeed, he cited his experience at Citi as a qualification to be Treasury Secretary, even though he appears to have little recollection about any of the actual details of his work at that time, or at least his financial details.

The question remains: How could Mr. Lew operate, manage, direct units and also be in charge of staffing decisions without having any knowledge of the financial products that were marketed, sold, and managed by these very same units? It remains unclear.

Had there been a traditional vetting process, perhaps we could have gotten to the bottom of this mystery. As it is we are only left to speculate, as you can see.

In addition to Mr. Lew's lack of knowledge about some of the high-profile failures of the units he was overseeing, there are legitimate concerns relating to his compensation while at Citigroup.

On January 29, 2009, President Obama made remarks about Wall Street, saying that institutions were ''teetering on collapse and they are asking for taxpayers to help sustain them.''

The President also remarked on Wall Street bonuses at the time, saying:

> That is the height of irresponsibility. It is shameful.

About Wall Street executives, he said:

> There will be a time for them to get bonuses. . . . Now is not the time.

Elsewhere he referred to Wall Street bonuses as ''obscene.''

In late 2008 and early 2009, American taxpayers provided over $45 billion—that is with a ''B''—in direct assistance to Citigroup and backed hundreds of billions of Citigroup assets. At the same time, in January 2009, Mr. Lew reportedly received over $940,000 in compensation, most of which was a bonus for work performed in 2008 when Citi was on the verge of collapse. The bonus came a day before Citi received yet another infusion of billions of dollars of taxpayer money to prop up the company. That was the day before Citigroup received the infusion of billions of dollars that he got that bonus.

There is, at the very least, a contradiction between the President's rhetoric with regard to Wall Street and his decision to appoint Mr. Lew to be Treasury Secretary. However, rather than acknowledging any such contradiction, Mr. Lew has simply repeatedly told us all that his compensation was in line with what other similarly situated executives received.

As I have said before, that justification seems a bit like saying: Gee, Dad, everyone was doing it. Unfortunately, that type of reasoning is exactly what led to the financial crisis.

In addition, an employment agreement Mr. Lew had with Citigroup had a clause stating that his guaranteed incentive and retention award would not be paid upon his exit from Citigroup. However, there was an exception indicating that he would receive that compensation ''as a result of his acceptance of a full-time high-level position with the United States government or regulatory body.'' It remains unclear how this exception is consistent with President Obama's efforts to, in his own words, ''close the revolving door that carries special interest influence in and out of the government.''

Of course, as has been widely reported during the course of our vetting process, we found that while he was at Citigroup, Mr. Lew actively chose to invest in a hedge fund that served as a venture capital-like fund that invested primarily overseas. The fund Mr. Lew invested in was based in the Cayman Islands at the infamous Ugland House that so many Democrats have viciously decried as a tax haven. In fact, in 2008, while campaigning for President, then-Senator Obama said that the Ugland House was ''either the biggest building in the world or the biggest tax scam in the world.''

Throughout the 2012 campaign, President Obama repeatedly attacked Mitt Romney for having funds invested in the Caymans. If I recall it correctly, Mitt Romney's funds were in a trust he

had no control over. In making such investments, Governor Romney was, in the words of the Obama campaign, betting against America. One can only wonder whether while serving as White House Chief of Staff for President Obama, Mr. Lew supported this line of attack.

Once again, Mr. Lew has repeatedly refused to acknowledge any contradiction or hypocrisy between the President's rhetoric and his own actions, defending himself only by saying that this investment was done legally and transparently. I think the same probably could have been said about Governor Romney's investments as well, which were in a blind trust.

The contrast between the President's past vilification of certain financial activities and individuals and Mr. Lew's very participation in those activities is striking. Yet we are now essentially being told that people should do as administration officials say, not as they did.

In addition to concerns about Mr. Lew's record, I have serious disagreements with him when it comes to policy. For example, in response to written questions, Mr. Lew backtracked from the administration's previous positions on the need for entitlement reform. At one time, commonsense reforms, such as raising the Medicare eligibility age, were on the table for the Obama administration. Such ideas have apparently been discarded by the President, and Mr. Lew has made it clear he shares that discarding position.

As a Social Security and Medicare trustee, the Treasury Secretary cannot simply wish away the problems with our entitlement programs. If he is confirmed, and I believe he will be, Mr. Lew will be tasked with addressing these problems. Sadly, it appears he will be just another voice in the Obama administration against taking meaningful action on entitlements and in favor of higher taxes—a repetitive theme at least all of us Republicans are getting very sick of. The use of the word ''balance''—my gosh, what a perversion.

I think I have made my concerns about the Lew nomination very soundly and very clear. That being said, I have always believed that whoever is President, including our current President, whom I like—any President, regardless of party—is owed a certain degree of deference when choosing people to work in his administration. Therefore, though I personally would have chosen a different person for this position, I intend to vote in favor of Mr. Lew's confirmation.

Obviously, my vote in favor of Mr. Lew comes with no small amount of reservation, and I don't fault any of my colleagues for choosing to vote against him. Indeed, I share many of their same concerns. As I mentioned earlier, Mr. Lew has promised to be responsive to Members of Congress and their requests for information. I expect him to be responsive to the Senate Finance Committee and to the Republicans on the Senate Finance Committee as well as the Democrats.

He has also promised to work in a bipartisan manner to address the problems facing our Nation. I believe Mr. Lew can, and hopefully will, do that. My hope is he does not view these promises as merely boxes checked off on the way to confirmation.

If confirmed, Mr. Lew will be the Secretary of the Treasury of the United States and not the Secretary of the ''Obama treasury,'' although indirectly he will be. His first job is to the United States of America, and he might have to argue strenuously against some of the White House positions on financial matters and Treasury matters. He has to work for all the American people and not simply one political party.

If he does those things, I will be willing to work with him all the way, and I have to say I expect him to. I expect him to be the honorable man he has told me he is and that I believe him to be; otherwise, I couldn't vote for him, especially under these circumstances.

However, I have to say, if he fails to live up to the promises he has made, if he becomes just another Obama acolyte using his high-powered position in the administration to attack political opponents, I will personally be sorely disappointed and hurt by it. If that ends up being the case, he will have no greater adversary in the Senate. I don't want to be an adversary. I want to help him turn this country around. I want to be an asset to him up here, and I want him to be an asset to our country down there—and up here when he comes.

Given my many reservations and concerns about Mr. Lew, I hope he and the President take note that I am bending over backward to display deference to the President's choice of Treasury Secretary. This gesture, I hope, will not be in vain.

I can contrast Mr. Lew's positions when he worked in the Clinton administration. Many Republicans felt he was a straight-up guy, and I was one of them. I have suggested to him that we would like to see that type of person manage our Treasury rather than the partisan person we have seen in the last couple years. True, the position he had at the White House was a partisan position, and I make a great allowance for that.

I personally like this man. I personally believe he is a good man. But I also believe sometimes we can get so caught up in politics that we don't do what we know we should do. I am hoping he will. I believe he will. If he does, he is going to have a lot of support from me.

I wish to thank my chairman of the committee. He has always been very honorable and very straightforward. I understand a lot of the pressures he has had throughout this process, having been chairman a number of times myself in the Senate and experienced that stress. I want everybody to know this is an important position, this is an important human being, and I hope he lives up to all he has the capacity to live up to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

VETERANS UNEMPLOYMENT

Mr. BAUCUS. Madam President, I would like to take a moment to speak on a topic that is very important to me, to Montana, and our Nation; that is, our veterans.

The Veterans Jobs Caucus has organized a day of action today to draw attention to veterans unemployment, and I am very proud to help shine a light on that.

Jobs must be our No. 1 priority. There is no better place to start than with our veterans. With the war in Iraq coming to an end and Afghanistan winding down, we have a responsibility to make sure every single one of these men and women returns home to a paycheck, not an unemployment check.

I urge my colleagues to join me in declaring war on veterans unemployment. Let us work together to make sure every American veteran has the good-paying job they deserve.

I yield the floor

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged equally to both sides.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Alabama.

Mr. SESSIONS. Madam President, I have made it clear that I oppose the confirmation of Jack Lew to the most serious Cabinet position of Secretary of the Treasury. The President's Cabinet nominees should be given substantial deference; that is not in doubt. But our Constitution makes clear that appointments to high government office may only be made by and with the advice and consent of the Senate. Certainly, the Senate is not a rubberstamp or a potted plant.

I believe a decent respect for the seriousness of this occasion, for my colleagues and for their opinions, for the President and for the nominee, requires, in this case, that I set forth my objections to the appointment. They are serious, and I believe what I say is important; important for the institution of the Senate and important for our country.

I have not had a personal relationship or extended meetings with Mr. Lew. My objections arise primarily and first from his performance as Director of the Office of Management and Budget. It is, in many ways, a key position in our government. That is the office through which the President controls all the departments and Agencies of our government which he is required to supervise.

Normally and necessarily, the OMB Director is the single office that drives efficiency and demands accountability on behalf of the President and the American people throughout our great

bureaucracy. In that aspect of his job I have seen little leadership, and at this time of surging debt, I would rate that performance as an F. I have never seen a consistent, determined effort from Director Lew to reform and make more productive the government of the U.S. Indeed, his primary effort consistently has seemed to be to defend any program under attack, scrutiny, or question rather than examining vigorously to save every single dollar that can be saved for the taxpayers of the country.

If the OMB Director will not insist on efficiency and good government, who will? The Secretary of Energy, pushing out failed Solyndra programs? Is that whom we look to? Or the GSA leaders who host hot tub parties in Las Vegas? This government of ours has never been more poorly managed. It has never had, for a number of years, the serious oversight and management from the top supervisory agencies.

Congress is not empowered to daily manage the agencies of America. That is the Chief Executive's job, and the primary person in his administration, President Obama's administration, charged with this duty is the Director of the Office of Management and Budget. At least, historically, that has been the case.

But, my concerns go even deeper. I believe every public official in this Nation owes an absolute loyalty to the United States, to the betterment of this country and its government, and to the institutional processes that lead to the governing of America. There can be no doubt that every government official, from the President on down, is accountable to the institutions of our government and to the people ultimately.

Without doubt, the Director of OMB has such a duty. He is required to meet that duty with honor, honesty, efficiency, and responsiveness. He serves us; we don't serve him. He serves the American people.

The American people send their money to Washington, and they expect it will be honestly and openly managed—accountable. They have every right to demand high performance from all officials, but particularly the Director of the Office of Management and Budget.

Surely, there can be no higher duty for such an important official than to periodically report to the people truthfully on the important affairs of state—specifically to report the financial condition of the Nation and to produce a budget plan that will fix it. Without doubt, the great challenge of our time is how to confront effectively the unsustainable debt course we are now on. That is clearly the greatest threat to our Republic.

Admiral Mullen, former Chairman of the Joint Chiefs of Staff, has said debt is the greatest threat to our national security. We are heading toward a financial crisis if we do not change. All have told us that, including Simpson and Bowles of the President's debt commission. They said this Nation has never faced a more predictable financial crisis. They jointly gave that statement to us in the Budget Committee.

Federal Reserve Chairman Bernanke, when asked to make comments about some of the long, great projections of debt out into the future, said: That will never happen. You will never get that. In effect he said: You will have a crisis before that ever happens. We are on an unsustainable debt path.

Even the most current Secretary of Treasury, Secretary Geithner, made the same comments about Director Lew's budget. He acknowledged that that budget left the country on an unsustainable financial path. Therefore, the report of the Nation's top management official on budget and management to Congress on these issues must be absolutely accurate. It must be true. His budget that he would set forth as director of the budget each year, as required by law—the President submits a budget—must put the Nation on a sound and sustainable course, not keep us on an unsustainable course.

If changes in the operating methods of the country are needed, he should say so and help lead that reform effort. He is the one who keeps the books. He is the one who must, along with the President, rally the Nation, as mayors and county commissioners and Governors have done all over America to rein in reckless spending and unacceptable debt in their jurisdictions. Why is it not happening here, now, at this time of national crisis?

In February 2011, as Director of OMB, Mr. Lew produced a budget for the President, and he presented it to the people and to the Congress. That was February, 2 years ago. He was the budget director.

The budget he prepared utterly failed to meet the needs of the Nation. It just did. As Mr. Bowles said right after the budget was announced by Mr. Lew—he said with great disappointment, the White House budget request ''goes nowhere near where they will have to go to resolve our fiscal nightmare.'' This is the man President Obama appointed to head the debt commission, and he said this budget came nowhere near where they will have to go to avoid our fiscal nightmare. This budget was a disaster.

Instead of making our debt problem better, it made it worse. It taxed more and spent more. I was shocked and amazed.

Please remember, this was in February 2011, not long after the midterm congressional elections in which the American people rose up and shellacked a lot of big spenders and demanded that we get our financial house in order. The American people were shocked by the explosion of debt and the surge of big government, and they demanded more accountability. They insisted on it. Presenting a budget that did not do what the public demanded, control spending and debt, would not have been popular.

Imagine what went on in the White House. I am just a Member of the Senate. I observe these things like all of us. The question was, Would the President of the United States now, after the midterm elections that gave the majority to the House of Representatives—would at that point a policy, a budget, set forth a sound, sustainable path for America that could lead the country out of this fix?

I know they discussed it. Surely, they did. It was the most important issue they faced. Would they back down from spending and investment and taxes? Would they opt for a more limited growth in spending in America?

They made their decision. Actually, it is pretty clear two decisions were made. I do not think this is unfair to analyze it in this way. First, they decided that despite the election, they would not curtail spending or lay out a plan that would alter the debt course of America; that they would not fix and save and strengthen our entitlement programs, such as Social Security; and they would lie in wait, I guess, for anybody in the House of Representatives, particularly, and criticize their plan. They would not lay out any plan in their budget, which is the time that you would normally lay out your plan. They would set up a method to attack the Republicans when they produced their budget, as required by law, and their budget would have to deal with these things and propose real cuts in spending, and they would criticize that. Apparently, that is a decision they made.

But this presented a problem. To announce a budget that did not do what the public had just demanded—control spending and control debt—would not be popular. So what do you do then? It is pretty clear to me how the conundrum was decided.

Mr. Lew would go before the American people and Congress and just declare that the budget he had put forth did put the Nation on a sound financial course; that it would end deficits and put us in a position to pay down our debt. They just decided that Mr. Lew would go out, despite what was in the budget, and declare that it would do those things. Thus, the statements of Mr. Lew amounted to what I have called—and will explain—the greatest financial misrepresentation concerning the finances of this Nation ever made.

If somebody has something different, I would like to see it. I would like to see somebody say, when we finish talking about this, that they have other examples of this kind of misrepresentation.

These statements were made carefully and deliberately calculated and for the political purpose, I have to say, of misleading the public. You may say: Surely not, Jeff. You are exaggerating this situation. Surely, he wouldn't do that.

Let me tell you what happened. The day before the budget was to be released, on a Monday, Mr. Lew went on

the Sunday news programs to report on the budget that the President would be submitting to explain what was in it. This is what he said on CNN on a Sunday morning program.

I will put this up because the words should live in infamy. This is how he described the budget he laid out:

> Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say, we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

That is exactly what the American people want to hear. There was no qualification placed on this statement, none whatsoever. He was speaking directly to the American people on a Sunday morning news programs. He said other things on several of the other programs that he participated in on February 12, 2011.

There were no qualifications. How could it be heard other than the way those plain words would suggest? It suggests that we had a plan, that the President had a plan, and that Mr. Lew was producing a budget—which his office produced—that would make sure we were on a sustainable financial course and we would not be adding to the debt anymore. ''We're not adding to the debt anymore.''

What else did that suggest? It suggested we can relax. We didn't need to talk about real spending reductions because we had a plan. Just follow the President's plan. Everything is going to be okay; relax. Don't get too excited as they did in this last election because we have everything under control. Our plan fixes it.

That is essentially what happened, but the budget documents Mr. Lew submitted revealed the opposite. The question is: Did his own documents confirm this analysis? Did it come close to it? Well, these documents will reveal the truth. Actually, his documents revealed a rosy scenario of the truth. The numbers I am going to give of what his documents reveal turned out to be less positive than even they predicted.

In his own accounting table, Mr. Lew's 10-year budget got nowhere close to the point where we could not say we are adding to the debt anymore or that we were in a position to pay down the debt. To anybody who has the slightest concern for the meaning of words—or who believes in the most basic concept of an objective truth—this statement must be condemned. Even though the Lew budget documents made calculations more favorable than the rosy projections of CBO, it still unequivocally showed that over the 10-year budget window there was never a year—not one year—when we would be able to pay down the debt or balance the budget or not add more debt.

Indeed, over the 10-year period his budget covered, which he was referring to in this document, we would add $13 trillion to the total debt of the United States. It would almost double it. It would be $9 trillion to the public debt and $13 trillion to the gross debt. The year with the single lowest deficit out of 10 years was $600 billion in debt. In other words, the lowest single annual deficit in 10 years was $600 billion. President Bush's highest deficit was less than $500 billion over 8 years. This is a huge debt, $600 billion, but would average almost $1 trillion a year. On average it would be $1,000 billion a year, which clearly leaves us on the same unsustainable path we had been on.

On Tuesday Mr. Lew appeared before the Budget Committee. I am the ranking Republican on the Budget Committee. I was amazed at what he was saying on television. After we scrambled around and looked at the documents, it became clear this was not close to correct. How could the Budget Director of the United States of America go on national TV and make these kinds of statements? How can we have any expectation of the truth in Washington when the Budget Director tells us we are on a sound path when it didn't appear to be so? And, indeed, it wasn't so.

He came before the Budget Committee, and I quoted this CNN statement to him. I read it back to him and directly asked whether his statement was accurate, and this is what he replied:

> It's an accurate statement that our current spending will not be increasing the debt . . . We've stopped spending money we don't have.

Further, let me note that outside the 10-year window—based on the financial plan that that budget set forth—the deficits got worse. They were going up in the outyears. The lowest year was $600 billion, but they were going up every single year, by his own accounting. CBO's numbers were much higher as far as the debt that would be added to the country.

For me this was a most stunning development. I don't believe it could be explained away. It is obvious he determined that he was going to stand pat with his story, which was a political narrative that they wanted to spin. They wanted to spin a political narrative, but it was not accurate, and that is important for us. The chief budget person in America needs to tell the American people and the Budget Committee of the U.S. Senate the absolute truth about the financial condition of this country. He is not entitled to sugarcoat it, and he is absolutely not entitled to totally misrepresent it.

I examined him. He said we are going to have a primary debt. We are going to have a primary deficit. So what is this, a primary debt? Well, we don't count interest. I kid you not. The Budget Director of the United States of America said the statement—as I interpret it, and it was not inaccurate—that he was not counting the interest on the debt. Did he qualify that when he told the American people that? No, he did not. Did he make any kind of representations as to that? No. I would suggest the numbers clearly show that even if we have the kind of bogus accounting where we don't count our interest, who could possibly write a household budget, a city budget, or a State budget that didn't account for the interest they have to pay every year? How ridiculous is that? That is the kind of phony, gimmicky accounting that puts this country on a path to financial crisis. But that is what he said. Even by that definition it was not true, and this would not be true, and it is false. Well, phony accounting procedures, budget manipulations, and gimmicks such as this primary balanced idea are the way politicians have maneuvered us into a situation where our path is so dangerous.

The American people are not happy about it, and they should not be happy. There is no reason we have placed this country at such risk because of debt and spending—no reason we should do that. They sent us here to this Congress for a lot of reasons, but the primary reason is to properly manage their money.

I see my colleague from Vermont, and I think we might get there a different way, but I think we may share some of the views about this nomination. I respect his independence and gumption, as we would say in Alabama, to express his views openly and directly.

I will talk some more because this is an important matter, and I don't intend to let it go lightly. I believe this Congress and the American people are entitled to honest, sober, serious commentary and information from our leaders, and we are not getting it. It makes it hard to get the American people together to figure out how to tighten our belts and how to handle the financial crisis we are in if we have top officials who say: We don't have a crisis, don't worry about it, we have a plan that fixes it.

I don't see any reason to extend for a longer period of time the Lew nomination. He has come out of committee and he has bipartisan support. He is going to be in a position to be confirmed, but I am not going to vote for him. I wish to talk some more about some of the additional problems we have with his nomination but will do so later. I believe it is my responsibility to do so, and I intend to fulfill it.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I say to my friend that he is right when he said that I oppose the Lew nomination also. I oppose his nomination for different reasons than he does, and I will speak later on that issue.

From my perspective, at a time when the middle class is disappearing, when we have 46 million people living in poverty, when we have the most unequal distribution of wealth and income since the Great Depression, we need a Secretary of Treasury who is going to

stand up for working families and be prepared to take on Wall Street. He needs to be prepared to change our disastrous trade policies, be prepared to defend Social Security, Medicare, Medicaid, and the safety net that is so important to tens of millions of Americans. That is my objection to Mr. Lew.

I agree with my friend from Alabama that deficit reduction is a serious issue. Where we disagree is that I don't believe we balance a budget on the backs of the elderly, the children, the sick, and the poor.

I ask my friend to take a look at the Cayman Islands and Bermuda. Take a look at all the corporations making record-breaking profits and stashing their money in the Cayman Islands. For what purpose? To avoid paying taxes to the U.S. Government.

The Senator and I have met with the parents of young men and women who have died in Iraq and Afghanistan, and that is called patriotism. It is not called patriotism when corporations run to the Cayman Islands to avoid paying their fair share of taxes.

Mr. SESSIONS. Madam President, would the Senator yield?

Mr. SANDERS. I will.

Mr. SESSIONS. With regard to the Senator's views, I am concerned that working Americans are not being fairly recompensed for their work on the American debt. We have gone a long time with no real net improvement in the income, inflation has been higher than wages, and Wall Street is doing fine. It seems as though they win whether things go up or down. I don't have any brief for that crowd. I think the Senator is right to be skeptical about how things are handled on Wall Street, and I salute my friend for being aggressive in that pursuit.

Mr. SANDERS. I thank my friend from Alabama, and with that, I yield the floor.

The PRESIDING OFFICER. The Republican whip.

BUDGET MALPRACTICE

Mr. CORNYN. Madam President, I come to the floor today to mark another lamentable milestone in the long record of deadlines and misgoverning that might be called malpractice over the last 4 years. As we can see, today is the 1,400th day our colleagues across the aisle, who control the agenda on the floor of the Senate through the majority leader, have failed to produce a budget or even bring one to the floor so we could vote on one. For 1,400 days this body has been truant from one of the most fundamental obligations to the American people.

When they look to see what is happening in Washington, DC, they are incredulous. No family, no small business, no local government, no State government, no one except for the Federal Government, could actually operate without a budget. For nearly 4 years the Democratic leadership of the Senate has failed to put forward a fiscal plan to break our economy free from the lingering effects of the Great Recession. And the consequences of that are pretty clear when we look at trillion-dollar annual deficits and when we look at $16.5 trillion of debt which has threatened our economic recovery and job creation. That is the bitter fruit sown from the negligence of failing to produce a budget for 1,400 days.

I realize none of this is maybe as easy as it looks, and I know our Democratic colleagues have been under constant pressure from the White House. Indeed, the White House itself has long reinterpreted the role of its annual budget submissions to Congress from the governing documents they once were to now really no more than political posturing. As evidence of that, I would point to the fact that the President's last budget he submitted got zero votes out of 99 Senators voting. No Member, even of the President's own political party, would support his budget proposal last time because they believed it was not a governing document they could support instead of just a political statement.

These are some of the reasons I can't vote for Jack Lew for Treasury Secretary. After all, it was on his watch that most of this happened.

I am also deeply troubled by the fact that in my office as well as in the hearing before the Senate Finance Committee, Mr. Lew would not commit to any limit—to any limit—on Federal spending. Traditionally, over the last 40 years or so, the Federal Government has spent roughly 20 percent of our gross domestic product. It has been as high as 25 percent under the Obama administration. When I asked Mr. Lew what is the right figure we ought to be shooting for, he wouldn't even mention any figure. So he would not commit to any limit on Federal Government spending.

He also would not commit to the administration complying with Federal law requiring it to submit a blueprint for reforming Medicare, known as the Medicare trigger. It is a complex formula. But if Medicare is in trouble, Federal law requires the administration to submit a plan to fix it. Mr. Lew said: We didn't do it, and we are not going to do it.

I can't support a nominee who refuses to commit to tackling one of the biggest drivers of our debt on the eve of another manufactured fiscal showdown that was actually the President's and the White House's idea—this sequester people are hearing so much about which is now being used as a means by which to extract more money from the American taxpayer. So instead of the Federal Government doing what every family and every business has to do when there is not enough money coming in the door, the White House and the Democratic leadership are insisting on more from hard-working Americans, after a $600 billion tax increase in December.

Unfortunately, it is hardly surprising that President Obama would nominate someone who cannot simply commit to following the law. This administration has a record, sadly, of flouting the law of the land, and I will give some examples.

This administration, of which Mr. Lew has been an essential member, has, for example, during the government-run automobile bankruptcy process—the company's secured creditors, who were supposed to get paid first, found they were given less than unions were because of politics and flouting the rule of law.

As Solyndra was going bankrupt, we know the administration, rather than letting the private lenders pay for their bad judgment, decided to make the taxpayers subordinate to those private lenders.

We know that last year, because the circuit court of appeals in the District of Columbia has told us so, the President made unconstitutional appointments to the National Labor Relations Board and to now the Consumer Financial Protection Bureau. That case hasn't been decided, but it is impossible for me to see how the rationale would be any different from the court of appeals' decision in the NLRB case.

We also know that last year the President waived key requirements of the 1996 welfare reform law. And to help implement ObamaCare, the Internal Revenue Service has announced that it will violate the letter of the law and dispense health insurance subsidies through Federal exchanges in those States that do not create State-based exchanges.

We know that when the 2,700-page behemoth known as ObamaCare began to be implemented, when some of the supporters—and some of the President's own supporters—complained about it, they were issued waivers even though the rest of the American people had to simply take it.

Finally, the President has again missed the legal deadline for submitting his own budget for this year. That was on February 4. In fact, four of the last five budgets have been late.

Simply put, we can't keep living like this. We can't allow this to become a precedent for future Presidents and future majorities, regardless of party, to rely on. We can do better. We must do better. And my 26 million constituents in the State of Texas demand that we do better.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, just to follow up further on the situation we face, I talked earlier about the critical importance of having honest numbers. We can disagree on certain numbers. Mr. Lew predicted that under

his budget, last year's deficit in the 10th year would be about $800 billion. The Congressional Budget Office, using the same numbers, the same analysis, says it would be 50 percent higher. They said it would be $1.2 trillion. He was using rosy scenarios. The nonpartisan Congressional Budget Office came out with greater debt numbers and more danger for America.

I am not so much complaining about that, although I think they deliberately tried to make their numbers look rosy. What I am complaining about is a fundamental mischaracterization of the budget he presented and what it would do according to his own analysis contained in the budget documents he submitted with his budget.

This is a very important matter. People say: Why don't you get together in Congress? Why don't you all reach an agreement? Well, it is kind of hard to reach an agreement when the lead negotiator for the President, Mr. Lew—some call him Dr. No—goes around saying:

> We don't need to do anything; our budget we submitted will get us over the next several years to the point where we can look the American people in the eye and say, We're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our debt.

He implies bringing down our total debt because we are going to have surpluses, enough money to pay down the debt. However, according to his own numbers, the lowest deficit he had was over $600 billion, and they were going upward the last 6 years, getting worse, and the Congressional Budget Office said the last deficit would be $1.2 billion. Unbelievable. So I wanted to continue to discuss that.

According to the budget numbers he put out, his plan would add $13 trillion in new gross debt to the United States in 10 years, by 2021. That was in 2011. Single-year deficits will never drop below $600 billion. In 2015 they would start climbing back up to $774 billion. Over the 10 years total spending would increase—not be reduced at all, of course, but increase—by nearly 50 percent, with mandatory spending alone—not in any way controlled or reformed or fixed by the Lew budget—mandatory spending would increase by more than 80 percent. And mandatory spending makes up more than half of all the spending in our government. So on his track, by his own budget, by his own projections, by what he believes should happen, it increased by 80 percent. In fact, entitlements are growing at about three times the rate of GDP growth, the rate of the growth in the economy. That is unsustainable.

Do we ever hear that from the President or his chief budget guy, Mr. Lew, who is now expecting to be the Secretary of the Treasury, the primary, premier economic leader for America? If one can't be honest about what the situation is, one ought not to be promoted. That is the way I feel about it, and I feel strongly about it. I have never seen anything like that in my entire time in the Senate, to have this kind of statement made that is so utterly unconnected to reality.

It wasn't long after Mr. Lew came to the committee—2 days or 3 days after this statement—when I asked him about that. I asked him if that was accurate, and he said:

> It's an accurate statement that our current spending will not be increasing the debt . . . We've stopped spending money that we don't have.

And the lowest deficit is $600 billion.

But Mr. Geithner came after this exchange, and I am sure Mr. Geithner was well aware of what happened in the Budget Committee. Mr. Lew dug his heels in and insisted this statement was true. What did the Secretary of the Treasury, Mr. Geithner, say at that point? I think this is the difference between Mr. Lew and Mr. Geithner. Mr. Geithner was former head of the Federal Reserve in New York, a man of some seriousness and gravitas, and he wasn't going to go in there and say something that wasn't true before the Budget Committee, although he didn't give it up easily. I had to use all the skills I had to pin him down, but when I did, this is what Mr. Geithner said. Even if the budget Mr. Lew put forward were passed and enacted, Mr. Geithner said that ''we would still be left with a very large interest burden and unsustainable obligations over time.'' In effect, he said we would be left with an unsustainable debt path, when Mr. Lew says: Don't worry, my budget fixes it. And Geithner was talking about this very budget.

Writing in the New York Times, writing an article, an op-ed in the New York Times, Mr. Lew said:

> The President's budget is a comprehensive and responsible plan that will put us on a path toward fiscal sustainability in the next few years.

He wrote that in the New York Times—totally inaccurate. Does he not respect the American people? Does he think he can just go and make CNN statements and write in the New York Times and say anything he pleases about the financial condition of our country—a financial condition that represents the greatest threat to our national security, more than any other threat we have in this world today?

That same month, Mr. Lew stated in an interview with National Public Radio:

> If we're able to reduce the deficit to the point where we can pay for our spending and invest in the future, that is an enormous accomplishment. This budget has . . . proposals that would do that.

And it did not. The budget did not have anything in it that would have had us pay for our spending. We are borrowing 36 cents out of every $1 we spend today. We are adding debt to our Nation every single hour—and to say we are going to be paying down the debt.

At no point did Mr. Lew's own estimate show that the President's 2012 budget was coming close to a point where we could pay for our spending. Excluding interest payments on the national debt—excluding the interest—the plan would have resulted in $1.5 trillion in deficits over 10 years, and even more than that when you consider the full interest cost of $7.2 trillion. The long-term outlook, with annual interest payments approaching $1 trillion and mandatory spending consuming over three-quarters of the budget after 10 years, and growing—entitlement and mandatory spending absorbing three-quarters of the budgets—Mr. Lew's comments were not merely misleading, but I believe qualify to be described as the greatest financial misrepresentation in the history of the American Republic. If someone has a better analysis of it, I would like to hear it. If somebody comes down and says this is a true statement, I would like to hear them say it. I invite all my colleagues—members of the Finance Committee; lots of them voted for Mr. Lew—do you think it is OK to say this? Do you think this is accurate? And if it is not accurate, do you want to promote him anyway? Why would you want to do that? I do not understand it. I am not going to support that. Mr. Lew made these representations over and over again.

The President's next year's budget in 2012, for the 2013 fiscal year, was formulated while Mr. Lew was still the President's Budget Director and delivered while he was the President's Chief of Staff. It similarly was extreme and irresponsible, and it was part of a continued campaign to mislead the American people about how it operated, to say it was so much better than it really was.

Although the White House claimed $4 trillion in savings, according to the Office of Management and Budget's own data, the 2013 budget would only have reduced the deficit by $197 billion over 10 years. They claimed they saved $4,000 billion—$4 trillion—but, in fact, it would only have reduced the budget by $197 billion over 10 years—virtually not changing the debt course of America. And all of those savings—virtually every one—were from tax increases. The spending was not reduced.

The White House also pushed the idea that the budget contained $2.50 in budget cuts for every $1 in tax hikes, while in reality there was a net spending increase above the policy baseline we were operating under. It spent more, not less. They claimed there were $2.50 in cuts for every $1 in tax hikes. That is not true. Overall, from current budget levels, spending would have increased by more than $2 trillion.

The net result of the proposals contained in the 2013 budget was to bring the Federal debt up to $26 trillion by 2022—an increase of $11 trillion. The proposed $4 trillion in savings simply did not exist. It was a complete fabrication. Mr. Lew understood that. He helped write that budget. He was the Chief of Staff at the White House when it actually came to the Senate.

Once again, a Lew-designed budget was presented to the American people in false terms designed to create the impression that we were putting America on a sound financial path, while we were doing the opposite—if it had passed.

And, of course, you say: Well, SESSIONS, that is your view. You are the one who is mischaracterizing the President's budget. This is all partisan. Maybe you would think that. I hope not. But let's see what some of the other observers around the country said about it when it was released. I am not talking about the budget that was described by Mr. Lew in these wonderful terms. If we had a budget that would do that, the American people would jump up and down and shout hallelujah. We are not close to it, however, as independent observers noted.

Look what these honest observers said about it.

The Washington Post, the largest paper here in Washington, said this:

> The larger problem with the budget is the administration's refusal to confront the hard choices that Mr. Obama is so fond of saying must be faced.

The title of that editorial: ''President Obama's budget kicks the hard choices further down the road.''

What about USA Today, a nationwide paper?

> President Obama likes to talk about those ''Sputnik moments'' when the nation rises to difficult challenges like the one posed by the Soviet space program in the 1950s. On Monday—

The day this budget was released—

> he had a chance to turn his . . . budget proposal into his own such moment. He whiffed.

The title of that editorial: ''Obama's budget ducks tough choices.''

What about the Financial Times?

> President Barack Obama has unveiled a hugely disappointing budget, cutting only a few percentage points . . . in projected US federal deficits over the remainder of this century. . . . If Mr. Obama will not make this case, who will?

The title of that editorial: ''Obama's budget shows failure of leadership.'' That is absolutely true. It was a failure of leadership.

Another from the Washington Post:

> White House budget director Jacob J. Lew has told advocates of reform that the White House thinks any significant plan offered by the president would simply become a target for partisan attack.

Then it goes on to quote Alice Rivlin:

> ''I would have preferred to see the administration get out front on addressing the entitlements and the tax reform that we need to reduce long-run deficits,'' said Alice Rivlin, a commission member [on the deficit commission] who served as budget director in the Clinton White House.

That was Alice Rivlin, a wise commentator, a Democrat, but a wise commentator. She went on to say:

> But they clearly made a tactical decision.

She meant a political decision.

That was the Washington Post. The title of that was: ''Obama spending plan criticized for avoiding deficit commission's major proposals.''

Another from the Washington Post:

> Erskine Bowles, the Democratic chairman of the fiscal commission, said the White House budget request goes ''nowhere near where they will have to go to resolve our fiscal nightmare.''

He is referring to this. This was on February 14—2 days after Mr. Lew made those ridiculous statements.

This is Mr. Erskine Bowles, a man chosen by President Obama to head the fiscal commission and spent a year studying our debt problem.

How about Investor's Business Daily, a prominent business publication?

> The White House's new budget is far worse than merely bad. By not attacking the underlying cause of our debt explosion and by raising taxes, it will lead inevitably to a weaker economy and perhaps even default.

The title of that editorial: ''Obama's Gutless Budget Proposal''—a proposal written by Mr. Jack Lew.

What about the Wall Street Journal? This is entitled: ''The Cee Lo Green Budget.''

> After three years of historic deficits that have added almost $4.5 trillion to the national debt, President Obama was finally going to get serious about fiscal discipline. Instead, what landed on Congress's doorstep on Monday was a White House budget that increases deficits above the spending baseline for the next two years. Hosni Mubarak was more in touch with reality last Thursday night.

The Wall Street Journal, the premier business publication in America.

The Orlando Sentinel:

> Count us deeply disappointed by the $3.7 trillion budget that President Obama unveiled Monday. . . . To really tackle the national debt, Mr. Obama needs to get off the sidelines, and start leading.

The title of that: ''President Obama's budget plan falls short''—Jack Lew's budget plan.

The New York Daily News:

> But the bottom line is that [President Obama is] figuring on reducing the deficit by $1.1 trillion over 10 years while his blue-ribbon commission said cutting four times that amount is critically necessary.

The title of that editorial: ''Deficit of courage.''

This is another one:

> President Barack Obama rolled out a $3.7 trillion budget Monday that promises $90 billion in reduced spending for fiscal 2012, but it would still produce a whopping $1.1 trillion deficit. The best that can be said is that we've started to frame the national debate.

So said the Chicago Tribune.

The Indianapolis Star:

> Obama has all but ignored the recommendations of his own deficit reduction commission.

The headline of that editorial: ''We ignore 'red menace' at our peril.''

How about the Los Angeles Times, a major western newspaper of liberal political views:

> President Obama's budget for fiscal year 2012 landed with a thud Monday, laying out short- and long-term tax and spending plans that disappointed lawmakers on both sides of the aisle. The proposal was a remarkably tame response to Washington's fiscal problems, not the bold statement about belt-tightening that the White House had suggested was coming.

The Denver Post, another large and liberal newspaper, states:

> Obama called the proposal one of the ''tough choices and sacrifices,'' yet it does not confront entitlements and continues to act as if government spending is the way to prosperity.

That is true for sure.

The San Francisco Chronicle, an important newspaper:

> In a crucial way, it lacks honesty.

The Dallas Morning News, a big newspaper:

> But taken as a whole, his proposals represent the third time in 2 months he has walked up to the challenge of curbing the deficit and more troubling long-term debt and turned away on leading the Nation back from an impending fiscal nightmare.

The Philadelphia Inquirer:

> The shortcoming in Obama's spending proposal is its lack of strategy for sustained, long-term deficit reduction.

That is correct. It had none of that in it. It goes on to say:

> Cutting deficits by $1.1 trillion over a decade might sound significant. But the nonpartisan Congressional Budget Office has projected deficits rising $12 trillion over that time.

The title of that editorial is ''Still missing the mark.''

The Minneapolis Star Tribune:

> The flurry of deficit-reduction plans released late last year were supposed to kick off a national ''adult conversation'' about the Nation's metastasizing long-term debt problem.

When is that conversation going to begin? It certainly didn't happen on Monday when President Obama released his $3.7 trillion budget request for 2012. The title of that editorial is ''Slinking away from U.S. budget reality,'' written by Mr. Jack Lew, Director of the Office of Management and Budget, who declared it was a wonderful budget, totally misrepresenting what it would do.

The Washington Post, Dana Milbank:

> Obama's budget proposal is a remarkably weak and timid document. . . . The President makes no serious attempt at cutting entitlement programs that threaten to drive the government into insolvency.

What about Senator Conrad, who was the chairman of the Budget Committee at that time, a distinguished Democratic Senator who retired from Congress and is no longer in the Senate. This is what Kent Conrad said, my friend, with whom I served on the committee:

> But we need a much more robust package of deficit and debt reduction over the medium- and long-term.

Well, our Democratic leadership in the Senate refused to bring up a budget. Today marks the 1,400th day this Senate has violated the law of the United States and not produced a budget. It is unthinkable at a time when the debt represents the greatest threat to our country.

The House has passed a budget each year. That was part of the strategy.

That was part of the gimmick. Senator REID, the Democratic leader, says we don't need a budget; it is foolish to have a budget. That was his comment: It is foolish to have a budget even though the law explicitly requires the Senate to produce a budget.

What did he mean, ''foolish''? He meant if you pass a budget, somebody could criticize you. Somebody could look at your spending and taxes, evaluate it, and say: We don't like that. He doesn't fix the debt. It raises taxes too much. It doesn't cut spending. Or it increases the spending too much. Why do that? It is foolish. Let's don't pass one, and we will criticize PAUL RYAN, the young, dynamic chairman of the House Budget Committee who wrote a budget that passed the House and would have fixed our debt problem and put us on a sustainable course.

This was a budget that was complimented by Alice Rivlin and Erskine Bowles. They may not have agreed to everything that was in it, but they complimented him on having integrity and doing what it said in laying out a plan for the future of America. The House passed it.

What did the Senate do? Nada, nothing. It was one of the greatest acts of irresponsibility, I submit, in Senate history. There are a lot of them out there. This is one in the top group, in my opinion. How could you possibly, at a time of crisis, not bring up the budget? The President submitted a budget, as he is required to do by law, and every President always has. The Senate just decided not to even move one. They say: We will have one this year. I am looking forward to that. It is behind time, as was the President's submission of a budget. He was late, according to the law, in submitting that.

As time went on and the tension rose over the budget and our future spending program, the Democratic leader in the Senate thought he would be clever and would bring up Congressman RYAN's budget and make all the Republicans vote for it—virtually all did; maybe two or three didn't—and then they would attack them because it had cuts in spending. They are going to say: You don't like old people. You don't like children. You don't like education. You don't like this in health care, and this will be great.

As I said, most Republicans, virtually all, voted for it.

Senator MCCONNELL said: All right, let's bring up the Obama budget. Let's bring up the budget Jack Lew prepared to the floor.

He forced a vote on the Lew budget. How many votes do you think it received? Zero. Every Democrat voted against it and every Republican voted against it. It was brought up in the House of Representatives. Every Democratic Member of the House voted against it and every Republican voted against it. It happened the next year in the 2013 budget.

Not a single person voted for this budget because it wasn't worthy of a single vote. It would not do anything to change the debt course of America, and they were totally misrepresenting what it would do. It was a sad moment. That is where we are.

My question simply would be, Where was Mr. Lew in this? He was the architect. He was the architect of the budget, but he was deeply involved in the political activities that were going on at this time. It fell to his lot—I am not sure if he asked for it—to come and testify before the Budget Committee and say these kinds of things about it, these words that will live in infamy. Did he just volunteer to do it? Was he so much a part of the Obama political interest he would say whatever it takes to promote a budget that wouldn't work?

Secretary Geithner, President Obama's own Secretary of the Treasury, would not say so. He wouldn't say these kinds of things. He tried not to embarrass the administration, tried not to embarrass Mr. Lew. When I pinned him down, he said this still leaves us on an unsustainable debt course; not fixing our problem as was represented.

Now we want to replace Mr. Geithner, a man who was frank in his testimony about the dangers we faced, with a man who stood by this kind of testimony and statements.

I do believe our country is a bit confused. I believe we are to the point where in politics people think they can say almost anything and nobody cares. Just say this or say that; if it is not true, well, so what. I guess it is just politics.

If we continue in that way, this is a very dangerous trend. It places the entire democratic Republic of America at risk. The whole concept of American Government is based on finding the truth. This is why you have debate in the Senate; open, public debate. The truth, the theory is that it will somehow rise to the top, and it normally will when you have honest debate. You have negotiations on issues, you advocate for your side, and you may begin to reach consensus, sometimes at least.

How can you reach consensus when the person you are negotiating with is insisting his budget does things it absolutely does not do? He is doing that for political reasons, not for the interests of America. How are you able to deal with that?

I think this Senate—as a matter of its own integrity to defend the integrity of the Senate, and, perhaps, more importantly, to defend the integrity of the American people—has a firm and clear duty to insist that high public officials tell the truth when they come before Congress or when they go on national television. He is being paid by the American people. Was he paid to misrepresent the budget or to tell the truth about the budget?

He didn't tell the truth about the budget. Is there a consequence? We just promote him to some other high office because he helped the President win his election by spinning the debt situation in America in a way that is not correct.

Make no mistake, I don't have proof of this. And maybe it is wrong. But it seems to me this was a campaign decision made in early 2011 that they were going to say their budget fixed our debt problems. Why do I state this? Because it was continued periodically off and on and was repeated again in a national television ad by the President of the United States in September 2012 to win reelection. ''Our plan pays down the debt,'' I believe, was the phrase they used in that television ad.

That wasn't true. He didn't have a plan that paid down the debt or didn't add to the debt or put us in a position to pay down the debt. He never had a plan to do that. He didn't.

You say: That is not correct. I will ask my Democratic colleagues—this is a free country, a free Senate—you come down and say if I am incorrect on this. Show me if I am wrong. If I am wrong, I will apologize; but I don't think I am wrong. I have looked at it hard, and I don't think anybody is going to come down and dispute what I have said fundamentally on the details of this budget document.

I thank the Chair for indulging me.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, the Lew nomination has not received an enthusiastic response in many quarters, that is for sure—maybe from the hard left, where he has been an advocate of some very hard left views and some inflexibility when it comes to dealing with some of our entitlement programs and welfare programs that have been surging out of control. But this is what some others have said about the nomination.

Larry Kudlow, a commentator on CNBC—who was an economist for the Federal Reserve System of the United States and a former chief economist at Bear Stearns and an employee at the Office of Management and Budget, where he was a chief economist—said this on the radio not too long ago. I guess this was written about by Jeff Poor, a reporter for the Daily Caller.

Larry Kudlow explained why President Obama's nomination of Jack Lew as Timothy Geithner's replacement to head the Treasury Department was a ''nutty appointment.''

If you keep up with business issues and stuff, you will see Mr. Kudlow on TV regularly, and he, like a lot of our commentators, enjoys stirring the pot sometimes, but, as I say, he was a chief economist at Bear Stearns and at the Office of Management and Budget and

an economist at the Federal Reserve. He knows a great deal about the economy. His instinct is what led him to call this a ''nutty appointment.''

Continuing Mr. Poor's quote:

Kudlow pointed to Lew as part of the problem.

Part of the problem as to why we don't have a budget. He said he is part of the problem.

Once again citing the Poor article:

Kudlow cited Lew's lack of qualifications as another reason that President Obama's appointment was ''completely irresponsible.''

Quoting Mr. Kudlow, the article went on to say this:

''You know, this whole thing is kind of centered around the Senate, which hasn't done a budget in 1,351 days—so whatever that is, four years,'' Mr. Kudlow said.

And I will just add that today is the 1,400th day.

Continuing the quote:

''Now the White House might not even submit a budget, and now the White House had taken the budget director and chief of staff and put him over the Treasury, where Jack Lew is completely—and I mean completely unqualified to be Treasury Secretary.''

He is talking about Lew, and sending him to be Secretary of Treasury.

Mr. Poor goes on quoting Mr. Kudlow, who explains:

''He has no financial experience. He has no international experience. He has no currency experience. He ripped off Citibank for a couple million dollars. He was there for one year. I mean, there's about a million people—give me a phone book, and I'll find somebody more qualified for Treasury Secretary than former OMB director Jack Lew. This is all of a piece. It is completely irresponsible.''

Well, that is pretty clear, what he expresses there, what he believes. And I think that is valuable insight.

Are we just making this up? This staffer for Tip O'Neill, the Budget Director of OMB before and now Chief of Staff at the White House, is he really qualified to lead the United States of America in addressing the challenges of our time?

What about the Secretary of the Treasury position? Is that a matter of great importance? The Treasury is one of the four great senior Cabinet positions we have—Attorney General, Defense Secretary, State, and Treasury. The credibility of the Treasury Secretary is his greatest asset, and, as I have said, this statement raises the most grievous doubts about his credibility.

We have had great Secretaries. Albert Gallatin early on, who was a Swiss immigrant, helped create the House Ways and Means Committee and instituted the development of the Treasury. Simon Chase from Ohio stood as one of Lincoln's top aides and was responsible for the civil system of federally chartered banks. William McAdoo, a distinguished businessman, helped create the Federal Reserve System. Andrew Mellon, a brilliant Pennsylvania businessman, served as Secretary of Treasury. Henry Morgenthau, Jr., served as FDR's Secretary from 1934 through 1945. William Simon, a successful businessman, served as Secretary under Nixon and Ford. He supervised the Nation's economic policies in crisis times.

So this nominee doesn't have the kind of background one would normally look for in a Secretary of Treasury, particularly when we are doing so poorly economically. We had a big recession, and we are coming out of it at a slower rate than we perhaps have ever seen other than the Great Depression.

Mr. Malpass testified at the Budget Committee yesterday about the Lew-Obama-Paul Krugman theory of borrowing money and spending money to stimulate the economy and get us out of the recession. All you have to do is look at it and see it didn't work. How much more evidence do you need?

So that is the advice we have been getting there. And this good staffer quality is what our Democratic chairman of the Finance Committee, Senator BAUCUS, seemed to see in Jack Lew during his recent confirmation hearings. He seemed to call into question the necessary stature the position requires and whether Jack Lew met those standards. This is what Senator BAUCUS said to Mr. Lew:

I'm going to ask you—it's clear you'd be a great staffer. I'm not talking about being a great, courageous staffer and telling the President what you think and don't think. I'm talking about something else. I'm talking about the public perception, the public demeanor, representing the United States across the country and around the world, be able to influence policy in a way that makes sense—most of us would tend to agree with. We may differ along the edges, but most everybody in this room agrees that needs to be done.

So even the chairman of the Finance Committee, a Democratic chairman, Senator BAUCUS, with great experience, certainly raised some questions about the nomination.

Madam President, I appreciate the opportunity to speak, and I look forward to Senator KAINE's remarks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I ask unanimous consent to speak as in morning business and that the time count against the nomination.

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

ABNORMAL TIMES

Mr. KAINE. Madam President, it is an honor to stand here for my first speech on the Senate floor. I am honored to be part of this body and to speak where hundreds have spoken before and thousands will speak after me.

A normal first speech for a Senator is usually a proactive, forward-looking speech. We are not in normal times. A normal first speech for a Senator usually happens much later, after a Senator has been around for a number of months. We are not in normal times. A normal first speech for a Senator is often in connection with the introduction of a piece of legislation. We are not in normal times. So I am speaking a bit earlier than I would have thought likely when I took the oath of office on January 3, but I am speaking in particular because we are not in normal times, and the abnormality of the times has a huge effect on the Commonwealth I am proud to represent.

In the summer of 2011 Congress passed a bill we are now talking about, a bill dealing with the sequestration cuts of the Federal Government.

There is no precedent I am aware of in congressional history for what is about to happen in 48 hours.

Congress designed a set of punishing, nonstrategic, ugly cuts designed to hurt the economy and hurt individuals and all—however they voted on that bill—did not want these cuts to come into place. So those who voted for the package in the summer of 2011 did not want the sequester cuts to occur and believed we would find, through compromise, an alternative; and those who voted against the package in the summer of 2011 largely voted against it because they did not want these cuts to occur.

So the abnormality of the times is this: Never, to my knowledge, in the history of this body, has Congress designed a punishment that would hurt the lives of regular individuals and that would hurt the economy. It was designed with that knowledge, fully. All hoped it would not happen. Yet we are within 48 hours of allowing it to happen.

The effects this sequester will have on the country and the effects it will have on my Commonwealth are so significant and severe that I do feel compelled to speak a little earlier than I otherwise might have. I would also add I think the effects of these cuts on this institution and the credibility of this institution are equally severe.

What I wish to do in this speech is basically a couple things. I want to talk about the effect of these sequester cuts, if they happen, on regular people. I just returned from a tour around my State and I am just going to share some stories. I want to talk, with some data, about the short-term impacts of these cuts on the broader economy. Third, I want to talk about some long-term impacts, some impacts we are not necessarily thinking of right now but should cause us significant concern. Fourth, there is a way to avoid this, and I want to talk about how we can avoid allowing this self-inflicted wound to occur. Finally, I want to talk about the fact that there is an upside in this moment for us. This is not just about avoiding harming people, hurting the economy. It is not just about avoiding negatives. I think there is an upside for us and for this institution and for this Nation if we do this right.

Let me begin with my tour around Virginia. I am now a brandnew member of the Armed Services Committee, and I sit in a wonderful seat following John Warner, who was there for 30 years, and

Jim Webb, who was there before me. I am no replacement for either of those individuals and I have big shoes to fill. So I decided to take a tour around my State last week and visit the various touch points in the Commonwealth where we interact with our military and our national security.

The map of Virginia is a map of the military history of this country: Yorktown, where the Revolutionary War ended; Appomattox, where the Civil War ended; the Pentagon, where we were attacked on 9/11. We are the most connected State to the military. One in eight Virginians is a veteran—not one in eight adults, one in eight Virginians, from birth to death. Over 100,000 Active-Duty Guard and Reserve, DOD civilians, DOD contractors. By the time we add up all of those and their families and military families, we are probably talking about one in three Virginians.

I went to the places where Virginians work every day, as ship repairers in private shipyards, as Active Duty on naval bases, as DOD civilians working as nurses in Army hospitals, as young officer candidates training in ROTC programs, at VA hospitals. I went around the State, and let me tell you what I heard.

A few miles from here is Fort Belvoir Community Hospital, one of the preeminent institutions that treats wounded warriors. A wounded warrior still on Active service being treated there, his wife sitting right next to him, we talked, and she ventured this: Let's talk about these furloughs of these DOD civilian employees. My husband's nurses are all DOD civilians, and while the sequester protects Active Duty, it doesn't protect the civilians. What is it going to mean to my husband's medical treatment as he comes back from being wounded, injured defending this Nation, if the nurses and health professionals at this hospital are furloughed 1 day a week?

In the same roundtable, another wounded warrior said to me: Boy, the economy is really going to suffer if we have this sequester. We are going to lose jobs, and the economy could shrink. I am a reservist.

He was a wounded warrior as a reservist, waiting to go back into the civilian workforce into a job with a Federal agency that does national security. What is that going to mean to me? Is there a hiring freeze? Is there a pay freeze? Is this a furlough? This wounded warrior was wondering about his economic future.

At the shipyard at Newport News—what a good news story. We Americans, we Virginians, we manufacture the largest items that are manufactured on planet Earth—nuclear aircraft carriers—in that shipyard. What a wonderful American example of ingenuity that is. Yet in looking at these sequester cuts, as repairs and other projects and programs are being scaled back, the workers of that shipyard are asking about the stability of their work and about whether the ships we put out and we put our people on will be truly ready to do the work they need to do.

At another private shipyard, the owner, a small businessman that has a shipyard in Hampton Roads, said: I have 50 employees. The way the Navy plans to deal with sequestration is to dramatically reduce maintenance in the third and fourth quarters of the year. I am going to issue WARN notices to tell 300 of my 450 employees they are not going to have a job. I just don't see how I can run this business without them, but I don't have the business to keep them if these sequestration cuts go through.

At a VA hospital in Richmond, the VA Corps services are protected under the sequester, but they are under hiring freezes. They compete with private sector hospitals to hire nurses and physicians, and they say that is getting tougher and tougher to do. They do research in Richmond about traumatic brain injury, and that research money is not protected from sequestration. So this research that will help us treat our wounded warriors better is in jeopardy if the sequester goes through.

It is not just military cuts. In Head Start, I talk with teachers who are facing significant cuts in programs for at-risk kids, even at a time where, because of the economy, the number of at-risk children in their classrooms is growing and growing and the number of children total in their classrooms is growing and growing.

On Monday a number of us were at National Airport to talk about the effect of sequester on something that is fairly basic, the experience of the Americans by the millions and millions who travel every day in the air: longer lines, potentially higher prices.

This is what Virginians were telling me as I went to talk to them about what we were doing in Washington and the likely consequences they were going to see in their lives. Again and again, what they said to me was go up and find a solution.

I went to a bluegrass concert on Saturday afternoon. I was wearing blue jeans and a Carhartt jacket and I was taking an hour off to listen to a set of music. I sat next to a guy who appeared to be about 80 years old, ramrod straight, energetic. He was a veteran wearing a cap from his Navy service. About halfway through the set he leaned over to me and he said: Now, I know you are here for music. You didn't come here to politic. I said: That is right. I am here for music. He said: So all I am going to say is this. There is not a single thing you are going to do, plus or minus—or not do—that will affect my quality of life. I am fine. But I am telling you, for the good of the country, you ought to go up and figure out a way to get people to work together and find some deal.

So that is what my citizens were saying to me on this trip, just in the last 2 weeks, at every stop: find a deal, work together. Not a single person said: Protect my job, protect my program, protect my priority by making the cuts in other areas worse. Not one person said that. They were asking for a balanced approach, where there would be pain, where there would be a balance of cuts but also revenues, and we would try to tackle this in a targeted way.

Some statistics and thoughts. These are stories from individuals. Now let's look at the immediate impact on the Virginia economy and on other important goals: our military readiness and defense posture.

A couple weeks ago we heard at an Armed Services Committee meeting from Secretary Panetta and General Dempsey as Secretary Panetta was exiting in that role. They had just announced that CENTCOM—the portion of the military that controls the space including Afghanistan—wants to have two carriers in the Middle East to project American force to try to prevent or reduce any dangerous, provocative activities by Iran or anyone else and to protect our men and women in service, if the need should happen. Their military judgment was we needed two carriers and that force there to protect them. But about 2 weeks ago, the DOD Secretary said: We are not going to have two carriers; we are just going to have one.

Thousands of sailors who were on the verge of deploying, many of whom had sublet their apartments, put their cars in storage, sold their cars, cancelled their cell phones, sent families back to other places in the country to stay with their parents, learned within just a very few days it was all being turned topsy-turvy.

Having only one carrier in the Middle East, maybe nothing bad will happen. But when the military leadership of the country suggests we should have two and we decide, because of budget indecision, let's only have one, that sends a message. It sends a message to our friends, it sends a message to those we would be protecting that our commitment is wavering, and it also sends a message to our adversaries that our commitment might be wavering.

We heard many bits of testimony that day from General Dempsey and Secretary Panetta about how our readiness, our ability to respond with flexibility, gets compromised if we don't get this right.

On the National Guard side, I visited a National Guard Army called the Stonewall Brigade in Staunton, VA. Here is something interesting. This National Guard combat brigade, the Stonewall Brigade, their first action as a brigade was 20 years before the French and Indian Wars. Their first action as a brigade was in the 1740s. Since then, they have deployed again and again to protect Americans. Yet they were talking about sequestration affecting their ability to train their people.

One of the individuals who was the commander of that brigade said in a

very powerful way: I am going to send my people, and they are going to do their best, but I would rather send them 100 percent trained than 80 or 85 percent trained. If we act now after we sequester and reduce training, we will be sending people into service 80 or 85 percent trained.

Our DOD civilians, the Pentagon has announced it would take steps to furlough 800,000 civilian employees for up to 22 days a year. In Virginia alone—one State—90,000 individuals, beginning at the end of March, early April, will face the beginnings of furloughs 1 day a week for up to 22 weeks.

There aren't many towns and cities in Virginia that have more than 90,000 people. Yet we would take all those people and put their economic livelihood at risk for the foreseeable future as we try to figure this out. Let me tell you who some of these folks are. These are the nurses who treat our wounded warriors. These are our air traffic controllers who keep us safe in the air. Think of those individuals and the fact that they are trying to make a living for their families and they are trying to do good service for their fellow Virginians and fellow Americans and then multiply that by 90,000, and that is just one State's worth.

We all want a vibrant private sector. We all think the private sector being strong is the key to economic growth. The estimate of most economists is that Virginians, because of sequestration and reductions to private contracting, would stand to lose up to 200,000 jobs, 137,000 on the defense side and nearly 70 on the nondefense side.

The Newport News Shipbuilding company that I announced earlier, the largest industrial employer in Virginia, is preparing to shrink; facing smaller ship repairs and having to issue WARN notices to their employees. We see this all over the Commonwealth.

Educators. Virginia stands to lose $14 million in funding for primary and secondary education, and this is funding that is targeted. It is targeted to funding to the most disadvantaged students, title I funding. One hundred ninety teachers' jobs are at risk and about 14,000 fewer disadvantaged students will receive these services. In a particular passion of mine, Head Start and early childhood education, 70,000 students nationally will lose their spaces in early childhood education Head Start because of the sequester; about 1,000 of those are in Virginia.

The statistics are grim, and these aren't just numbers on a page or numbers in a budget book. These are parents who are sitting at a kitchen table already worrying about how to make ends meet and finding that they are going to have 1 less day of work every week, potentially, for the next 20 weeks or people who spent their lives in shipbuilding and they are going to be given WARN notices, with no clear indication of when their company or other companies might start hiring again.

Those are the short-term impacts. Let me talk, for a minute, about some long-term impacts because these are the stories that aren't necessarily in the newspaper. But as I listened to my constituents last week, they made this case, and they made it in a way I found to be pretty compelling.

When the decision was announced about the USS *Truman* not being deployed, there was a 20-year-old airwoman aviator on the carrier who was quoted in the newspaper as saying: I was so excited to be on my first deployment for my country. I want to have a military career, but I am starting to think that might not be realistic.

We have a whole generation of young people who serve in the military, and they are our future generals and Joint Chiefs of Staff and future Deputy Secretaries of Defense and Secretaries of Defense in that leadership corps. They have decided they want to devote their future to protecting the Nation. But what is happening in this building is making them believe maybe this is not a realistic career choice.

I spoke to ROTC students at the University of Virginia. These are folks on the verge of commissioning as officers in all four primary service branches—Army, Marine, Air Force, Navy—and I spoke to them last week and one of them said this to me. I found this very chilling.

> I am training to be an officer because I want to serve my country and guess what, I am willing to put myself into harm's way to known hostilities and unknown hostilities in the world, to serve my country. But I have to ask myself, am I willing to put my career at risk by making a career choice to pursue a path when I do not have confidence that the civilian political leadership of the country has a commitment to me and to my colleagues?

Being willing to face hostilities and enemy fire—they signed up for that. But as they think about their military careers, whether they would do their 4 years and leave or whether they would make a career out of it, the message we send from this building and this Capitol about whether we are committed to them is one of the factors they utilize to try to make their decisions.

Similarly, students around this Commonwealth and country who are thinking about being early childhood educators would wonder about the future of early childhood or Head Start programs. In a really funny interchange with some welders and the president of the shipyard, the Newport News Shipyard, which is run by Huntington Ingalls, he said: If we do layoffs or scale back and we lose nuclear engineers for the subs and carriers, they can find other jobs. In fact, the president, Mike Petters, a good friend, said: It is easier for this company to replace me, the CEO, than it is to replace a nuclear engineer.

But if our commitment to shipbuilding and ship repair and ship refurb is questionable and a nuclear engineer has other career options and they have to analyze which career option they should pick, or a welder has other career options—and all do—and they have to decide which career options they pick, we will find it down the road increasingly difficult to have the kind of talent we need to do the jobs that need to be done to protect this Nation if we are not sending them a signal that we can find compromise, find agreements, and provide funding in an appropriate way for these critical services.

Here is the good news. The good news is we can avoid this. In fact, we have an obligation to avoid this. I was a little bit surprised when I came to the Senate to learn some things I did not know. I thought I was an educated observer. I was a little bit surprised, for example, that in the Budget Act that deals with how budgets are written, the budgets do not even go to the President. It is purely congressional. When the House and Senate pass a budget and then when it is compromised, it is purely congressional. Appropriations acts of course go to the President for signature, but they never get there unless Congress does them.

So while everyone has a responsibility to try to make this right, and the President and his team definitely have a responsibility, this is a congressional constitutional responsibility. There is a unique legislative prerogative for us to get this right and for us to avoid the self-inflicted damage to the economy and to people that every last person who voted was sure would not occur. Again, I say we are in a unique situation where we have designed a punishment and we would allow that punishment to affect individuals and our economy. I do not think there is a precedent that would be similar in the history of this body.

In order to address it, we have to find a balanced approach, as my citizens were telling me, and not gimmicks. No more sequester or supercommittee, no more continuing resolution. There is a process. We should follow that process. The process involves compromise. The process involves listening. And we need to do it.

I will say one more thing about why it is important that we do it, and not just for the economy. A lot of people think we are broken. I was struck in talks to some of my citizens that for as many people as do not like the current President, no one says to me that the Presidency as an institution is broken. For as many people as do not like this or that decision of the Supreme Court or the judiciary, no one says to me they think the judiciary is broken. But the third branch of government—really the first branch of government, we are first in the Constitution, the legislative branch—many people look at this potential sequester and other similar things and they worry about whether we are broken. So we not only have a constitutional obligation to fix it, we really need those of us, and all of us who care about this institution in the Capitol, we have to do our part to fix it.

The good news is that we can. Let me show you what we have done already by way of dealing with our fiscal challenges, and especially tackling deficits so we can try to get our balance sheet more in control. I have three very simple charts that are pretty easy to follow.

Congress, both Houses, and the President, have taken thus far, 2010 to now, steps that have reduced the deficit going forward over a 10-year period by about $2.4 trillion. This is how this has been done. I get no credit for this because this all happened before I got here. This is what Congress has done over the last couple of years to reduce our deficit path and bring us closer to balance to the tune of $2.4 trillion. We have done spending cuts of about 60 percent of the total. Because of some of these other actions, we have been able to project a savings in interest payments of another 14 percent. And with the decision at year end on the expiration of the Bush tax cuts and the bipartisan compromise that resulted, we have put in new revenue of about 26 percent of this total. All you have to know from looking at this chart is it is balanced.

We could argue the ratio. We might like it more red, more green, more blue. We could argue about the ratio. But it is a balanced approach of revenue, of spending cuts and of interest savings. That is what we have done already, and I give praise to the Members of Congress and the President who have been able to take that step.

But we all know we have more to do. So now that test is before us and that challenge and chore is on our table. We have more to do and there are two alternatives we will likely be debating and voting on within the next couple of days in this body, a Democratic approach and a GOP approach to how do we do more. That is because most would agree if we have done about $2.4 trillion of deficit reduction already that we need to do about another $1.5 trillion or so over the course of the next 10 years. We will be voting on one proposal tomorrow that has been advanced by the Democratic majority. That says we will additionally close our deficit over the course of this year. We will do it in a way that will push us forward to finding a bigger solution. And we will do it in a balanced way: 50 percent through new revenue, closing some corporate tax loopholes that have outlived their usefulness, raising rates at the top end for a very few Americans who can afford it. I talk to Virginians and they know we can afford it. So 50 percent of our additional deficit reduction would be on the new revenue side and 50 percent would be on spending cuts—spending cuts, many of which have already been agreed to in this body.

One of the core kinds of spending cuts—and it is important here—the spending cuts in the proposal we will vote on tomorrow are not across-the-board pain for everybody equally because everything is not worth everything else. They are targeted spending cuts, the right kind of spending cuts. So, for example, this body last summer voted on a farm bill to reduce significantly farm subsidies. It was bipartisan, Democratic and Republican votes. That bill died on the House side, but that notion that we can save money and that we should, that had bipartisan support, that is in the spending cuts component of the package we will talk about tomorrow, and that is the Democratic approach.

Is it magic? No, it is not magic. You might argue about the ratio. You might argue about the items. But the key to it is, just as what we have done so far to reduce the deficit by $2.4 trillion has been a balanced approach, the approach we will vote on tomorrow on the Democratic side is a balanced approach.

There is also a Republican approach, or approaches. It was a little bit unclear as I took the floor whether there will be a single bill or multiple bills. But the GOP approach to this, which they laid on the table and which we will also debate and vote on, is, as you will see, all spending cuts. They might be different spending cuts from those in the sequester. In the context this will emerge. But there is no revenue in this approach. It is not a balanced approach, and I argue, based on what we have already done with the $2.4 trillion, the right way to do this is to do it in a balanced way. That is the right thing for the economy. It is the right thing to soften the effect of these cuts. It is the right thing to make sure that people's lives are not needlessly turned topsy-turvy.

Can we save? Sure we can, and we should. But you cannot fix a balance sheet on just one side of the balance sheet. You have to look at both sides of the balance sheet, and I think that is what we will be debating over the next couple of days.

I have been thinking about this, and the last thing I will say before I close and talk about an upside is, when I was home in Richmond over the weekend after this week-long tour, knowing we would be coming here today to debate about these proposals, something happened in my hometown that I want to recommend to the contemplation of my colleagues here in the Senate. Virginia had been wrestling for two or three decades about what to do about transportation because it would be good for the economy for us to invest in transportation.

I will be candid and even sheepish. I was the Governor of Virginia and I strived for 4 years to get my legislature to do something meaningful, to invest in transportation, and aside from a few modest wins here or there I never was able to convince my legislature to do what I thought needed to be done.

Saturday in Richmond, 90 miles from here, 4 days ago, my Republican Governor, Bob McDonald, a friend, a Republican House of Delegates, overwhelmingly Republican House of Delegates, 2 to 1, and a Republican Senate—it is a split Senate 20–20 but there is a President who breaks ties who is a Republican Lieutenant Governor so it is a Republican majority body—Republican Governor and Republican legislature decided to do something to benefit the economy and here is what they did. They did a package of $880 million of revenue for transportation, annually when fully phased in, and 80 percent of the package is new revenue and 20 percent is spending cuts in general fund programs that would be repurposed to transportation.

For them to do that, they had to make a hard decision. For them to do something that was balanced, because an individual whose name is often mentioned in Washington, Grover Norquist, said can you not do this without violating your pledges, and others said it would be anathema to ever raise a tax or fee and it will be politically damaging and it will be economically wrong, and a Republican Governor and a Republican legislature looked at them and said: The right thing to do to benefit our economy is to take a balanced approach. And by an overwhelming majority in both Houses, supported by Republicans and Democrats and celebrated with excitement by a Republican Governor, this is what happened, 90 miles from here a few days ago in order to benefit the economy.

A transportation package is not a precise analog to what we are wrestling with here, but it is pretty close. This was a step that was taken to benefit the economy. It was done in a balanced way. We are faced with a fundamental decision about whether we are going to benefit the economy or whether we are going to intentionally allow something to happen that will hurt the economy. I think the lesson for what happened in Richmond is the economy benefits from a balanced approach and an imbalanced approach is not going to be the way we get to a solution that is good for the economy and good for people.

The last thing I will say is this. Much of my discussion has been about trying to avert bad things—people being furloughed, people losing their jobs, small ship repair yards potentially having to close, wounded warriors not having the nursing care they need, students eligible for Head Start not being able to go into classrooms, Guards men and women not receiving the kinds of training they need to go into the field and be fully prepared—much of what I have described has been about trying to avert negative consequences.

But the best part of all is I think we are in a unique moment where it is not just about averting the negative. I think we can do something that will have a positive effect, that will avert negative consequences, certainly, but by getting some certainty and by showing a spirit of compromise and cooperation, we will be sending a message from

this body that will have a positive effect on the economy.

There are some who see signs of the economy showing some strength. The stock market is doing pretty well. It is a bit volatile every day, but where are we on the stock market? We are doing pretty well. There was news about the housing prices and housing market coming up. Consumer confidence has been stronger than expected. These have not yet congealed into the trends we hope to see, but there are signs and there is evidence that we have an economy that is ready to achieve some lift.

If we look at our global competitors, we see that there are some weaknesses. This is a lesson I heard preached again and again by my senior Senator as he talked about global economies around the world. Senator WARNER talks about how Europe and the Euro Zone has its challenges, the Japanese economy has its challenges, and the Chinese economy has not been quite as strong as it had been. Our major global competitors are not just clicking on all eight cylinders.

If we do something right now, it will send a message throughout the economy that we are not only open for business, but there is a balanced approach that can be reached by a Senate and a Congress that is willing to work together and put country first and do what is right for the economy. I think we have every reason to believe we will not only avert the negative consequences I spent the last half hour talking about, but we will take those positive trends in the economy and put some more healing into the economy.

We will see some more lift that could be significant. We will see more of that cash that is in bank accounts invested back into the American economy. We will put some distance between ourselves and some of our other global competitors. This is what is at stake for us if we get this right.

It should be enough for us to do the right thing and find a balanced approach to avoid hurting people and to avoid hurting the economy. We will not only get an additional benefit if we act in a balanced way—because I believe we will avert those consequences—but we will see our economy lift in a more accelerated way.

I will conclude by saying this: This is a moment where we have a choice to make. I was with Leader REID an hour or two ago, and we sat through a beautiful ceremony where a statue was unveiled of Rosa Parks. One of the speakers talked about a very humble and pedestrian setting where she had a decision to make. The decision was, Do I just do what has always been done? Do I just kind of keep drifting into a situation that I know is unjust and unequal or do I decide to do something different?

We are drifting toward something that is very bad, something that Members of Congress believed strongly when the bill was first put in place should not happen and would harm people and would harm our economy. That is the moment we are in right now, a moment to make a decision.

The decision is, Do we allow ourselves to drift in a way that hurts people or do we choose a balanced approach that will help people, strengthen the economy, strengthen our budget, strengthen our ability to create jobs, and strengthen the reputation of this body?

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Virginia.

CONGRATULATING SENATOR KAINE

Mr. WARNER. Mr. President, I rise very briefly to commend my friend of 33 years for his maiden speech and thoughtful exposition of the challenges which face our country. I have had the opportunity to know and work with TIM KAINE since we were in law school together. There is no one who is brighter; there is no one who brings more relentless optimism to any challenge. He is going to be a great addition to the Senate.

I know so many colleagues from both sides of the aisle have come to admire his intellect, his fairness, and his willingness to always do the right thing. I just wanted to rise briefly to commend my good friend. I know it is his first speech, but it will not be his last.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I would like to add my congratulations to the junior Senator from Virginia for his maiden speech. We knew when he decided to run that he would be an outstanding Member. As his speech showed, he is living up to those high expectations. His speech was thoughtful, relevant, and showed both sides of the issue. That is the kind of trademark the junior Senator from Virginia has, and we look forward to working with him in the future.

I yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally to both sides.

Mr. SESSIONS. Mr. President, I wish to continue to share my concerns about the appointment of Mr. Jack Lew to be the Secretary of the Treasury of the United States, one of the four senior Cabinet positions that are so important to America.

I have delineated how he proposed the budget in 2011. He announced on CNN and several other Sunday morning shows—this is when he was going to introduce the budget the next day, and he was giving a preview of it.

> ''Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say, we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.''

Now, that would be a thing to celebrate. But I am convinced that he and the White House officials had met and they decided they weren't going to change the tax-and-spend and deficit policies of the United States, but they knew that wasn't going to be popular after 2010's shellacking of big-spending politicians. So what did they decide to do? They decided to prepare a budget that made no real change in the spending trajectory of America, continuing us on, as Secretary Geithner said just a few weeks later, an unsustainable course, while telling the American people they did what they wanted.

As I indicated earlier, this budget he presented never had a single year in the 10 years of that budget in which the deficit fell below $600 billion. That is larger than any deficit President Bush ever had in his 8 years, and it was going up during the last 5 years.

They said the deficit would go up $740-some-odd billion in the 10th year. The Congressional Budget Office took their very same proposals—the independent CBO—and concluded that it would be $1.2 trillion in the 10th year, in debt—a totally unsustainable debt course and getting worse in the outer years.

So I am very much of the belief that this Senate should not accept a man for the Secretary of the Treasury, to promote him to that august position, who makes this kind of representation about the budget he prepared as Director of the Office of Management and Budget. The budget got zero votes in the House twice and zero votes in the Senate twice. It has been panned by editorial boards all over America. He has been at the center of the political financial maneuvers of the Obama Administration from the beginning.

A lot of people are wondering why an agreement hasn't been reached around here: Why don't you agree? It is hard to agree if the man you are negotiating with is as out of contact with reality as the Wall Street Journal said of Hosni Mubarak shortly before he fell in Egypt. So I am baffled by it.

I wish to share now a few more thoughts about how this sequester we are talking about so much now happened, how it came about, and Mr. Lew's role in it. In fact, he designed it. He proposed a budget later in February 2012 that would eliminate it, and now he denies ever creating it in the first place. From Bob Woodward's book—he studied this carefully and talked to people, and I saw him on television this morning being quite firm about this. He has written a recent op-ed piece explaining the situation.

This is what Bob Woodward said in his book ''The Price of Politics'':

> Lew, Nabors, Sperling and Bruce Reed, Biden's chief of staff, had finally decided to propose using language from the 1985 Gramm-Rudman-Hollings deficit reduction law as the model for the trigger . . . It would require a sequester with half the cuts from Defense, and the other half from domestic programs.
>
> Later in the negotiations, Obama adviser David Plouffe reportedly said that he couldn't believe that Republicans were going to agree to any deal with sequester as a trigger.

Who started this? According to Mr. Woodward, no doubt about it, it was Mr. Lew.

In a recent op-ed in the Washington Post, Bob Woodward quoted Lew in saying this:

There was an insistence on the part of the Republicans in Congress for there to be some automatic trigger . . . [it] was very much rooted in the Republican congressional insistence that there be an automatic measure.

Woodward went on to say:

The president and Lew had this wrong.

That is what I just read about him saying the Republicans insisted on it. Mr. Woodward said in his piece:

The president and Lew had this wrong. My extensive reporting for my book ''The Price of Politics'' shows the automatic spending cuts were initiated by the White House and were the brainchild of Lew and White House congressional relations chief Rob Nabors.

Was Mr. Lew correct in insisting somebody else did it, or he and the White House?

Furthermore, on Senator BURR's questioning of Lew at the February Finance Committee confirmation hearing, Woodward says:

[Senator] Burr asked about the president's statement during the debate, that the Republicans originated it.

That is, the sequester.

Mr. Woodward writes this:

Lew, being a good lawyer and a loyal presidential adviser, then shifted to denial mode:

''Senator, the demand for an enforcement mechanism was not something that the administration was pushing at that moment.''

That is how he handled that in the committee. Did he give a straight answer? No.

Then, during the negotiations for compromise that people had been hoping would happen for really the first 4 years of President Obama's administration because we are on an unsustainable path, and it is not going to be fixed without leadership from the President—if he opposes it, the Democratic majority in the Senate will not pass it. You can put that down. They have not bucked him one time and won't buck him on a comprehensive financial settlement to put America on a sound path. We have seen that the whole time. We have Senators meeting and talking and indicating they might agree, but fundamentally they are looking over to 1600 Pennsylvania Avenue. They don't want to break rank with the President. That is just the way it is.

So Lew was now the top negotiator for President Obama. He has been called an ''obstructer of compromise.'' Reportedly, more than any other person in the room, Lew sabotaged agreement. Jack Lew has a long history of showing a failure to compromise on the drivers of the debt, the kinds of spending programs that are out of control, and we have to look at them. We can't have fundamental, large programs growing at three times the rate of the GDP, three times the rate of the economy.

Going back a long time ago, when Speaker Gingrich and now-Ohio Governor John Kasich—Kasich chaired the Budget Committee, and Mr. Lew was a deputy in President Obama's OMB office. Mr. Kasich reportedly told President Obama's economic adviser Gene Sperling at the White House that Lew ''did not know how to get to yes.'' That is Kasich's view of it.

A recent National Journal article on Lew quotes former Senator Judd Gregg, who chaired and was ranking member on the Senate Budget Committee, of which I am ranking member today. Judd Gregg, a highly respected Senator who didn't seek reelection and remains a very valuable contributor to the national discussion on debt and spending, said this:

''He's like a labor-union negotiator. He's not going to give you an inch if he doesn't have to . . . He's a true believer in the causes.''

Well, that is apparently what we have been having because we can't ever get to an agreement that would do something significant.

The same National Journal article went on to say:

By causes, Gregg means Medicare and the rest of the social safety-net. These are the progressive ideals close to Lew's heart, friends and former colleagues say . . .

So Medicare, Medicaid, and food stamps have been growing at very rapid rates, and they are very large programs. And all of them, every program, can be examined, looked at, and we will find waste, abuse, fraud, mismanagement, and they can be reduced. But Mr. Lew said no.

When it came to the sequester, let me remind my colleagues that food stamps, which have gone from $20 billion in 2001 to $80 billion in 2012—11 years—went up four times. There is no way to make that program better? We have the inspector general finding fraud in some of these programs. Medicaid has been rising well above the economy's growth rate, and it definitely has the potential to be reformed and made more efficient. Not a dime was cut from food stamps. Not a dime was cut from Medicaid. Only 2 percent was obtained from Medicare, but it was taken in a way that just cut the payments to doctors and hospitals, which is not going to be able to be maintained much longer, experts tell us.

What kinds of examples do we have from Bob Woodward's book ''The Price of Politics''? This is what he says:

[Brett] Loper [House Speaker John Boehner's policy director] found Lew obnoxious. The budget director was doing 75 percent of the talking, lecturing everyone not only about what Obama's policy was, but also why it was superior to the Republicans'.

That is Woodward's take. He goes on to say:

[Barry] Jackson [Boehner's chief of staff] found Lew's tone disrespectful and dismissive.

He goes on to say:

Lew was incredulous when he considered the Republican proposal as a whole. The changes they were considering sounded simple. But the speaker's office was laying down general principles and looking to apply them to extremely complex programs. The devil was always in the details.

Boehner was sick of the White House meetings. It was still mostly the president lecturing, he reported to his senior staff.

The other annoying factor was Jack Lew, who tried to explain why the Democrats' view of the world was right and the Republicans' wrong.

Look, when you are in a negotiation, it is not the time to have an argument over what your world view and my world view is. What you have to try to do is find out: Aren't there some things we can agree on that are consistent with both our world views and get us in a position so we can reach an agreement to save the Republic from financial disaster.

Why would not the Office of Management and Budget Director, unless he believed this bogus, phony statement—which he does not; he knew it was not accurate—why would he not want to do something historic and try to get America on a sound course? It was within the grasp.

So Mr. Woodward goes on:

''Always trying to protect the sacred cows of the left,'' Barry Jackson said of Lew, going through Medicare and Medicaid almost line by line while Boehner was just trying to reach some top-line agreement [on what they could do].

It was a very unsatisfactory situation. An agreement that could have been reached, I think, was not reached. And you keep looking around for fingerprints about how it fell apart, and it looks as though Jack Lew was the person doing that.

Mr. Lew is ideologically driven very strongly. That has become more clear as I have looked at the data and researched his background.

During the 2011 debt ceiling negotiations, Lew reportedly would not entertain even an idea by Senate Republicans that included any reforms to Medicaid. Everybody knows Medicaid has to be reformed. This is a health care system for poor people. Governors all over America are up in arms about Federal regulations and restrictions. The program had been surging in cost. It needs to be evaluated and improved. It has to be. It had no changes whatsoever in sequester because Jack Lew said no.

The publication Politico reported that ''Democrats and progressives''—progressives are, apparently, not liberals. Progressives are folks who—I do not know. One of the things progressives do is they tend to be postmodern and they pretend not to pay much attention to the meaning of words. They have an agenda, in my observation, and they interpret the Constitution or the laws of the United States—well, they are more flexible. What do you want it to mean today? They are not into the plain meaning of words so we can have a common understanding of what people mean when they sign an agreement or pass a law.

Anyway, Politico reported that ''Democrats and progressives'' were ''cheering Office of Management and Budget Director Jack Lew's promotion to White House chief of staff, saying he has a decades-long history of protecting entitlement programs—especially Medicaid—

It goes on. Politico reported that:

Lew played a crucial role in protecting Medicaid from the across-the-board cuts that would take place if the supercommittee didn't get a deficit deal—which it didn't. When Senate Minority Leader Mitch McConnell's aides pressed for including Medicaid as part of the sequester during a last-minute conference call, Lew shouted, ''The answer is . . . No, no, no!''

So this has not been a healthy situation. This country is now in a fix. We have the sequester that is hammering us and disproportionately and unwisely mandating cuts on the Defense Department.

We can do better than that. Mr. Lew wanted that. He got that. Maybe he knew all along the White House was not going to agree to the things that would make this system work better and maybe, therefore, put us on a sound path and, he was quite happy to have the Defense Department—one-sixth of the government—get half the cuts and happy to protect huge segments of the government from any cuts.

Well, you cannot cut our interest payment. We do not want to cut Social Security, but need real reform that puts the program on a sound basis.

So that is how we got into this fix.

I would say to my colleagues, if you believe the President's budget that Mr. Lew submitted on CNN on February 12, 2011—if you believe he was correct to say: ''Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt,'' then you should vote for him. If you think that is a true statement, I would like to have somebody explain to me how it is true. And if it is not a true statement, should not the Congress of the United States, the U.S. Senate, stand up and say we cannot accept high government officials giving us this kind of answer?

With his budget, the lowest deficit we would have had is $600 billion. We would have added $13 trillion to the national debt over 10 years and maintained, as Secretary Geithner said, this Nation on an unsustainable debt course.

Mr. President, I see my colleague, the assistant Democratic leader, Senator DURBIN, and I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my friend from Alabama for yielding the floor.

SEQUESTRATION

I rise today to join many colleagues who are expressing concern over the impact that sequestration is going to have on America and on my State of Illinois.

We are just days away from a budgetary perfect storm that we created. We have to come together to have a more balanced and sensible approach to reducing the deficit. I was on the Simpson-Bowles Commission, nominated by Majority Leader HARRY REID. I served with 17 others—6 by the President, and 6 each from the House and the Senate, Democrats and Republicans equally divided. We considered the deficit crisis facing America. And it is serious. We borrow 40 cents for every $1 we spend. That is unsustainable. No family could continue with that kind of a regimen, no company could, and certainly no nation can.

So we have to have deficit reduction, but we need to do it thoughtfully.

First, we do not want to do it too quickly. I just met downstairs with a group from Illinois. They are civic and business leaders from the Quad Cities area in western Illinois. We talked about the fact that we are in an economic recovery but a slow one, one that is taking hold but slowly. We need to take care that whatever we do does not jeopardize economic recovery.

Right now, downtown the Federal Reserve Board is trying to keep the economic recovery moving forward and jobs created. The way they are doing that is keeping interest rates low, so it is cheaper to borrow what is needed for a home or a car or a business. That is not good news for senior citizens on fixed incomes who want to see higher interest rates. But what they are trying to do is fuel capital and business expansion. That is the Federal Reserve.

Meanwhile, what is going on in Washington, not too far away from the Federal Reserve—a few blocks away at the Capitol—is the opposite message. What we are hearing from Members of Congress is that we need to cut spending.

Cutting spending at this moment in time means cutting jobs at this moment in time, which means fewer people paying income taxes and more people drawing government benefits. That is not the recipe for economic expansion.

So at opposite ends of Washington, we have contrasting approaches to the current economy. We are neutralizing all of the work being done by the Federal Reserve and by our austerity program here when it comes to our budget. And what is about to occur on Friday is an across-the-board spending cut. People say: Fine, cut spending. But it is also a cut in jobs—jobs in the civilian sector as well as the public sector. And that, to me, is short-sighted.

We need a deficit reduction plan that is sensitive to the state of the economy, that invests at this moment when we need it, but makes certain we are going to be reducing spending in the outyears. We are doing just the opposite. We should build on the $2.5 trillion deficit reduction we have accomplished in the last several years with President Obama. But we need to do it thoughtfully, to ensure that all the national priorities—such as defending our Nation, education, and health care—can succeed in the 21st century.

As the new chairman of the Defense Appropriations Subcommittee, the looming impact of the sequestration on the Department of Defense will be significant. Indeed, contractions in defense spending are already impacting the national economy and are affecting operations for our men and women in uniform at home and overseas.

For the first time since the spring of 2009, the Department of Labor reported that the U.S. economy actually shrank by one-tenth of 1 percent. That is largely due to a 22.2-percent decrease in national defense spending.

The Department of Defense has already implemented a civilian hiring freeze and is eliminating 46,000 temporary jobs.

Last week, the Congress was notified that the Department of Defense will notify 800,000 civilian workers they are about to be laid off. These workers will not be paid one day a week for the rest of the year. That equates to a 20-percent reduction in their income.

These civilian and temporary workforces are not just bureaucrats at the Pentagon. In fact, 86 percent of the workforce I am describing resides outside of Washington, DC. These are civilians working for our Department of Defense who literally fix the equipment in our depots and arsenals. They are teachers for our schools, training the children of military families, counselors, police officers, medical professionals, blue-collar wrench turners and maintainers at our military bases.

The impact of sequestration is already being felt not just here in this country but overseas. I just returned last week from a whirlwind tour—I am still recovering—over to Africa to visit Uganda, Djibouti, and then into the gulf into Bahrain.

I saw firsthand the men and women in uniform who are defending our interests, pursuing our missions, and the impact of sequestration. In Uganda our U.S. military is currently training Ugandan military forces to take down a notorious leader of the Lord's Resistance Army, Joseph Kony. They are making significant progress; however, their mission is so important to increasing stability in a difficult portion of the world, and it could be sacrificed to a sequester.

In Bahrain, home of the Navy's Fifth Fleet, I met with ADM John Miller. He took me on these ships, and I met with our great sailors, the men and women in our naval forces who are keeping America safe and watching some of America's most threatening enemies. They have already cancelled deployment of a second aircraft carrier to the gulf. We were going to have the Truman come to the gulf and supplement our naval forces in the Fifth Fleet. It has been cancelled because of sequestration. Why? Because the Navy had to hold the Truman in reserve to save the money. This is just one example of how you can't contain the effects of sequestration. So there will be one carrier out there protecting our men and women in uniform. There should be two; that is the safest thing to do. Due

to the budget cutbacks that will not be possible.

As Secretary Panetta stated recently, the Pentagon is facing a perfect budget storm—sequestration nearly halfway through a fiscal year coupled with a potential yearlong continuing resolution. If sequestration isn't averted—it goes into effect on Friday—it will impose senseless across-the-board cuts on almost every account in the Department of Defense as a result of Congress's inability to devise a more responsible solution.

The second issue in the continuing resolution we have had for the last 5 months—and the threat of the Pentagon having to do so for another 7 months under a potential yearlong CR. What is a CR? The CR is a snapshot of last year's budget bill applied to this year. Does that make sense?

Last year we were building a ship. This year we completed it. This year the budget says keep building the ship. It is finished. To merely replicate the same budget from last year and say we are extending the CR is wasteful. It doesn't make any sense whatsoever.

The Pentagon's fiscal year 2012 budget is a lot different than what they need in 2013, particularly in readiness funding. When we hear the Pentagon tell us the first thing we have to do is cut back in readiness, let's translate that into language that average people would appreciate.

Right up there is a door to the gallery in the Senate Chamber. A few years ago a nephew of mine named Michael had a summer job working that door. I like Michael a lot. The reason he worked that job for a few weeks was he just enlisted in the Army, and we wanted to give him a few bucks in his pocket before he took off. He is a great kid. A big smile on his face and off he went. He became part of the Mountain Division out of Fort Drum, and he was assigned to Afghanistan.

The whole family—and we have a pretty big family—was waiting, hoping, and praying for Michael's safe return. We had one thing going for us: not only the fact that he was young, strong, and determined, but he had been trained. Readiness equals training equals survival. The Pentagon has told us sequestration will cut back in readiness and training.

What if it were your nephew, your son, husband, wife, or daughter? Would you want the best training before they were sent into action? Of course you would. Readiness and training are essential for a military ready to respond when it is called on. When we cut back in these areas, we jeopardize the chance of success of a mission, and we reduce the likelihood of their being ready and surviving any combat they might face. It is very shortsighted.

General Dempsey, Chairman of the Joint Chiefs of Staff, stated: ''Readiness is what's now in jeopardy. We're on the brink of creating a hollow force.''

That is sequestration. In the operations account alone, the account associated most closely with a hollow force, the combined effect of sequester and a yearlong CR will leave a shortfall of over $40 billion in the last 7 months of this year.

As the department protects warfighter needs in Afghanistan and troop pay, as they should, the impact necessarily falls disproportionately on the rest of the Department, no matter how important their mission.

For our troops, sequestration will mean an immediate impact on training and readiness. Eighty percent of Army combat units will have to delay their training. Fifty-five percent of Marine Corps combat units will have unsatisfactory readiness ratings. Navy ship deployments will be cut by nearly 25 percent.

Sequestration would also mean significant cuts to family support programs. It isn't just the soldier who goes to war; it is the soldier and the soldier's family who go to war. The Pentagon provides mental health, suicide and financial counseling, and critical services to military members and their families. While the Department is going to try its best to protect these programs, these services are going to be sharply reduced under sequestration.

Let's not come to these hearings and lament the incidence of suicide in the military, as horrific as it is, and then turn around and say: Well, you will never notice the sequestration cut when it comes to counseling for PTSD and mental issues facing our military. Yes, we will. We need to be sensitive to these military members and their families.

The Defense Health Program will face a shortfall of $2.5 billion under sequester. The Department is projecting there may not be enough funding to cover health care access for some military retirees. We are also looking at significant job loss in the industrial base. They are going to be felt in high-tech defense industry as well as blue-collar workforces across the country. The Navy estimates 30,000 private sector workers will be laid off or reduced in pay, and repair of ships, aircraft, and maintenance of facilities and equipment will be affected. The Army has estimated 5,000 layoffs at its own depots.

These are just preliminary. The list goes on. From those workforce reductions in the intelligence community, we don't know the overall impact of our Nation's safety. As we meet in the comfort and safety of this Chamber, there are Americans—men and women, some of them civilian contractors—who are working for our military and intelligence agencies who are watching the threats to the United States every single second, every minute, every hour, every day.

We don't want to shortchange them because in doing that we shortchange our protection, our defense. Every State is going to feel these job losses.

The day before yesterday I was at Scott Air Force Base near Belleville, IL. At that base, the Rock Island Arsenal in the Quad Cities and Air Guard units across Illinois—Springfield, Peoria—the effect is going to be significant: 15,000 civilian personnel in Illinois will be furloughed for 22 days over the next 7 months, essentially a 20-percent pay cut. That means $52 million is coming out of the pockets of those working families in my State who are trying to get through the worst recession we have had in decades.

About 1,500 of these civilian furloughs are Guard technicians. These people are the backbone of the National Guard in every State with critical maintenance and training responsibilities. There might have been a day in the distant past when we could say, well, it is just the National Guard. We have learned better. When it came to Iraq and Afghanistan, it was America's Reserves and National Guard who stepped up. Time and time again, deployment after deployment, they went into action, and we were proud of what they did. To shortchange them when it comes to this basic maintenance and reliability is shortsighted.

The loss of Guard and Reserve training in Illinois is equivalent to almost $20 million lost. Delaying or canceling necessary military construction means it will cost more in the future to the tune of about $27 million. In the Quad Cities, the Rock Island manufacturing hub could lose $197 million in workload. These cuts don't make sense—not for Illinois, not for America.

I want to talk about what sequestration means for civilian families in my State of Illinois. The across-the-board cuts that are scheduled to begin on Friday will work a real hardship on families, children, and the elderly. Seventy thousand young kids across the country will be kicked out of Head Start. Head Start is the pre-K program which gets young kids off on the right foot, to enable them to learn when they arrive in kindergarten and school. Mr. President, 2,700 preschoolers in Illinois will be eliminated from the program because of sequestration.

Loan guarantees for small businesses are way down. That is the engine of our economy, one of the best job creators. They are going to be cut by $540 million nationwide. Fewer jobs, less innovation, less economic growth. In just a single recent year, more than 2,300 small businesses used these loan guarantees in Illinois, and now there will be a dramatic reduction.

If sequestration takes place, the food we eat is going to be at least threatened, if not slowed down; 2,100 fewer food inspections will occur, putting our children at risk and costing many jobs in the food production industry and definitely slowing down production.

The Centers for Disease Control estimates each year roughly one in six Americans, about 48 million people, get sick; 128,000 are hospitalized; and 3,000 die of foodborne diseases. Is food inspection important? You bet it is. It is clear we need more food inspection in

the United States, not less, as the sequestration would cause.

Up to 373,000 mentally ill adults would be prevented from receiving necessary treatment, putting them at risk of hospitalization, crime, and homelessness.

Cuts to medical research would mean delays in finding cures to heart disease, cancer, and Alzheimer's, which are so important to every family in America. Illinois alone will lose $38 million in funding for medical research and innovation as a result of the sequestration.

How badly will it set back research and innovation? This is how the head of NIH under President George W. Bush described it:

> We are going to maim our innovation capabilities if you do these abrupt deep cuts at NIH. It will impact science for generations to come.

The National Science Foundation would issue nearly 1,000 fewer research grants and awards. This translates to $20 million less for scientific research in my State.

A recent National Science Foundation grant helped build and support the National Center for Supercomputing Applications at the University of Illinois. What a dynamo of job creation this is, and now we are cutting it back.

This center hosts several supercomputers which are used to model and solve some of the most serious engineering challenges facing us in the world. Health and nutrition services would be dramatically reduced putting women, children, and the elderly at risk.

I know what the other side said. Peggy Noonan, the great speech writer who appears on television regularly—and I disagree with her politics, but I admire her writing skills immensely—says: We are living in a government of ''freak out'' and the President is trying to freak us out by telling us all the terrible things that are going to happen as a result of sequestration.

I have news for Ms. Noonan. These are real cuts. They will be noticed. They will have a long-term impact. If the President didn't speak out about what these cuts meant, he would be derelict in his own important responsibilities. I am glad he is telling us. I am glad the American people see it coming, and I hope, as they see it coming, they will join us in a way of trying to avoid it and find a better approach.

As many as 376 fewer Illinois women will be screened for cancer because of these cuts; 5,576 fewer children will receive lifesaving vaccinations; $764,000 less will be spent to provide seniors with basic Meals on Wheels. The list goes on.

That is the bad news. Is there a way out of it? There will be. The Senate will get a chance to vote tomorrow. The House has decided in a very curious move to basically leave town and ignore this. They passed two bills last year which have expired. They don't even apply anymore, and Speaker BOEHNER announced earlier this week, well, it is now up to the Senate.

I am not sure if things have changed. I was paying pretty close attention, but under the Constitution I believe we have a House and a Senate. Unless we have gone to some Nebraska model, a unicameral model, there is nothing we can do in the Senate to cure this problem alone. We need to have the cooperation of the House. The Speaker can't wash his hands of this and walk away, which, apparently, he suggested he could earlier this week.

We are going to come up with a balanced approach, one that makes a lot more sense than what I have just described. It is going to be a combination of spending cuts—yes, there will be some—and increased revenues. We are going to close some loopholes which benefit wealthy individuals and big corporations. We can replace sequestration, which I have just described, and avoid the damage and cuts and still achieve deficit reduction.

In January, Congress agreed to use a balanced mix of spending cuts and new revenues to delay sequestration to March 1. Congress agreed on a bipartisan basis to split it 50–50 between taxes and spending cuts. Leader REID voted for it, as did Speaker BOEHNER. Senator MCCONNELL, the Republican leader, voted for it, as well as Leader PELOSI. Senate Budget Committee chairman PATTY MURRAY voted for it, as did House Republican Budget Committee chairman PAUL RYAN. This bipartisan approach of equal cuts and tax increases apparently had the wholesome bipartisan support in both Chambers.

The American people agreed, incidentally, that it makes sense. Those who have been successful in America—God bless them. They have done well. Many of them have created big businesses and jobs. It is not unreasonable to ask them to pay back some, particularly if they happen to be in those income categories like a man I know named Warren Buffett, one of the wealthiest people in America. He has said over and over again there is something wrong with the tax system when he pays a lower tax rate on his income than his secretary. I think he is right.

The change we are making to come up with revenue basically is to apply the Buffett rule. The money you make over $1 million is going to be subject to higher taxation, up to $5 or $6 million. That money will be captured over the next 10 years to enable us to reduce the deficit and reduce the impact of sequestration. It would close that loophole, a loophole which I think needs to be closed and is long overdue, and the American people agree we should close other loopholes—oil and gas company loopholes, for example, offshore tax haven loopholes.

In line with these priorities, the Senate Democrats tomorrow will put forth a balanced approach to avoid sequestration for the rest of this year and give Congress more time to pass a long-term budget agreement. Our bill would ensure that millionaires are not paying a lower tax rate than the people who work for them or the janitors who clean their offices. The Buffet rule is an important step in reducing the inequality in the Tax Code.

Even as our economy has recovered, this inequality, unfortunately, has grown. A recent study found the top 1 percent of income earners captured 121 percent of the income gains in the first 2 years of the recovery. They were the first to get well in a big way. What about the rest of America? The top 1 percent captured 121 percent of the income gains, and the other 99 percent fell further behind. Let us reverse this once and for all. This income inequality is inconsistent with balanced economic growth. The Senate Democrats' plan also closes tax loopholes that actually cut taxes for companies that move factories overseas. I cannot imagine why there would be a reward in the Tax Code for a company in America that decides to offshore its production and lay off American workers. If they want to do that, if that is a corporate decision to make more money, it shouldn't be with the incentive or the reward of our Tax Code. That is a tax policy that should be put to rest once and for all.

On the spending side, our bill cuts wasteful direct payments in our agricultural programs, and I come from an agricultural State. Those direct payments should come to an end. They are made to farmers in good times and bad. This is not a safety net. In many instances, it is a windfall. We made this a part of the farm bill—the bipartisan bill that passed the Senate—and we include it in this approach for deficit reduction.

The Pentagon has to play a role in further deficit reduction, and they know it. I have long said we need to make smart cuts in defense programs, not the sequestration approach. The Senate Democrats' bill includes these smart defense cuts and, importantly, delays them until after we have ended the war in Afghanistan next year.

This choice should be an easy one for every Senator and every American. We simply have to choose. Are we for national security, education, infrastructure, and innovation or are we for special interest tax loopholes, subsidies and giveaways? That is what it boils down to.

For over 200 years, our national values have reflected that we want to stand together when it comes to keeping America strong, educating our children, leading the world in research, and building the infrastructure for the 21st century. Our votes tomorrow will be an indication of whether we still believe that.

We were never supposed to be at this moment in time. We weren't supposed to face this sequestration. It was supposed to be such a parade of horribles we would do everything we could to avoid it. We voted for it on a bipartisan basis, sent it to the President, and he signed it into law. I know he felt—and

he said it publicly—it would never reach that point. Well, it has reached that point. Now the question is, Are we going to throw up our hands and say that is the way Washington works now?

We lurch from one crisis to the next. The crisis this week is sequestration. Three weeks from now it will be the continuing resolution. This is no way to run a government and it is no way to run a nation. I implore the Speaker and all the leaders on both sides of the aisle, for goodness' sake, don't say it is the other guy's responsibility. We have to come together and solve this problem. That is why we were sent here.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise to speak on the nomination of Jack Lew to be the Secretary of the Treasury. Am I in order to do that?

The PRESIDING OFFICER. The Senator may proceed.

Mr. GRASSLEY. Mr. President, the problem we face with Mr. Lew's nomination is that the Senate does not have answers to very basic and factual questions about Mr. Lew. How can we make an informed decision on his nomination if we don't have answers to basic questions?

Let me provide several examples, starting with New York University. He worked for this tax-exempt university and he was given a subsidized $1.4 million mortgage. Mr. Lew claims he cannot remember the interest rate he paid on his $1.4 million mortgage the tax-exempt New York University gave him.

Does that pass the laugh test? I asked Mr. Lew to provide details on the mortgage to Congress. He refused repeatedly to provide full details and documentation of this taxpayer-subsidized mortgage. The explanations he did provide were needlessly complex, making it almost impossible to understand the structure of his loan.

What is he hiding? Why can't Congress get a straight answer out of this nominee to be our next Secretary of Treasury?

When Mr. Lew was executive vice president of New York University, the school received kickbacks on student loans from Citigroup. Then Mr. Lew went to work for that same Citigroup. When I asked Mr. Lew if he had any conversations with Citigroup about these kickbacks while he was at New York University, he once again ''could not recall.'' I asked for any documents related to his involvement in the kickbacks and he refused to search for them.

Did those conversations occur? We don't know.

On Monday, the New York Times uncovered a $685,000 payment that New York University gave Jack Lew on his way out the door. The New York Times called the payment ''unusual.'' It is a shame Mr. Lew failed to provide these details as part of his confirmation process, leaving us to rely on the press to dig out the details.

He told the committee he received ''severance pay'' from New York University but did not disclose the amount. The dictionary defines severance pay as: ''A sum of money, usually based on length of employment, for which an employee is eligible upon termination.''

Was Mr. Lew terminated? If so, why was he terminated? If not, was the severance package truly a parting gift from the university? I don't know the answers to those questions because Mr. Lew was not forthcoming with the answers.

When it comes to questions about investments in the Cayman Islands, things get even less transparent. Mr. Lew claimed he did not know Ugland House was a notorious tax haven. He claims he did not know he had his money in the Cayman Islands. He claims he was not aware of any Citigroup Cayman Islands account.

Again, this does not pass the laugh test. President Obama and Chairman BAUCUS have highlighted Ugland House as a problem over a long period of years. When Mr. Lew was at Citigroup for years he signed documents which disclosed the fact that he was investing money in the Cayman Islands.

This is his distinctive signature, right here; the Ugland House description here, and the Grand Cayman name here. It is very obvious this signature doesn't belong to anybody else. It has been highlighted, and there have been a lot of newspaper articles about it. How are we going to have that signature on the dollar bill if he gets to be Secretary of Treasury?

So everybody knows to whom that belongs. Yet with all this information, he is telling the committee he doesn't know anything about the Cayman Islands or where his money was going.

We have so many more questions for Mr. Lew.

This is what the Wall Street Journal said last week in reference to Mr. Lew's past:

> Investor in Cayman Islands tax haven? Check. Recipient of a bonus and corporate jet rides underwritten by taxpayers at a bailed-out bank? Check. Executive at a university that accepted student-loan kickbacks toward a favored bank? Check. Excessive compensation with minimal disclosure? Check.

Mr. Lew's eagerness and skill in obtaining bonuses, severance payments, housing allowances, and other perks raise very serious questions about whether he appreciates who pays the bills. How will he approach the burden on taxpayers to pay the government's bills? Will he act as cavalierly toward the taxpayers as Treasury Secretary as he did at Citigroup and New York University?

But despite all these questions, we are right now, this very day, rushing ahead to a vote on this nomination. Clearly, these questions don't matter to Mr. Lew's supporters because they are confident they have the votes. Unfortunately, they even have some assistance from my side of the aisle. But transparency and sunlight are essential for Congress and for the American people because with transparency and sunlight comes accountability.

Those supporting Mr. Lew today better not expect any real answers out of him in the future if he will not answer these questions before confirmation. Whether we serve on the Finance Committee or on any other committee, we must do our constitutional job of oversight. We pass laws and we appropriate money and so we have a responsibility as Senators to make sure the laws are faithfully executed, which means we have to get answers from Cabinet people or people generally in the executive branch of government. If there are questions about the seriousness of faithfully executing the laws, faithfully spending the money we appropriate, we must ask questions. Do you think we will get answers from Mr. Lew after he becomes Secretary of the Treasury if he will not answer questions before his confirmation?

The larger problem, though, may be that when Mr. Lew actually does try to answer a question, he confirms our concerns. For example, when Mr. Lew was caught with the Cayman Islands bank account, he said: Well, I didn't make any money. Apparently, there is now a brandnew standard. It is OK to invest in ''the largest tax scam in the world''—and those are the President's words about the Cayman Islands and Ugland House, the largest tax scam in the world—so long as you don't make any money. That is the new standard.

When Mr. Lew was asked about New York University's investment in Cayman Island investments, again he could not recall them. Mr. Lew received over $1.2 million in his final year at New York University. He was hired specifically to run the business side of New York University. Yet despite all this, he claims he had no specific knowledge of where NYU's money was being invested.

When I asked Mr. Lew if he could explain morally his decision to take almost $1 million from an insolvent company supported by taxpayers, he could not answer. He said this to me: ''I will leave it to others to judge.'' Mr. Lew refused to explain why he thought the bonus was justified. Since Mr. Lew could not answer that question, today I answer it for my colleagues, as they consider a ''yes'' or ''no'' vote on this nomination.

It is important we hold members of this administration equal to the standards they set for everyone else. When it comes to oversight, I don't think anybody is going to question this Senator is an equal opportunity overseer, because I raise these same questions about oversight whether we have a Republican administration or a Democratic administration. I believe it is important to hold members of this administration equal to the standard they set for everyone else.

Let's look at that standard. In the past, the President has railed against

the ''fat cats'' on Wall Street. Today, the President nominates a man who took a bonus from a bailed-out, financially insolvent bank. The President has constantly complained about the high cost of college tuition. While Mr. Lew was at NYU, the university increased tuition nearly 40 percent while he was getting paid more than the New York University president.

In the not-so-distant past, the President has called the Ugland House ''the biggest tax scam in the world.'' Today, he nominates a man who invested there. In fact, the President has repeatedly railed against the Cayman Islands and Cayman Islands investments.

Mr. Lew is a serial Cayman Islands investor. On his watch, Citigroup invested money there, New York University invested money there, and he invested his own money there.

I believe it is essential to hold everyone to the same standards they set for others. For these reasons, I vote NO on this nomination.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. SESSIONS. Mr. President, as we review the Lew nomination—I think all of us should ask a number of questions about any nominee. One of them deals with their professional competence, their proven integrity, and their good judgment.

Senator GRASSLEY has invested a good deal of time working on and understanding some of the things that happened when Mr. Lew was at Citigroup, the bank that apparently had the largest losses of any of the Wall Street banks, and it was not a good tenure there. He was a financial adviser; and it shows that, to the extent he has had any real banking experience, his experience has proven not to be successful. It is like the football player who might have played some games but he lost.

In early 2008, Mr. Lew became a top executive in the Citigroup Alternative Investment Unit, which houses hedge funds and private equity investments. News reports indicate that massive losses in this department played a role in leading to a Federal bailout of Citigroup—his department.

One troubling aspect of Mr. Lew's department was that he was betting against the taxpayers. That is what the experts conclude: Citigroup, under Mr. Lew's leadership, was betting on the collapse of the housing market.

Simon Johnson, an economist at MIT and a liberal, testified before our Budget Committee and said this about the crisis:

> This mismanagement of risk was comprehensive in that organization.

He was talking about Citigroup, their mismanagement of risk was comprehensive. On January 16, 2009, Citigroup announced a loss of $18.7 billion, the same day that taxpayers bailed out Citigroup with $301 billion in loan guarantees. What a dramatic event that is, and was.

Mr. Lew's previous experience as an adviser at Citigroup provides a pretty good indication that he was in the wrong place and didn't perform well under these circumstances.

The day before the taxpayers came to Citigroup's rescue, Mr. Lew received a bonus. The President has been vigorous in attacking those who received Wall Street bonuses. He said it was wrong and it shouldn't happen. And in this case, he is exactly right: Mr. Lew should not have gotten this bonus. But it doesn't seem to bother the President to promote this man to Secretary of Treasury.

Here is what happened: Mr. Lew received a bonus, for the mismanagement that occurred there, in an amount exceeding $940,000. Almost a $1 million bonus. How many people do you know who get a $1 million bonus? The bonus was in addition to the $1.1 million salary he was paid for his work at Citigroup.

One news account of this event, citing that Securities and Exchange Commission filing, states this:

> His unit lost billions of dollars in 2008 as its bets turned sour. In the first quarter of 2008 alone, the unit lost $509 million. The company stopped publicly disclosing the unit's individual numbers thereafter, but the part of the company that absorbed alternative investments lost $20.1 billion in 2008.

We should be concerned about Mr. Lew assuming the role as America's top financial adviser and economic advocate. He has told us to be concerned about this, if we would listen to him. During his confirmation hearings before the Budget Committee in 2010 to be Director of Office of Management and Budget, Mr. Lew was asked his views on the Wall Street financial collapse which he was smack dab in the middle of. What did he say about that?

Well, he said, Senator, when we discussed it, I mentioned to you I do not consider myself an expert on some of these aspects of the financial industry. My experience in the financial industry had been as a manager, not as an investment adviser. I would defer to others who were more expert in the industry and parse it better than that.

In other words, he disclaimed any real knowledge of the business. If so, how did he get the No. 1 job? Was it because of his political connections to the Clinton administration? And when he got a bonus to leave Citigroup, he only got that bonus if he was going to the Federal Government—the kind of crony capitalism that Larry Kudlow has so raised questions about.

Mr. Kudlow's question: Why did Citigroup allow him to have a bonus when he departed the bank, when he led one of the worst divisions in the history of any banking department—any bank, ever—and he only got that if he was going to work for the government?

And Mr. Kudlow knows Wall Street. He knows people all through Wall Street. You have seen him on television nightly. He was an economist for the Federal Reserve, an economist for the chief economist for the Senate Budget Committee at one time, and worked for the Office of Management and Budget. He raises the question of crony capitalism. Why?

Maybe Citibank, and the Wall Street financial community in desperate straits, thought: Wouldn't it be nice to have our guy move over to the White House, be right in the President's office and be Director of Office of Management and Budget? We are glad to see him go over there and we are glad to pay him $1 million. Maybe he will take our phone calls.

That is what Mr. Kudlow was talking about. And the Wall Street Journal—the Wall Street Journal believes in a free market. They are not opposed to people making a bonus. The Wall Street Journal sensed in his maneuverings an unhealthy crony capitalism deal, where people move back and forth from businesses and they use their government connections to advantage the business they left or they might return to. It is unhealthy. It is not free market capitalism; it is crony capitalism. It is not good.

The President was against all these bonuses and he is against a lot of this, and we are going to have an open administration, but he doesn't seem to worry about that.

So, such experience as Mr. Lew had demonstrates a lack of financial success, dramatic failures, in effect, $20 billion in losses in 2008 alone; but yet he got a $1 million bonus.

There is another matter of great importance. I remember when it happened. Judd Gregg from New Hampshire, former chairman of the Budget Committee, former ranking member of the Budget Committee—long-time member of that committee—worried about the future debt and unsustainable financial path of America and came up with an idea. In 2003, he proposed legislation, which was enacted, that placed a legal requirement that the President of the United States submit legislation if Medicare trustees—the people who run the Medicare Program—issue a funding warning for the program as part of their annual report. If America's trustees see they are on a funding path that is unsustainable and dangerous for Medicare, they shall formally notify the President of the United States. This would require the President to analyze the problem and submit legislation to Congress to see if we can't put Medicare on a sound path.

That is a simple event. Shouldn't we thank Judd Gregg for that? This provision has been commonly referred to as the Medicare trigger, and it is intended to ensure that steps are taken to shore

up the program's finances before it is too late.

President Bush was the first one to receive that warning when he was in office, and he submitted legislation to deal with the Medicare crisis. He complied with the law.

The law states this:

> If there is a Medicare funding warning made in a year . . . the President shall submit to Congress, within the 15-day period beginning on the date of the budget submission to Congress under subsection (a) for the succeeding year, proposed legislation to respond to such warning.

This is in the United States Code. When I say it is in law, it is in the United States Code. It requires that to occur. And it makes ever so much sense, does it not? Shouldn't we be worried about a program as important to Americans as Medicare? Shouldn't we be honestly dealing with it? Wouldn't Congress want to know what the President's plan is to fix it? He doesn't get to dictate that, but he gets an opportunity to lay out a vision to how to place it on a sound path.

Why wouldn't he want to do that? What objection should he ever have to that? He ''shall'' submit this, according to the law. President Bush did. But by contrast 2012—last year—marked the fourth consecutive year the Obama administration failed to submit such a legislative proposal despite the clear and unambiguous legal obligation to do so.

They say: We think we offered something with our Patient Protection Act—ObamaCare—and we do not have to do it.

They don't get to decide. The question is Medicare trustees—they said the warning is in effect. They sent the notice to the White House. And this is when the President's action is triggered. Mr. Lew, if he is confirmed, will be chairman of the Medicare trustees, as Secretary of Treasury of the United States. That is one of his top responsibilities.

So for 2 of those 4 years, 2010 through 2011, Jack Lew was the Director of the Office of Management and Budget. He also served in that office in part of 2012. As Director, he was the person responsible for drafting and submitting fiscal proposals and complying with budget law under 31 U.S. Code, section 1105. That is his duty, legally.

The House and Senate Budget Committees as well as a strong majority of the Senate Republican conference have written letters asking the Obama administration to respond to the Medicare trigger, the Medicare warning, and submit legislation to Congress dealing with Medicare's funding shortfall, as the law requires. But to this day they have not complied, just refused, just as the Senate majority here refused to produce a budget in 4 years even though the U.S. Code calls for a budget to be submitted.

Meanwhile, the nonpartisan Medicare Actuary, who is a person who is really good with the numbers on Medicare and has great respect in the Congress, projects that on its current course, Medicare faces a $36.9 trillion unfunded obligation over a 75-year period. Yet the President's most recent budget submission would actually increase Medicare spending relative to the current law, putting the program in an even more unsustainable position.

Yesterday I joined with Senator CORNYN and 20 other Republican Senators in sending another letter to the President on this matter. We wrote this:

> During his testimony before the Finance Committee, Mr. Lew was asked about your administration's failure to abide by federal law while he served as OMB Director. Mr. Lew stated that the decision not to comply with the law was made prior to his service at OMB. We find it stunning and noteworthy that so far Mr. Lew has not provided adequate responses to congressional inquiries on the matter. Congress needs a clearer understanding about his role in the violation of this law, including exactly when Mr. Lew became aware of this legal requirement and what counsel, if any, he provided the Administration on whether it should comply with the law.

That is what was written, and of course they have not responded. I suspect they have no intention of responding. They have not responded before. I ask, should we not consider this before we advance him from the position of chief of staff to the Chairman of the Board of Trustees of Medicare, who has a duty to protect the program? And he will not even respond to the legal mandate that they lay out a proposal to fix Medicare when it is in a dangerous, unsustainable path, as it is today.

There are other matters I would mention, but I see my good colleague Senator SANDERS here.

I will be pleased to yield at this time.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. I thank the Senator from Alabama for yielding. I also intend to vote against Jack Lew to be our next Secretary of the Treasury but, in fact, for very different reasons than my colleague from Alabama.

Let me begin by stating that I have had the opportunity to speak with Jack Lew in my office on several occasions. It is very clear to me that Jack Lew is a very intelligent person. He is a very serious man. I applaud his many years of public service to our country. Furthermore, I believe that this afternoon he will be confirmed by the Senate. But I have to say that he will not be confirmed with my vote. The reason for that is that at this particular moment in American history, we find ourselves in the most difficult economic moment since the Great Depression.

The reality is—and we do not talk about it too much, the media doesn't talk about it too much, but most people understand—the great middle class of this country is disappearing. Poverty is extraordinarily high. Over 46 million Americans are living in poverty. At the same time, while the middle class collapses and poverty is extraordinarily high, the wealthiest people in this country are doing phenomenally well and we are seeing record-breaking profits for large corporations.

The question is—given the fact that the Secretary of the Treasury is one of the most important positions in our Government, having enormous powers unto himself in addition to being a key adviser to the President, the question is, Is the new Secretary of Treasury prepared to take on the increasingly powerful oligarchy that controls the economic and political life of our Nation and stand with the working families of America who are being battered and beaten up every single day? I do not believe by any stretch of the imagination that Jack Lew is that person.

This is the economic reality we are confronting today, and this is the economic reality we need a Secretary of Treasury to work with the American people to improve. We have the most unequal distribution of wealth and income of any major country on Earth, worse than at any time since before the Great Depression. Today the wealthiest 400 Americans own more wealth than the bottom half of America—150 million people. Four hundred to 150 million. Do I believe Jack Lew sees this as a serious problem he is going to address? I do not.

Today one family, the Walton family—one of the major welfare beneficiaries in America because they pay their workers such low wages and provide such poor benefits that many of their workers are on Medicaid, food stamps, assisted housing—that one family owns more wealth than the bottom 40 percent of American families. Do I believe Jack Lew is going to say: Wait a minute, that doesn't make sense, we have to change those policies. No, I do not.

Today the top 1 percent owns 38 percent of the wealth in America, which is incredible unto itself. But even more incredible is that the bottom 60 percent own less than 3 percent of the Nation's wealth. This is not only a moral issue, it is not only an economic issue because when you have that kind of wealth and income disparity, working families are not going to have the money to spend to buy goods and services to create jobs, it is also a political crisis because as a result of Citizens United, this 1 percent can now spend unlimited sums of money to elect those candidates who support their agenda and to create terror on the floor of the Senate on the part of any Member who is going to vote against their interests. Gee, should I vote to deal with the greed on Wall Street if Wall Street is going to pour millions of dollars against me in my reelection campaign?

Do I believe Jack Lew as Secretary of Treasury is going to begin to address the issues of income inequality and wealth inequality in this country? Not for a second do I believe he will do that.

While the wealthiest people are doing phenomenally well, the Federal Reserve reported last year that median

net worth for middle-class families dropped by nearly 40 percent from 2007 to 2010. Can you believe that? It dropped by 40 percent. That is the equivalent of wiping out 18 years of savings for the average middle-class family.

This is even more incredible, and it is absolutely important. I get tired of being one of the very few people up here who talk about it. I hope there will be some other Senators who will talk about what is, in fact, one of the major issues facing this country—income and wealth inequality.

In terms of income, here is a fact that is literally beyond comprehension. The last study on this subject showed that from 2009 through 2011, 100 percent of all new income went to the top 1 percent. All of the new income generated went to the top 1 percent, while the bottom 99 percent—those include some pretty wealthy people—actually saw a loss in their income. What that tells us is that it almost doesn't matter that economic growth now is obviously low. It is not as high as we want it, but it almost doesn't matter because all of the new income generated by this economic growth is going to go to the top 1 percent. Do I think this is an issue Jack Lew is going to address? No, unfortunately, I do not.

Real unemployment in this country is not what the papers report—7.8 or 7.9 percent. Real unemployment is over 14 percent if we count those people who have given up looking for work or who are working part time when they want to work full time—some 23 million people. Have I heard one word from Jack Lew about the need to come up with programs to put millions of people back to work immediately, including the young people whose unemployment rate is higher than that of the general public or people of color who are also economically suffering? I have not.

Millions of people are still underwater on their mortgages, and millions more have seen the American dream of home ownership turn into a nightmare of foreclosure.

The next Secretary of Treasury will be facing enormous challenges. Let me mention just a few. The next Secretary of Treasury will play a central role in regulating and overseeing Wall Street and large financial institutions. Let's never forget that as a result of the greed, recklessness, and illegal behavior on Wall Street, millions of Americans lost their jobs, their homes, their life savings, and their ability to send their kids to college. That is all attributable to the greed and recklessness and illegal behavior on Wall Street.

We need a Secretary of Treasury who does not come from Wall Street but is prepared to stand up to the enormous power of Wall Street. We need a Treasury Secretary who will end the current business model of Wall Street, which is operating the largest gambling casino this world has ever seen, and demand that Wall Street start investing in a productive economy where businesses actually produce real goods and services and create jobs. Do I believe Jack Lew is going to be doing that? No, I do not.

In my view, we need a Secretary of the Treasury who will understand that when the largest banks in this country have become even larger, it is time to break them up. Do I believe Jack Lew will work to break up these huge financial conglomerates? No, I do not.

Today the 10 largest banks in America are bigger than they were before the financial crisis began. You may remember that we bailed out Wall Street because they were too big to fail; that if these banks went under, they would take a significant part of the American and world economies with them and the taxpayers of this country had to bail them out. Now we find that every single one of the top 10 financial institutions today is larger than they were when we bailed them out some years ago because they were too big to fail.

Today the six largest financial institutions in this country—JPMorgan Chase, Bank of America, Citigroup, Wells Fargo, Goldman Sachs, and MetLife—have assets equal to two-thirds of the GDP of this country—over $9.6 trillion. Six financial institutions have assets equal to two-thirds of the GDP of the United States of America. These six financial institutions issue two-thirds of all of the credit cards, half of all of the mortgages, control 95 percent of all derivatives, and hold nearly 40 percent of all bank deposits in this country.

Do I think this issue—this concern—is something Jack Lew will address? Not in a million years. While millions of Americans continue to struggle through the worst economic crisis since the 1930s, Wall Street is doing phenomenally well today. They caused the recession, we bailed them out, and now they are doing phenomenally well. Financial institutions made over $143 billion in profits in 2012. It was the most profitable year on record with the exception of 2006, just before the economic meltdown. Incredibly, the financial industry now makes almost half of all nonfarm corporate profits in the United States—up from about 10 percent in 1947.

As someone who has worked hard to elect Barack Obama on two occasions, I remain extremely concerned that virtually all of his key economic advisers have come from Wall Street, and Jack Lew is no exception to that.

Let me be clear. It is not just because Mr. Lew served as a chief operating officer at Citigroup during the financial crisis; it is not just because Citigroup awarded Mr. Lew a $940,000 bonus as he was leaving to join the State Department; it is not just because Citigroup received a total of $2.5 trillion in virtually zero-interest loans from the Fed or that the Treasury Department provided Citigroup with a bailout of more than $45 billion during Mr. Lew's tenure at Citigroup; I am opposed to Mr. Lew's nomination because of the views he now holds about Wall Street and the financial bailout.

On September 22, 2010, when I asked Mr. Lew at a Budget Committee hearing if he believed deregulation of Wall Street significantly caused the crisis—something that almost all economists agree with—here is what he said:

> I don't believe that deregulation was the proximate cause. I would defer to others who are more expert about the industry to parse it better than that.

At his confirmation hearing at the end of this month, Jack Lew called the Glass-Steagall Act ''anachronistic,'' and said that the Dodd-Frank Act had ''effectively'' dealt with the issue of too big to fail. I could not disagree more.

In my view, we don't need another Treasury Secretary who thinks that the deregulation of Wall Street did not significantly contribute to the financial crisis. We need someone who will stand up to these huge financial institutions on behalf of the American people, small businesses, and working families and say enough is enough: Wall Street, you cannot continue to operate the way you are.

The next Treasury Secretary will be the lead negotiator for the President on how to reduce the deficit, an issue we are all concerned about. Here is the issue: Do we balance the budget by cutting Social Security, Medicare, Medicaid, education, nutrition, and programs that middle-income and working families depend upon? We could do it that way. PAUL RYAN, chairman of the House Budget Committee, will come up with that proposal, and it will mean huge suffering for tens and tens of millions of families who are already hurting. That is one way we could do deficit reduction.

First of all, I think that approach is way out of touch with what the American people want. The American people have been very clear: They do not want cuts in Social Security, they do not want to cut veterans programs, and they do not want to cut Medicare or Medicaid.

The American people have also been clear that at a time when the wealthiest people and largest corporations are doing phenomenally well, when their effective tax rates are the lowest in decades, when they enjoy huge loopholes that enable them to avoid paying their vast share in taxes, the American people say: Those guys have got to start paying their fair share.

All of us will remember a few years ago when Wall Street was on the verge of collapse because of their greed and recklessness. They came crawling to the Congress and the taxpayers of America and said: We are Americans; we love America; bail us out. Congress—against my vote—bailed them out.

Now these same corporations that told us how much they love America are not only shipping our jobs to China and other countries, they are stashing their profits in the Cayman Islands,

Bermuda, and other tax havens and avoiding their responsibility as taxpayers. Offshore tax schemes have become so absurd that one five-story office building in the Cayman Islands is now the home to more than 18,000 corporations. Everybody knows what that is about. All that is is a mail drop for corporations. They don't exist there; they are just using that address as a means to avoid paying taxes to the United States and other countries.

Let me give a few examples of some of these large corporations and what they have done to avoid paying American taxes at a time when revenue today, as a percentage of GDP, is almost at the lowest it has been in decades. The choice is to cut Social Security, Medicare, and Medicaid, or ask enormously profitable corporations to stop using loopholes to avoid paying taxes. I will give just a few examples, although I could give many examples.

In 2010, the Bank of America—one of the largest financial institutions in this country, an institution bailed out by the working families of this country when they were on the verge of collapse—set up more than 200 subsidiaries in the Cayman Islands, which, by the way, has a corporate tax rate of zero, so they can avoid paying U.S. taxes. How is that? We bail them out, they run to the Cayman Islands, set up 200 separate subsidiaries in order to avoid paying taxes to America. It is time for Congress and it is time for the Secretary of Treasury to address that issue. In a million years do I think Jack Lew is prepared to do that? No, I don't. We need a Secretary of Treasury who will do that.

Not only did the Bank of America pay nothing in Federal income taxes, but in 2010 it received a rebate from the IRS worth $1.9 billion that year. They pay nothing in taxes, they are enormously profitable, they were bailed out by the American people, and then they get a rebate from the IRS for almost $2 billion. Then people say: We don't have enough revenue; we have to cut Social Security; we have to cut nutrition programs for hungry children. Yet when one of the largest financial institutions in the country gets a rebate and doesn't pay any taxes, at least for some of my colleagues, that is okay.

In 2010, JPMorgan Chase operated 83 separate subsidiaries incorporated in offshore tax havens to avoid paying some $4.9 billion in U.S. taxes. That same year Goldman Sachs operated 39 subsidiaries in offshore tax havens to avoid an estimated $3.3 billion in U.S. taxes. Citigroup—where Mr. Lew actually worked—has paid no Federal income taxes for the last 4 years after establishing 25 subsidiaries in offshore tax havens. On and on it goes.

Wall Street, which was bailed out by the American workers, caused the recession, is now enormously profitable. Its CEOs get huge compensation packages, but when it comes to paying their taxes, suddenly they love the Cayman Islands. My suggestion is that the next time these crooks destroy their banks and need to be bailed out, let them go to the Government of the Cayman Islands to get their bailout and not the taxpayers of the United States of America.

Let me conclude by talking about trade for a moment because the Secretary of the Treasury gets involved heavily in trade issues. Trade is not a sexy issue, but it is an enormously important issue. I think it is important for all of us to understand that our current, unfettered, free-trade policy has been an unmitigated disaster for the working people of this country. Last year our trade deficit was more than $540 billion. Permanent normal trade relations with China—remember when that came up? Oh, my goodness, we are going to open up the Chinese market, we are going to create all kinds of jobs in the United States, we are going to sell all of our products to the large population in China. Well, not quite. Not quite. PNTR with China led to the loss of nearly 3 million American jobs, and the NAFTA agreement led to the loss of nearly 1 million American jobs as large multinationals continue to throw American workers out on the street and move to China, Mexico, and other countries where workers are paid pennies an hour.

In 2008, I supported then-Senator Barack Obama when he told the AFL–CIO in Philadelphia the following:

> What I refuse to accept is that we have to sign trade deals like the South Korea Agreement that are bad for workers. What I oppose—and what I have always opposed—are trade deals that put the interest of multinational corporations ahead of the interests of American workers—like NAFTA, and CAFTA, and permanent normal trade relations with China. And I'll also oppose the Colombia Free Trade Agreement if President Bush insists on sending it to Congress because the violence against unions in Colombia would make a mockery of the very labor protections that we have insisted be included in these kind of agreements. So you can trust me when I say that whatever trade deals we negotiate when I'm President will be good for American workers, and they'll have strong labor and environmental protections that we'll enforce.

That was Barack Obama, candidate for President in 2008. Unfortunately, President Obama signed those bad trade deals into law while Mr. Lew was the Director of the Office of Management and Budget. As a result, more American jobs have been lost and our trade deficits for all of those countries have gone up. In my view, we need a Secretary of Treasury who will work to fundamentally rewrite our trade policies to ensure that American jobs are no longer our No. 1 export. Do I believe Jack Lew will be that person? Not a chance.

I will conclude by simply saying this: This country faces the most difficult economic times since the Great Depression. Tens of millions of working families, seniors, and children are struggling every single day to keep their heads above water while the wealthiest people are doing phenomenally well and large multinational corporations are enjoying record-breaking profits.

Because of all the money Wall Street and these large profitable corporations have, they are investing in the political process, putting in huge amounts of money—hundreds and hundreds of millions of dollars—to elect candidates who will represent their interests and not the interests of the average American.

Now is the time to have people in the Obama administration who are going to stand with the American people, stand with workers, stand with seniors, and have the courage to take on the big money interests that are causing so many problems for our Nation. In my view, Jack Lew is not that person and I will vote against him becoming our next Secretary of Treasury.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will just say that I share some of the views of Senator SANDERS. I believe he said we need to stand up to the oligarchy that controls our economy and is involved in depressing wages. I would say most businesses like to pay their employees all they can, but it is better to not pay them more and they look for good workers at lower wages and that is the way they work and that is their interest. We can't look at the big corporations for objective analysis on how to create an economy that serves working Americans. If one thinks that, one is not truly a free market person as I like to see myself. I guess Senator SANDERS sees more of a government-dominated economy and would have the same skepticism about how it works.

So I think we do need to ask ourselves a good deal about what is happening when working Americans have not seen their wages increase. Their wage increases, if at all, have been short of inflation. This has gone on for a decade and something is unhealthy and we need to do better. Mr. Lew did come from that crowd and, apparently, for what he knows about it is a part of it, and I think skepticism is certainly warranted, as I have indicated.

I believe unemployment is high, and higher than people think, and we need to work together. Senator SANDERS talks about trade deals. The Presiding Officer and I have worked together. We got a bipartisan piece of legislation passed that tried to equalize currency differences between the United States and China which would begin to level the playing field rather significantly in favor of American workers who are now being unfairly competed against via currency manipulation by China. That has to be confronted, and I am prepared to do that.

I also hope my colleagues will give some thought to the problem of immigration. There is no doubt that large amounts of immigration, low-skilled, medium-skilled workers pull down the

wages of American working people. So we need to have an honest, effective, lawful system of immigration that serves the American interests as a whole and part of that is to ask ourselves: Is it pulling wages down? In one sense, I would say immigration is the other side of the coin of trade. It is one thing to take a plant and move it to a country and place it down and they work for less; it is another thing to bring the workers from that same country to the United States to work for less, and then the manufacturer may not be hiring American people, may not be able to do so at wages they would need to work. So I would just make that point.

With regard to Mr. Lew, he has made a number of very serious false representations. I am going to put this up one more time. These are words that should live in infamy. They should be an example to anyone in the future who thinks they can come before the Congress and make false representations or make them to the American people. The budget Mr. Lew produced as Office of Management and Budget Director in 2011—he brought it out in February. The day before he produced it, he made this statement on CNN. He also made similar statements on other television programs that Sunday morning. The budget was officially to be produced on Monday. This is what he said:

> Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

That was Candy Crowley on CNN that morning. Was that true? Should we consider a man to be Secretary of Treasury, an august position that requires great credibility and integrity, knowledge about how to manage a government and a business and the world economy, if he is not correct on that?

I have asked my colleagues throughout the day: Does anybody defend this? Will anybody come forward and say this is an honest statement of the condition of America at this time when he made that statement, that we are not going to be adding to the debt anymore?

When Mr. Lew submitted that budget the next morning, Monday morning, he made press statements, but he submitted a stack of documents that came with the budget; it was 6 to 8 inches high, and it had tables and accounting from his office. They are his numbers from the Office of Management and Budget where he was a Director. Those numbers show this: They show that there was never a single year in 10 years in which there was a budget surplus. The lowest single deficit in that 10-year period was $600 billion, in 1 year; the lowest, $600 billion. The highest deficit President Bush had in his whole 8 years was under $500 billion. This is the lowest in 10. The 5 years, according to his own numbers, the deficits went up to $740 billion, $750 billion in the 10th year, going up. Truthfully, they were going up even more so in the next 10 years.

The Congressional Budget Office came in and they analyzed the same numbers and they take assumptions and policies. They use the same framework and the same policies, but they traditionally make more realistic assumptions. They concluded that in the 10th year, the deficit wouldn't be $744 billion but 1,200 billion, 1.2 trillion. They say Mr. Lew's assumptions were too rosy. He projected more growth than was likely to occur and got better numbers than were likely to occur.

But, regardless, I am not basing my complaint on the fact he had too rosy a scenario; I am basing my concern on the fact that Mr. Lew misstated what was in his own report, even his rosy numbers. How can he say we are spending only money we have each year, when the lowest deficit is $600 billion?

He came before the Budget Committee and I asked him about it. I was flabbergasted. How could he say that? We looked at the budget he submitted and had a full—as much time as we liked, but the numbers were clearly not sustaining what he was saying publicly. So I asked him: Is it an accurate statement? Is this an accurate statement? I read it right back to him. This is what he said:

> It's an accurate statement that our current spending will not be increasing the debt.

He went on to say:

> We have stopped spending money we don't have.

I would just say if we are going to have a compromise around here, if we are going to discuss rationally how to get this country on a sound path, we can't have the budget director saying basically he has a surplus when he doesn't come close to having a surplus. Erskine Bowles, the man President Obama appointed to head the debt commission, said a few days after this, I think the 13th or the 14th: This budget goes nowhere close to where they will have to go to avoid a fiscal nightmare. That is President Obama's expert who spent a year heading, cochairing the Simpson-Bowles deficit commission—nowhere near. Yet what did Mr. Lew say about it? Don't worry, American people. You don't have to tighten your belt. No agencies have to make cuts. If those mean Republicans make any suggestions of reducing spending, we will just attack them because they are hurting old people, children, schools, and so forth.

That is the game that was played. I don't appreciate it. It is not right. We do not need to have high-ranking officials coming before this government misrepresenting the most fundamental facts about our future on the most critical issue of our time.

Admiral Mullen said the debt is the greatest threat to this Nation's national security. If the Office of Management and Budget Director can't tell the truth, he doesn't need to be promoted to be the Secretary of Treasury, one of the great Cabinet positions in the United States; the top, primary economic position in our country—and the world, for that matter.

What does this prove? It proves he has a political staff mentality, not an august, independent personality of leadership. I hate to say that. I don't know Mr. Lew personally. I have met him, but that is about it. I haven't been involved in these negotiations where he has been the ''heavy'' according to Mr. Bob Woodward in his book, and the people who were in there whom he obstructed and refused to allow compromises to go forward. He was the point man for the failure of the discussions that had been going on for several years between the White House and the Congress to try to reach a plan that would put America on a sound course.

What is particularly amazing is that at the same time he was announcing the President's budget—later on that year Congressman RYAN and the House Republicans passed a 10-year budget that would change the debt course of America, tighten spending across the board, alter tax rates in a way to create economic growth, reduce the deficit dramatically, and put us on a sustainable, long-term path. I wouldn't agree with everything in it, but it was a very solid effort. Erskine Bowles praised the effort. Alice Rivlin, President Clinton's OMB Director, also complimented the effort. But President Obama and Jack Lew trashed it and politically spent 2 years campaigning against it while the Members of this body refused to bring forth a budget at all—not the Senate Democrats, oh no. Senator REID said it would be foolish for us to bring forth a budget. Today marks the 1,400th day since this body has passed a budget. Passing a budget in the Congress is required by the United States Code. Unfortunately, it does not put people in jail if they do not do their duty. But it is in there, and it was not done.

So Mr. Lew has been very loose, made statements that are not justifiable. They are just not justifiable.

For example, on February 15—2 days after this—being interviewed by National Public Radio, he said:

> If we're able to reduce the deficit to the point where we can pay for our spending and invest in the future, that is an enormous accomplishment. This budget has specific proposals that would do that.

It does not. It does not bring us to the point where we can pay for our spending and invest in the future. We have nothing but unsustainable deficits each year.

He goes on to say, in a different CNN interview: It takes real actions now so that between now and five years from now, we can get our deficit under control so that we can stabilize things so that we're not adding to the debt anymore.

Again, there is not a single year in Mr. Lew's budget that the deficit was lower than $600 billion.

Oh, later, at ABC, he said:

This budget has a lot of pain—

It did not have much cuts, that is for sure.

[But] it does the job, it cuts the deficit in half by the end of the president's first term.

Give me a break.

The fourth year in President Obama's term, the deficit was $1,200 billion. That is what it averaged all 4 years. President Bush's average deficits were probably $250 billion, $300 billion maybe. The highest he ever had was $450 billion.

So when he says he is going to cut the deficit in half—no, not so. He did not come close to cutting the deficit in half. He went on the say:

It's going to take a lot of hard work just to take us to the point where we're not adding to the debt.

He did a White House blog on February 13—the same day as this:

Like every family, we have to tighten our belts—

That is true—

and live within our means while we are investing in the things that we need to have a strong and secure future. . . . We know that you have to stabilize where we are going before you can move on and solve the rest of the problem. This budget does that.

So I think those descriptions of his budget are stunningly erroneous, and I do not believe it was a mistake. He served in the Office of Management and Budget under President Clinton. He was not the boss, but he was one of the top ones. He knew the budget continued to add to the debt every single year in an unprecedented and unsustainable amount.

He produced a budget that made no change in America's debt course of any significance—virtually none—and then announced it solved all our problems. He basically told the American people: Well, don't you worry. Stick with us. We have a plan. You do not have to have all those cuts. You do not have to have those cuts. These people just want to get your money. Follow us. Relax. Cool it. It is OK. We have a plan. Our plan will solve this problem.

It was not true, and I am very unhappy with that. I think we cannot allow that to continue.

He did other things. He served as one of the top people in the OMB during President Clinton's term for a period of time. He knows how the budget process works. He, in my opinion, was totally on board with the majority leader in the Senate, Senator REID, in his decision not to bring up a budget. They did this jointly. They talked about it. There is no doubt about that. This was all a planned strategy not to expose Senate Democrats to any real reduction in spending but to attack anybody who had the gumption to lay out a real plan that might change the spending in America. That was the campaign strategy. So he worked on that. That is where he was.

So we began—and I was the ranking Republican on the Budget Committee—we had all these young Senators who got elected in 2010. They wanted to be on the Budget Committee. They wanted to be involved in fixing this country's financial problem. They campaigned on it. They talked about it all over their States. It was the most competitive committee here. We had a long list of people who wanted to get on the committee. They all could not get on. But we got some very good, talented people to join the committee and we do not have a budget. We have not had a budget in 1,400 days.

So Mr. Lew was asked: Why doesn't the Senate do a budget? Do you know what he said? This is a quote on CNN.

. . . we . . . need to be honest. You can't pass a budget in the Senate of the United States without 60 votes. . . .

Yes, we do need to be honest. Let me read the quote again:

. . . we . . . need to be honest. You can't pass a budget in the Senate of the United States without 60 votes. . . .

Surely, he knows we cannot filibuster a budget. Surely, he knows a budget is passed by a simple majority. That is why a budget is so important. That is what the Budget Act did. It said the country needs a budget. It should not be filibustered. You should be able to pass a budget with 51 votes, and it cannot be filibustered. It has been that way since 1974. It is in the United States Code—the Budget Act.

He said that twice. Mr. Lew has to know better than that. Everybody knows that. We cannot filibuster a budget. And yet he was defending the inaction in the Senate and did not seem to care whether his words were true, I would suggest, and that is not good.

So we get into problems with integrity as it comes to spending in America. Time and time again, we have estimates that underestimate the cost of a program and at the same time overestimating the revenue for the program.

Just 2 days ago, I asked for and received—actually, 1 day ago, yesterday—from the Government Accountability Office an accounting of the President's health care proposal. As you remember, the President said: I will not sign a bill that adds one dime to the national debt—not one dime. Everybody said: How are you going to add all these people into government health care and it not cost money? Oh, we are sure this is not going to happen. Trust us. Trust us. Do it. But we just got back a report. They conclude that there are several parts of the bill that project savings that will not occur, resulting in a shortfall of revenue over the life of the bill. They indicate it would add more than $6.2 trillion to the primary debt of the United States. In other words, with an unfunded liability of that much, it would take $6.2 trillion being deposited today and paying out over 75 years to supplement this program to keep it from failing. It will cost more than a dime. It will cost $6.2 trillion. It is another unsustainable program. It does not have dedicated revenue. It is going to cost more than this, frankly. But this is the latest report that hammers this idea that it is not.

So I guess what I am saying is, this is truly serious. Our total budget today is less than $4 trillion. This is going to add $6 trillion. Our budget this year is about $3.5 trillion. That is how much we spend. We take in about $2.5 trillion. We spend $3.5 trillion. Thirty-six percent of what we spent last year was borrowed money because we do not bring in enough money to pay for our current expenses.

We just got a report yesterday from the Government Accountability Office—an independent group that does good work—saying it is going to add $6.2 trillion to the deficits. That is why we have to have integrity here. This is how we go broke. This is how we are getting this country in a position we do not need to be in.

During my remarks today, I have exhaustively documented the case against the confirmation of Mr. Lew. I do not do it for personal reasons. I do it simply because I think it is the right thing for our country. I have detailed his disastrous budget plans that were rebuked by editorial boards across this country and unanimously rejected by Congress. Remember, his budget was brought up in the House. It got not a single Republican or Democratic vote. It was brought up in the Senate—not a single Republican or Democrat voted for the budget. What a rejection. This is the man we are going to promote to Secretary of Treasury?

I have discussed his repeated, knowing, and deliberate false statements about those budget plans—most notoriously his claim that ''our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore. . . . ''

I have discussed his curiously enriching time at a failed division of Citigroup, the bank that had the greatest difficulties, perhaps, of any bank, and he headed the division where some of the worst problems were. He got a big bonus just about the time they got a $310 billion bailout loan guarantee—$310 billion.

As I close my remarks, I would appeal to my colleagues to oppose Mr. Lew. I would appeal to my colleagues to defend the integrity of the Senate, to defend the right of our constituents to hear the truth from government officials through CNN or whatever program they are hearing, and to defend the idea—the very concept—of truth itself as an objective matter.

I would also like to place this in a wider context. Today is the 1,400th day since Senate Democrats have passed a budget. They say we will have one this year. Maybe we will. Why has this gone on so long? Because they decided it would be better to offer no solution, no plan, to help struggling Americans and,

instead, tear down anyone who dared offer a plan to solve our Nation's economic problems. This is the heart of the problem in Washington right now. We have one political party that sees the budget debate as an exercise in political warfare, to advance power, not problem solving.

At the center of this strategy is the White House, and at the center of the White House is Mr. Lew. In his campaign for reelection, President Obama repeatedly said he had a plan to ''pay down our debt.'' If he did, he never submitted it to Congress. He did not have one. He even ran a campaign ad, late in the campaign, saying:

> I believe the only way to create an economy built to last, is to strengthen the middle class—asking the wealthy to pay a little more so we can pay down our debt in a balanced way. So we can afford to invest—

More, I guess—

> in education, manufacturing, and homegrown American energy, and for good middle class jobs.

But did he have such a plan? Not Mr. Lew's plan, at that point his Chief of Staff, supervising the OMB Director, who followed him. Again, this was the strategy: offer a plan that does nothing to alter our dangerous debt course while pretending it does just the opposite. Then, once you have done that, attack anyone who dares to propose to reduce the size of the bureaucracy, attack anyone who suggests Washington is too powerful—attack, attack, attack, while never offering anything that would actually work to help Americans who are struggling every day. After the White House budget was submitted in 2011, this budget I have referred to that he announced, President Obama, if you remember, spoke at George Washington University in your area, with Congressman PAUL RYAN, the House Budget chairman in attendance, sitting right before us.

Congressman RYAN, as you remember, had laid out a plan which would fix the financial future of America, if adopted, and put us on a sound course.

President Obama responded:

> One vision has been championed by Republicans in the House of Representatives. . . . It's a plan that aims to reduce our deficit by $4 trillion over the next 10 years. . . . But the way this plan achieves [that goal] would lead to a fundamentally different America than the one we've known throughout most of our history. . . . This is a vision that says up to 50 million Americans have to lose their health insurance in order for us to reduce the deficit. And who are those 50 million Americans? Many are someone's grandparents who wouldn't be able to afford nursing home care without Medicaid. Many are poor children. Some are middle-class families who have children with autism or Down's syndrome. . . . These are the Americans we'd be telling to fend for themselves.

This is our level of debate in Washington: when Congressman RYAN deals honestly with the challenges we face to tighten the belts across the board, create mechanisms to enhance American growth and job creation, this is what the President said—with him sitting right there.

Senator REID produces nothing, brings out no budget, because he says it is foolish to do so? He meant foolish politically. He didn't mean foolish for America not to bring forth a budget. How could it possibly be foolish for America, the United States Senate, to comply with U.S. law that says we should bring up a budget?

Majority Leader REID said of one Republican reform effort that it was ''a mean-spirited bill that would cut the heart out of the recovery that we have in America today. It goes after little children, poor little boys and girls. We want them to learn to read.''

This is the level of debate we have in this country. This is why we have a sequester that can't be fixed, this kind of ridiculous talk. Somebody needs to stand up and say we are tired of it.

My plan, my view for America, is to help poor people be prosperous, rise out of poverty. We don't judge that by how many checks we send out, how much deficit we run up, and leave our country in danger. The Republicans, candidly, have not done enough to stand up to these egregious attacks. We need to defend ourselves more effectively and aggressively. Voting against Jack Lew would be a vote against dishonest tactics, misrepresentation of facts.

Every Republican ought to ask themselves, should I vote to advance a man to a top position he is not really qualified for, who is loyal to the President's political agenda, and places that above telling the truth?

The painful truth is to some extent this political strategy has been successful up to now. President Obama and his Senate majority have blocked fiscal reform and continued on our path to fiscal disaster. It is time we pointed out that the establishment they are shielding from cuts, the big government apparatus they continually defend, is hurting people every day. It is bloated, it is inefficient, it is duplicative, and fraud occurs every day.

Their policies, their endless support of the bureaucracy has created poverty, joblessness, and dependency. It has created low wages, low growth.

In cities such as Baltimore, Detroit, and Chicago, governed almost exclusively by Democrats and Democratic policy at every level, the good, hardworking people are hurt every day by these leftist policies. They do not work.

In the city of Baltimore, one in three children live in poverty. One in three Baltimore residents are on food stamps. Imagine that, the great city of Baltimore.

In Chicago, where roughly 500 homicides occurred in 2012, 51 percent of the city's children live in a single-parent home.

In Detroit, almost one in three households had not a single person working at any time in the last 12 months. Almost one-third of them hadn't had a single person working. The city's violent crime rate is among the worst in the country. More than one-half of all Detroit children live in poverty.

This should not happen. What is the response? Borrow more money and send out more checks. This is not the way to help people. These are the consequences of leftist policies. We are opposed to those policies. They do not work. They hurt the people, they pretend and assert that they are helping.

We are fighting for policies that create jobs, create rising wages, create opportunity, help more people earn a good living and care for themselves, be independent and prosperous and get on the road to higher wages, supervisory positions, health care and retirement benefits. This can be possible in this country. We are trying to lift people out of poverty and strengthen family and community. We are trying to protect the good and decent people of this country from a debt crisis.

Erskine Bowles and Alan Simpson told us this Nation has never faced a more predictable financial crisis. They said if we don't get off this course, this unsustainable path, we may have another one, and it may be worse than the 2007 one.

Where does Mr. Lew stand? Where does the White House stand? They did everything they could to defend the bureaucracy, no matter the cost in wasted dollars or lost jobs. Mr. Lew submitted an indefensible budget plan that would have caused further social and economic devastation. They deliberately misled the Nation about that plan, deliberately misled the country about it. He knew this wasn't true, and then he participated in a strategy that shot down any efforts from the Republican side to reform the situation.

I urge my colleagues to reject these tactics from the White House. I urge them to stand up for the good and decent people of this country who work hard every day, try to do the right thing, want to get ahead, and want to see their wages rise instead of stagnate. I urge them to vote to hold high government officials accountable by putting politics ahead of policy or sacrificing truth for political gain. I urge them to oppose Mr. Lew.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. I ask to speak as if in morning business.

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

SEQUESTRATION

Mr. COBURN. I want to spend a few minutes this afternoon talking about what is going to happen on March 1, something we have known is going to happen for 18 months. Nobody really wanted it to happen this way, but I want to make the case if we give the administration the flexibility, we can easily swallow $85 billion a year in reductions.

I am going to go through a small set of oversight reports I have actually done in the last year or so talking

about waste within the Federal Government.

We looked at the urban area security grants of the Department of Homeland Security. We looked at the Department of Defense, the programs that were in the Department of Defense which don't have anything to do with defense; that is $67 billion a year.

Let me say that again: $67 billion a year is spent in the Department of Defense which has nothing to do with defending the country.

We outlined the 100 most wasteful projects, we put that out in December of this year, a treasure map. We looked at the Market Access Program and what it is actually doing to some of the wealthiest agricultural businesses in this country. It is subsidizing their export of sales. Money for nothing, all of the money that we spent that hadn't actually accomplished anything. We did a report on that.

Next we did a report on the subsidies for the rich and famous because we do have a mixed-up Tax Code, and over $30 billion a year in benefits goes to a very small number of people in this country inappropriately through our tax cuts. The discussion and disagreements we are going to have on that will be about what do you do with that. Everybody agrees we probably ought to fix that. Do you fix it by just raising taxes or do you fix it by reforming the Tax Code and actually getting greater taxes coming into the Federal Government?

The other point I wanted to make is there are a lot of things we may sequester that I have been talking about for years, which actually haven't gotten any traction, but I suspect right now will be getting some traction. The first one is the grant programs in the Department of Homeland Security.

In one area, the Urban Area Security Initiative, which is a component of the Homeland Security grants, we spend $170 million a year on one grant program. What we did when we looked at it is we found tremendous amounts of waste that have nothing to do with increasing the security in the communities where this money was spent.

Let me give you a few examples: domestic drones that have limited capability, can't fly over anything that is populated because they are not reliable enough. Also, underwater robots, snow cone machines, security upgrades for spring baseball training programs and stadiums, color printers, BearCat vehicles for communities of 20,000 people who will never have a need for that piece of equipment. Yet we spent it because the people making those pieces of equipment are so good at helping cities get grants whether they need them or not, they apply for them.

Columbus, OH, bought an underwater robot, $98,000. They don't have a facility, a true natural lake or other lake in which they could actually utilize this piece of equipment, but they bought it anyway.

Spring training in Arizona, $90,000 to install video surveillance at the Peoria Sports Conference Complex. The Seattle Mariners and San Diego Padres have their spring training there.

Here are Urban Area Security Initiative grants which are supposed to be spent on security. What we found is a large portion of the money across the country is not being spent on security; it is being used to augment aspects of what communities need.

This is a good way to trim $700 million through these grants. While I am at it, what we do know is the Department of Homeland Security, 6 months ago, had $8 billion in unobligated balances. Secretary Napolitano made a decision—and her basis was for stimulus, economic stimulus—she would take the requirements off of those grants and push that money out the door. They were only able to push $3 billion out the door, so there is still $5 billion sitting in Homeland Security in unobligated money from last year alone that hadn't been spent. This addresses many of the issues that we are talking about in terms of the sequestration.

The Department of Defense, in terms of the ''department of everything''—let me outline for you a minute. Not all this money could be saved because they are doing some things, but they have no business being at the Department of Defense, with $67.9 billion over 10 years in nondefense spending; nonmilitary research and development, $6 billion a year. And education, the average cost to educate a child on base in America—not our foreign bases, not where we actually need private schools—is over $51,000 per year per student.

We could consolidate that program, as we do at all but 16 bases, and over 10 years save $9 billion.

There are STEM programs, 103 different STEM—science, technology, engineering, and math—programs within the Pentagon alone. Consolidating those would save $1.7 billion over the next 10 years. These are programs not necessarily initiated by Congress either, I might say. They do have the flexibility on a lot of these programs to make those changes.

The Department of Defense tuition assistance program totally duplicates our veterans assistance program. So you can do in-service, have access to tuition while you are in-service and then have the identical access to tuition afterward, and you can claim them both.

So we have multiple duplications there. And there is nothing wrong with wanting to give an educational benefit to our troops, but we don't need to do it twice. That is a significant $5.4 billion.

Alternative energy. We have a Department of Energy. Their whole goal is to work on alternative energy and renewable energy and efficiency within energy. The Department of Defense is spending $700 million a year on research in alternative energy that totally duplicates everything we are doing everywhere else. So there is $700 million we should not be spending at the Pentagon for something that is already being done somewhere else.

We also know we have a benefit for our military families called the PX and commissaries. But when we go out and price products, what we find is you can actually buy at retail stores at a lower price than you can at the commissary. For the cost of running all those organizations, we could give every troop an additional $1,000 a year and save $5 billion over the next 10 years. We could give them $1,000 more, and they would be able to buy at lower prices from a commercial vendor versus a commissary.

Overhead support and supply services. Over 300,000 military members are performing civilian-type jobs. In other words, these are Army, Marine, Navy, and Air Force personnel trained as warfighters, and we have them doing nonmilitary jobs at the Pentagon. We could put civilian employment in place and have these military people available to be warfighters and save $37 billion over the next 10 years just in the differential in what our total costs are for the two different types of employees.

So when we talk about a sequester taking $85 billion, I have just cited over $85 billion over 10 years just by looking at a few programs. So we hear the number, and we think about the Federal Government being twice the size it was 11 years ago and that we are 27 percent higher in terms of discretionary spending in nondefense and that even if the sequester goes through, as it is now planned for the military, the military expenditures will actually still be greater next year than what they are this year. So it is important that we talk honestly with the American people about where we are on these projects.

Let me just for a second talk about a report called the ''Waste Book.'' We put it out every year. We gave 100 examples of the most egregious ways tax dollars were wasted last year.

Examples include $450,000 for an unused airport in my State and $325,000 for robotic squirrels. This was a grant issued to study what we already know about robotic squirrels and their interactions with rattlesnakes. I can't see that as a priority for us. At a time when we are running $1.2 trillion deficits, we don't need to be spending money on that type of research.

We spend $91 million a year giving—you won't believe this one—charitable status to the NFL, the PGA, and several other sports entities. So on the profits they make, the PGA defers taxes coming to the Federal Government in terms of $91 million a year. Now, I don't know of a pro sports team that isn't in the business of being profitable, yet the organizations they send a lot of this money through we are allowing to hide that money through the Tax Code. That is $91 million a year. Why are we doing that?

Another example: $27 million was spent by the State Department on pottery classes in Morocco. The whole

project was an abject failure, but the real question is, Why are we spending $27 million on pottery classes in Morocco? Could we spend $27 million and have a better effect for the Moroccan people than a failed pottery class program? The answer is, certainly.

The size of the State Department is twice the size it was 5 years ago—twice the size in terms of total expenditures.

The other thing we talked about is the subsidy for the rich and famous in terms of what is out there. On average, we found $30 billion a year that millionaires—people who make at least $1 million a year—enjoy in benefits from tax giveaways and Federal grant programs. That is $30 billion a year. That is $300 billion. That is over one-third of what we are talking about on the sequestration. Yet we have done nothing on that.

This has been out for a year, by the way. Here are some more examples. We have $74 million spent on unemployment checks that went to millionaires last year. That is right, $74 million went out to people who made $1 million, but we still paid them unemployment. We spent $316 million on people who are making more than $1 million a year farming. We sent them $316 million worth of subsidies and $89 million for preservation of their ranches and their estates. These are people making an adjusted gross income above $1 million a year. We sent them $9 billion in retirement checks, we sent them $75.6 million in energy tax credits for their homes, we sent them $7.5 million for costs and damages due to emergencies, and we also gave them a writeoff on their gambling losses in excess of $3 billion.

The other thing I found very unusual as we looked at this is that people making an adjusted gross income in excess of $1 million were given $16 million in government-backed education loans. That is right, $16 million in government-backed education loans.

One of the other areas we did a study on was the Market Access Program. We have all heard of Sunkist and Welch's and Blue Diamond. In 2012 we paid them $6 million from the taxpayers to help them sell their products overseas. These are hundred-million-dollar corporations, minimally. They are billion-dollar corporations. We don't do that for the rest of all the corporations in this country, but because they happen to be associated with an agriculture program, we decided to subsidize the overseas products of the very well-to-do corporations. That may be a laudable goal, but at a time of tight priorities, it is not a laudable goal. Over $2 billion has been spent on this program, which has indirectly subsidized their advertising costs. So $2 billion has gone to very profitable agricultural companies that, if we were to look at their 10–Ks, their SEC reports, they are doing just fine. They don't need the Federal taxpayer to do this.

The California wine industry, which had domestic sales of $18 billion in 2009—it is higher than that now—got $7 million, and the American cotton industry received $20 million and received another $4.7 million from a separate USDA market access program.

Finally, I wish to talk for a minute about more than $70 billion in Federal funds that has been left unspent years after it has been appropriated. We have $70 billion sitting out there in accounts that has been obligated but not spent, now older than 5 years old, which means it is never going to be spent. So that money is sitting in a bank account somewhere that we could pull back, if we had effective management, because people didn't use the money in a grant, they didn't use the money in a program, and yet we have failed to do that. So we are borrowing an extra $70 billion every year to fund the government when we have $70 billion out there in accounts that should revert back to the Treasury.

At the end of this year the Federal Government had $2 trillion in unexpended funds. This is according to OMB, not the Congressional Budget Office. The Office of Management and Budget says that two-thirds of this money was obligated, but a third of it wasn't obligated. So you have $650 billion in unobligated balances sitting in the Federal Government accounts that we are not shuffling around to direct to the things that are most important.

Let me finish, but first I would like to make one other point. I got a letter this week from the mayor of a medium-sized town in my State. It is from the mayor of McAlester, OK. I am going to enter this letter into the RECORD because in this letter we see a demonstration of the kind of leadership that is needed when there is a financial problem in front of you.

Let me read this.

> The City of McAlester is currently working hard to rebalance our budget after a sudden downturn in our revenues over the past two months. As you know, municipalities in Oklahoma are required by statute to maintain a balanced budget.

In other words, it is a law in Oklahoma that you have to have a balanced budget. So what has he done?

Continuing to read:

> The first step we took was to implement a hiring freeze.

So they reassigned workers. And with a revenue shortfall projected at $1.2 million, they took every other expense account category, including supplies, repairs and maintenance, fuel, utilities, travel and training, consulting services and legal services, and reduced their budgets. In other words, they responded.

The mayor continued in his letter:

> None of these cuts are without pain. But all will be accomplished while maintaining essential city services.

Now, for McAlester, a $1.2 million budget cut is a bigger hit than we are talking about with sequestration. If the mayor of a community of 25,000 people can make the adjustments to serve his constituency without decreasing services, why can't we?

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to which I just referred.

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

MCALESTER, OK,
February 26, 2013.

Hon. TOM COBURN, M.D.,
Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR DR. COBURN: The City of McAlester is currently working hard to rebalance our budget after a sudden downturn in our revenues over the past two months. As you know, municipalities in Oklahoma are required by statute to maintain a balanced budget. With sales tax receipts abruptly falling by ten percent compared to the prior year, we have had to act quickly to reduce costs.

The first step we took was to implement an immediate hiring freeze. The budgeted positions that are currently open include two street maintenance workers, a full-time and a part-time administrative assistant, a water plant operator, a police officer, an animal control officer, a firefighter, an accounting manager, a meter reader and a planning director. We will reallocate work among other employees wherever we can. If we determine that an unfilled position will affect the safe operation of the community, only then will the position be filled.

With a revenue shortfall projected at $1.2 million, we are also making budget reductions In virtually every other expense category including supplies, repairs and maintenance, fuel, utilities, travel and training, consulting services, legal services, etc. Of course, we have also zeroed out any contingency amounts we had included in the budget for the unexpected. However, we have been careful to retain budget items for long-term infrastructure projects as we consider it unwise to risk damaging our city's future.

None of these cuts are without pain. But all will be accomplished while maintaining essential city services. By reducing our spending in these areas, we anticipate we can finish the fiscal year without having to dip into emergency fund balances.

Prompted by what we see as an economic situation likely to continue into the next fiscal year and potentially beyond, we are also taking this opportunity to thoroughly review our local government cost structure. The goal is to organize in a way that is more efficient and more effective. By stretching each revenue dollar to the max and by prioritizing our needs and wants, we hope to narrow or eliminate the gap between what citizens expect from their government and what they are willing and able to pay for.

Best regards,

STEVE HARRISON,
Mayor, City of McAlester.

Mr. COBURN. The final point I would make is the following: A little more than 3 years ago we passed an amendment that I offered that forced the Government Accountability Office—the government's accounting office—and the Comptroller General to identify every program in the Federal Government, and not only to identify it but to outline where we have duplications and overlaps. And they have done a wonderful job. We are going to get the last third of that report about a month from today, April 1, but what do we know so far? We know we have

about $370 billion in the first two-thirds of this where they say there is massive duplication. There is $370 billion worth of expenditures a year.

I have talked with the President, and he disagrees with me on this, but when you think about it, we have 47 separate job training programs, of which all but three overlap. They are highly ineffective in total. So why don't we have two or three? We spend almost $19 billion on those programs. We could spend $9 billion, cut it down to three programs, put metrics on it, and make sure it is working. The reason I know it is not working is I looked at every job training program in my own State, and the ones that are most successful are the ones that are totally State run without any Federal Government interference. The ones that are federally run—and some are good, I will give you that, but most are not—most are not successful in efficiently and effectively giving somebody a life skill and getting them into employment.

We have 253 different, duplicative Department of Justice grant programs spending $2 billion a year. If you are needing a grant, you might apply to DOJ in one of these 253 areas and then you might apply again over here in another area for the same thing. And the fact is that the Government Accounting Office says: We don't know if people are double- and triple-dipping. As a matter of fact, what did we find? We have people getting the same amount of money from different grant programs from the same grant application. So what we have is a tremendous problem.

We just discovered in the State of Oklahoma that we have a housing administrator for a city that has no houses. There are 3,700 housing administrators in the United States—probably closer to 4,000 because we are still counting. Some of those have very big responsibilities. I don't mean to diminish them at all. But couldn't we consolidate those, especially in areas such as rural Oklahoma and the other rural States so we spread that overhead and have fewer housing administrators?

We have 56 financial literacy programs. Think about that for a minute, 56 different programs for the Federal Government to create a program to make you financially literate.

First of all, there is a problem with that because we are not financially literate, borrowing $1.2 trillion a year. No. 2, we don't know what the words efficiency and effectiveness mean in the Federal Government—or, at least, have limited knowledge of that. And, finally, why do we have that many financial literacy programs? There is no sane answer to that question.

As I outlined in some of the others, 160 housing assistance programs, $170 million a year. We have 53 programs across 4 agencies to help entrepreneurs. The Federal Government is helping entrepreneurs? Our entrepreneurial spirit is not very active and not very successful in terms of what we are doing within the government, and yet we spend $2.6 billion on it.

We have 15 different separate unmanned aerial aircraft programs within the Federal Government. We are going to spend $37 billion on that. Why do we have 15? Maybe two or three, because we have different requirements, but 15?

So we have the massive amount of duplication that is going on within the Federal Government which implies massive amounts of duplicative administrative and overhead costs. I would bet that one-third of what is happening in the sequester, if you consolidated programs—didn't eliminate any, just consolidated the management—you could save one-third of what the sequester is just from the administrative overhead associated with those.

So when you hear discussions about we shouldn't be doing the sequester, that the sequester is going to be painful—and it is; I don't deny that. But it doesn't have to be. All it takes is a small drop of common sense, both in Congress and the executive branch, to work our way through these problems.

My hope is the President will work with us on giving him flexibility in terms of managing this.

Remember, $85 billion really isn't 85. It is only going to be about 44. That is what we are talking about. It is disproportionately heavy on the defense. I have a lot of colleagues on my side who disagree with me on the waste that is in the Pentagon, but I have seen it, I have looked at it, and I have had a lot of people inside the military call and talk to me about the waste that is there. We now have an admiral for every ship we have in the Navy. Nobody else has that anywhere else in the world, and with that comes an average of 200 other employees per admiral.

The question is, Can we do this? Should we do it? And can we do it in a way that is best for the American people? We are going to cut this money one way or the other. It is not because a Republican wants to cut it or because the President wants to cut it or because a Democrat wants to cut it. We are going to cut it because the math in our future is going to force us to cut it. I know people don't think discretionary programs are much of the problem with what we are spending money on, but I would surmise that well over 15 percent of everything we do in discretionary spending—including the Pentagon—is not effective or efficient.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask permission to speak as in morning business.

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

CONGRATULATING DR. FRANK CLECKLEY ON HIS RETIREMENT

Mr. MANCHIN. Mr. President, I rise to pay tribute to Dr. Franklin D. Cleckley, one of the true giants of the legal system of West Virginia. I do so because Frank is getting ready to retire after nearly half a century of service to our great State—as a lawyer, as a professor, as a judge, and as an unwavering champion of justice. I wish to congratulate him for the extraordinary job he has done and to thank him for his countless contributions to the betterment of West Virginia.

Dr. Cleckley's stellar and pioneering legal career began in 1965 when he earned his law degree from Indiana University. It will end next week at West Virginia University with a retirement ceremony that so many of his family, friends, and colleagues will be attending to celebrate this great man. I only wish I could be there because I have valued and appreciated his friendship for so many years.

Frank Cleckley joined the faculty at West Virginia University College of Law in 1969, after serving as a lawyer in the U.S. Navy Judge Advocate General's Corps at the height of the Vietnam war. Not only was he the first African American on the staff at the West Virginia University College of Law, he was also the first full-time African-American professor in the history of West Virginia University.

As a law professor at West Virginia University, Frank literally wrote the book on practicing law in West Virginia. He authored two you will find in every courtroom and every lawyer's office in West Virginia—the ''Handbook on Evidence for West Virginia Lawyers,'' and the ''Handbook on West Virginia Criminal Procedure.'' These two books are continually updated and are, in the words of the West Virginia Supreme Court, the bible for West Virginia's judges and attorneys.

Of course, for the generations of West Virginia law students who have passed through Dr. Cleckley's classroom, the fact that he wrote those two books is a source of great amusement for them, whenever they hear him quoting himself in his lectures. ''As it says in 'Cleckley,' '' Professor Cleckley would say with a smile.

Also, as a member of the West Virginia Supreme Court of Appeals, the first African-American justice in our State, Frank Cleckley would pay special attention when lawyers stumbled over evidence in their arguments. And on more than one occasion, Justice Cleckley would quietly quip to one of his colleagues: There's one lawyer who didn't take my evidence class.

Frank Cleckley grew up in Huntington, WV, the youngest of 11 children. At one point, his ambition was to play pro football. But after working for former Indiana Congressman J. Edward Roush in the 1960s, he found his true calling—to be a lawyer and champion of civil rights.

Throughout his legal career, he has been an exceptional trial lawyer, not only in antidiscrimination lawsuits, but also in representing clients who couldn't pay him. In fact, he came to be known as the ''poor man's Perry

Mason.'' He has been a one-man legal aid society.

He also was instrumental in reviving the Mountain State Bar Association, the oldest minority bar in the United States. In 1990, he established the Franklin D. Cleckley Foundation to help former prisoners with education and employment opportunities. Two years later, he set up another organization to bring civil rights leaders to the West Virginia University as lecturers.

Last fall, as he reflected on his long legal career, Frank said that when he was a kid in Huntington, he wanted to do something with his life that was meaningful and important in West Virginia. Well, he did. But it turns out it wasn't the NFL, as he once thought. It was WVU. Frank Cleckley is a true Mountaineer. He helped West Virginia University become the nationally respected institution it is today.

The Reverend Martin Luther King, Jr. once said that the arc of the moral universe is long but it bends toward justice. And, in my view, one of the reasons it bends toward justice is there are people such as Frank Cleckley bending it with their honesty, their integrity, and their commitment to what is right.

It fills me with great pride to stand here today and tell the Senate about the accomplishments of Prof. Frank Cleckley and his service to West Virginia. He is a great lawyer, he is a great man, and a great West Virginian, and Gayle and I join his family and friends in celebrating his long and distinguished pursuit of justice.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, shortly, I hope, we will be voting on the confirmation of Jack Lew to be the next Secretary of the Treasury, and I urge my colleagues to support that nomination. He is the right person at the right time to be Secretary of the Treasury. He has devoted his entire life to public service. I thank him for that, and I thank him for his willingness to continue to serve his Nation. He has a great record of accomplishment.

I have known Jack Lew for 26 years. I have served with him on common issues, and I want to bring to the attention of my colleagues some of the things he has done. He first served in the House of Representatives as a staff person for Speaker of the House Tip O'Neill. In that capacity, one of the responsibilities he had was to be the liaison to the commission that was working on Social Security reform when President Reagan was President of the United States. I mention that because I think we all point to that time when a Democratic-controlled Congress and a Republican administration were able to deal with one of the most difficult challenges of the time, the solvency of Social Security, and they were able to come together with a bipartisan product. Jack Lew's fingerprints were involved in that transaction. He was able to bring us together. We need that type of person as Secretary of the Treasury today, a person who will bring together our Nation with the type of fiscal policy that Democrats and Republicans can rally behind as we look for a solution to our fiscal issues.

He was President Clinton's OMB Director, and during that time we balanced the Federal budget. We were able to do something that has only been done once in my lifetime; that is, we actually balanced the Federal budget. Jack Lew was the architect of bringing us together to balance the Federal budget. We need that type of leadership in the Treasury today—a person who understands fiscal responsibility and understands how to do it in a way where you can create job growth. During those years, let me remind us, we created millions of jobs.

He then returned to public service as the OMB Director for President Obama and as Chief of Staff. He has the experience we need to be Secretary of the Treasury, and he has the political know-how to bring us together—Democrats, Republicans, Americans—to do what is right for this country.

I am proud he is willing to step forward. I urge my colleagues to support his nomination. He is the right person at the right time to lead our Nation on fiscal policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that there be 10 minutes remaining for debate, equally divided in the usual form, on the Lew nomination; that following the use or yielding back of time, the Senate proceed to vote.

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

Mr. BAUCUS. Mr. President, earlier today I spoke in support of Jack Lew's nomination to be the next Treasury Secretary. Over the last 6 hours or so some have come to the Senate floor to question Mr. Lew's character, claiming he has not been forthcoming throughout his confirmation.

Let me remind my colleagues that Mr. Lew participated in one of the most thorough reviews of any candidate for this position: a process that included hours of interviews and the examination of 6 years of tax records and more than 700 questions for the RECORD. In comparison, the committee asked Secretary Geithner only 289 questions—only; Secretary Paulson 81; and Secretary Snowe 75 questions. Remember, Jack Lew was asked over 700 questions.

Throughout the confirmation process, Mr. Lew has been nothing but open and transparent. I believe he has gained the trust and confidence of many in this Chamber. In fact, 19 of 24 Senators on the Senate Finance Committee yesterday voted on a bipartisan basis in favor of Jack Lew's nomination.

Many recognize that Mr. Lew is well qualified to be the Nation's next Treasury Secretary. He has demonstrated time and again that he has the knowledge and policy expertise to help get the Nation's economy back on track. He is a very smart man and a very dedicated, total public servant.

If confirmed by the Senate today, Mr. Lew has said he is eager to work with all of us here in the Congress to strengthen the American economy and create more jobs. That is the key, work together to create more jobs. The only way we could get past these constant budget battles is by working together, Republicans and Democrats, in the House and the Senate, and we need to work with Mr. Lew and the administration to craft policies that create more jobs and spark economic growth.

If confirmed, we will be entrusting Mr. Lew with the authority to oversee America's financial system and economic policy. It is a great responsibility, one which I believe Mr. Lew will live up to. I think he has what it takes.

The Treasury Secretary is obviously the top economic adviser to the President. He works for the President and he works for the country. So the second role of the Treasury Secretary is to speak to the Nation about our Nation's finances. It is a dual role. He is working for the President and he is also working for all of us, the people of the United States of America. It is a very prestigious, very important position. When he speaks, he is speaking for America on financial matters and also on economic matters. It is a separate role that all Treasury Secretaries perform, the good ones, and I think Jack Lew is going to be a very good one.

I ask my colleagues to confirm Mr. Lew today as the Nation's next Treasury Secretary so he can get to work and help strengthen the economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I will wrap up here with a few thoughts before we vote. I spent a good deal of time today delineating a series of serious, deep problems with this nomination, why I truly believe he should not be confirmed. I suppose maybe there are votes to confirm him. We will see as that goes forward. I do not see any need to delay any further, but it is time for the American people and the Members of this Senate to consider where we are with this nomination.

On February 13 of 2011, a day before the President submitted the budget, the budget Jack Lew wrote, he went on CNN and other TV stations and said these words, words that will live in infamy if we care anything in this body about respectful treatment from the executive branch, if we have any commitment to the plain truth. He said:

> Our budget will get us, over the next several years, to the point where we can look the American people in the eye and say we're not adding to the debt anymore; we're spending money that we have each year, and then we can work on bringing down our national debt.

How unbelievable a statement could that be, since his own numbers—not somebody else's, his own numbers when he submitted the budget on Monday, the next day—showed that the lowest single deficit in any one of the 10 years was $600 billion. He would have added $13 trillion to the gross debt of the United States over 10 years and the numbers, the deficits were going up in the last 5 years—a totally unsustainable course.

Erskine Bowles, the head of the fiscal commission, was in shock, I think, when he saw this. He was appointed by President Obama to head the commission. He said this will take them nowhere near where they have to go to avoid the Nation's fiscal nightmare—nowhere near. And he was absolutely right about that.

Then he also said, on CNN on a different day, another interview, the budget ''takes real actions now so that between now and 5 years from now, we can get our deficit under control so that we can stabilize things so we're not adding to the debt anymore.''

It had never come close to that. It is a horrible thing. He said this. I asked him about it before the committee. I read that very quote to him before the committee 3 days later and this is what he said. I asked him, is it an accurate statement, this statement right here? And he said:

> It's an accurate statement that our current spending will not be increasing the debt. . . .

He went on to add:

> We've stopped spending money that we don't have.

First of all, this Senate, this Congress, should defend the integrity of our process. We should not have high government officials come before our committees and before the American people and misrepresent in such a dramatic way the financial condition of our country. I called it then and I repeat now that this, I believe, was the greatest financial misrepresentation in the history of this Republic. If anybody has one that is bigger, let me hear it, but I don't think they will. I said that earlier today. You tell me—$13 trillion added to the debt and they say we are not going to be adding to the debt anymore.

The budget was a terrible budget. It was a terrible budget. Editorial board after editorial board—the Washington Post, the Los Angeles Times, the Denver Post, the Dallas Morning News—there must have been 40 editorial boards that hammered this budget for failing to lead—the Wall Street Journal, Financial Times, Investor's Business Daily—they all hammered this budget because this was early in 2011, after the 2010 elections, after the shellacking of the big spenders, and there was a hope somehow that we would be able then to get the administration to come around and change some things. But they stayed right with their big spending policies. They stayed right with it and they decided not to tell the truth, that we are not backing down, we are going to continue to spend, we are not going to cut spending. They would not say that. This is what they said. Whereas their budget did just the opposite.

I feel strongly about this. This is not right. We in Congress should not have this kind of misrepresentation before us and we should not reward people who participate in such misrepresentation. He is the architect of the administration's calculated plan to misrepresent the budget, to not have a budget in the Senate, to not expose themselves any more than possible, to attack Republicans such as PAUL RYAN in the House, who actually laid out a plan that would change the debt course of America. That is what the plan was, and Mr. Lew was the architect of it and he executed it. Boy, what was it like, do you think, for him to be in the Senate, in the White House, and have to be told or asked: Would you go out and say this?

Mr. Geithner, Secretary of the Treasury—I ask consent to have 1 additional minute.

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

Mr. SESSIONS. Mr. Geithner—and this is important, colleagues—Treasury Secretary Geithner came before the committee. He would not repeat these words. I questioned him. Of course he tried to avoid it but eventually when asked directly he honestly said: Senator, this budget will not put us on a sustainable path, exactly opposite of what Mr. Lew was saying.

I ask my colleagues to consider this. I ask them not to award the person who participated in so calculated a plan to misrepresent the financial condition of America and cause the American people to believe we had some sort of time that had the country on a sound path when we remain to this day on an unsustainable path that endangers working Americans.

I yield the floor.

Mr. CARDIN. Mr. President, I yield back all remaining time. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 71, nays 26, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—71

Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Paul
Blunt	Heitkamp	Portman
Boxer	Hirono	Pryor
Brown	Hoeven	Reed
Burr	Isakson	Reid
Cantwell	Johanns	Rockefeller
Cardin	Johnson (SD)	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Cowan	Levin	Toomey
Donnelly	Manchin	Udall (NM)
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Flake	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—26

Alexander	Enzi	Risch
Barrasso	Fischer	Roberts
Boozman	Grassley	Rubio
Chambliss	Heller	Sanders
Coburn	Inhofe	Scott
Corker	Johnson (WI)	Sessions
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—3

Begich	Lautenberg	Udall (CO)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

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

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

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I think the Senator from West Virginia is preparing to speak, but I will speak if he is not ready.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I understand the Senator from West Virginia is going to have the floor, followed by the Senator from Tennessee, and I wish to be recognized to make some remarks following the Senator from Tennessee.

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

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senator is correct.

CONGRESSIONAL VETERANS JOBS CAUCUS

Mr. MANCHIN. Mr. President, just over a year ago my good friend, Senator MARK KIRK of Illinois, and I launched a new caucus in the Senate. Our purpose was to bring attention to the problem of unemployment among our military veterans. Mark and I looked at everything the Department of Veterans Affairs and other government agencies were doing to help veterans find jobs. We believed the private sector needed to be more involved, so we created the Senate Veterans Jobs Caucus.

Today, the Senate Veterans Jobs Caucus is the Congressional Veterans Jobs Caucus. It is a bicameral, bipartisan group of 37 Senators and 46 House Members brought together by a shared commitment to the newest generation of veterans.

This week we are kicking off the caucus's activities for the 113th Congress with a ''Day on The Hill.'' It is an event highlighting our work on behalf of veterans, and particularly our showcase program, ''I Hire Veterans.''

Not only will we be recruiting more Members of Congress to join our caucus, but we will also be enlisting more businesses to join the eight major corporate partners that have already joined our ranks. These corporations expect to hire about 200,000 veterans in the next 5 years.

The members of the Congressional Veterans Jobs Caucus are leading by example. We are hiring veterans to work in our Senate and House offices. My colleagues will probably see the signs as they go by our offices that say ''I Hire Veterans.'' It is a logo displayed proudly in our offices—the same logo my colleagues will see in the businesses that share our commitment to veterans.

Our I Hire Veterans Program is basically our new yellow ribbon, a special welcome home and a commitment to serve those who have served our country in the most difficult and dangerous circumstances.

There is no sugarcoating the fact that the job market is tough, especially for our young veterans. Unemployment among these veterans has reached crisis proportions according to the latest data from the Bureau of Labor Statistics. Listen to these figures, if my colleagues will. They are astonishing. For veterans 18 to 24 years of age, their unemployment rate is 31.3 percent—31 percent. Even more staggering is the jobless rate for female veterans in that same age bracket of 18 to 24, and that is over 55 percent unemployment. The employment situation isn't much better for the National Guard and Reserves because employers are reluctant to hire somebody who may be subject to being called to duty, and this generation of National Guardsmen and Reserves are coming home from a decade of repeated deployment that, in many cases, interrupted or delayed their careers or education. Many of them are just now realizing how difficult it can be to jumpstart school or a career.

If we don't do something it is going to get worse. With more than 100,000 service men and women expected to reenter civil life each year over the next 5 years, their challenge to find jobs is only going to intensify. Listen to the veterans, and we would be surprised when they tell us that sometimes the stress of finding a job in a tough economy can match the stress of combat in some of the most dangerous and distant places in the world.

Imagine for a moment that you are 21 and just back from the rugged streets of Kandahar, reunited with your family, and you are going up and down the streets of your hometown looking for a job week after week with no luck at all. That is real stress. That is pressure, and that is what more than 3 out of 10 of our young veterans are experiencing right now as we speak.

Like every generation of American warriors before them, today's veterans make great hires. They lead by example. They understand teamwork. They are flexible and open to change. They are tech savvy. And talk about performing under pressure—even in the most stressful situations, with limited resources, they get the job done.

After World War II, with the millions of American GIs returning home, President Harry Truman appointed GEN Omar Bradley to run the Veterans' Administration. Bradley was a popular choice, and his steely approach to helping veterans was widely admired. Bradley's marching orders to the VA were simple: ''We are dealing with veterans, not procedures, with their problems, not ours.''

You will find that same kind of commitment to today's generation of veterans in the Congressional Veterans Jobs Caucus.

It is simply unacceptable that when the courageous Americans who fight our wars finally get to come home, they have to fight for jobs. The Congressional Veterans Jobs Caucus is committed to making sure that does not happen.

America has said it is time to bring our troops home. After a decade of war and incredible sacrifice by our warriors, the homecomings are well underway. It is not always easy to come home from war. But the homecoming will be easier if we fulfill our obligations, and that includes making sure our fighting men and women come home to a job.

After all, as General Bradley said: ''We are dealing with veterans, not procedures, with their problems, not ours.''

I would ask all of my colleagues here—we have 37 of our Senators signed up to this Veterans Jobs Caucus—I would hope we would have 100, and we are going to be working hard for that. I want to thank my good friend Senator MARK KIRK from Illinois for helping launch this. We have worked together. We will continue to work with all of our Senators. We appreciate and thank you.

• Mr. KIRK. Mr. President, more than 2 million Americans have served our Nation in Iraq, Afghanistan, and other post-9/11 missions around the world. Now, as these men and women return home, they are confronting yet another challenge—finding a job.

According to the Bureau of Labor Statistics, unemployment among younger veterans has reached staggering proportions. Nearly one-third of all veterans aged 18–24—and more than half of female veterans in that range—are unemployed.

Roughly 800,000 veterans call Illinois home. And in 2010, Illinois' veteran unemployment rate was the fourth highest in the country.

That is why I joined with my good friend and colleague, Senator JOE MANCHIN (D–WV), in forming the Congressional Veterans Jobs Caucus. And 1 year later, 35 Senators and 46 Representatives from across the political spectrum have joined the effort.

We are bringing together government and business leaders, veteran service organizations, and educational institutions to identify solutions to reduce vets' unemployment. And I am proud to report that several Illinois employers, such as State Farm and Caterpillar are stepping up to help.

At a time when so many see a divided government, we owe it to our veterans to cast aside our differences and work across the aisle to help solve this problem.•

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

THE DIFFERENCE BETWEEN A FILIBUSTER AND A MOTION TO CUT OFF DEBATE

Mr. ALEXANDER. Mr. President, I come to the floor to attempt to clear up some confusion about Senate procedure. The confusion I wish to address is that some observers of the Senate seem to have a hard time telling the difference between a filibuster that is designed to kill the nomination of a Cabinet member or a judge and a motion by the majority leader to cut off debate. Let me say that again—the difference between a filibuster that is designed to prevent the nomination of a Cabinet member or a judge on one hand or a motion by the majority leader of the Senate to cut off debate.

There is a big difference. But sometimes I read in the newspapers that Republicans are filibustering, for example, Senator Hagel, as if a majority of Republicans or a majority of the Senate intended to deny the confirmation of Senator Hagel through a filibuster, when, in fact, what most of the Republicans were saying was: The nomination of the former Senator has come to the floor only 2 days ago. We have Senators who have legitimate questions about the nomination, and we wish to have some time to discuss it.

In that case, we were forced to have a vote on a motion by the majority leader to cut off debate on Thursday before the recess, even though the

Democratic leadership and the White House had been told by Republican Senators—enough of us—if we voted after the recess there would be plenty of votes to make sure the President's nominee had an up-or-down vote, as we have done throughout history in the U.S. Senate.

Now, for whatever reason, the majority leader and the White House felt they had to push through a vote and then went into a large complaint that Republicans are filibustering the President's nominee, Republicans are obstructionists of the President's nominee, when all we were doing was doing what Senators historically do, which is ask for a sufficient time to exercise our constitutional duty of advice and consent.

Advice and consent is our best known constitutional responsibility. Books have been written about it, movies have been written about it, and speeches have been made about it time after time. If we do not do it, we would be derelict in our duty.

So there is a big difference between asking for time to exercise our constitutional duty of advice and consent and using a filibuster to prevent the nomination of a Cabinet member or a judge.

I went back through history as best I could. The Congressional Research Service has issued a report on what has happened throughout the Senate's history on Cabinet members and judges.

On district judges, according to CRS, no district judge nomination has ever failed to be confirmed because they failed to obtain cloture. Did it take some time? Were questions asked? Yes, of course. That is part of the process. But the fact is, no district court nomination has ever failed to be confirmed because they failed to obtain cloture.

So if the majority leader will wait a sufficient amount of time for the minority members to have their questions answered, a district judge in this body today—and we have proved it time and time again—will not be denied his seat because of a 60-vote cloture vote. There will be an up-or-down vote on a district judge.

The same is true so far with a Cabinet member. The only exception I have found is when the Democrats, unfortunately, used a cloture vote—a 60-vote requirement—to block the nomination of John Bolton, President Bush's nominee to be U.S. Representative to the United Nations.

Some Presidents include that position in the Cabinet; some do not. But aside from that singular incident, which I point out was the Democrats—the Democrats—saying they are going to filibuster a nominee by the President and deny him a seat, so far as I have been able to tell, there has not ever been an instance in the history of the Senate where Republicans have used a filibuster to deny a Cabinet member an up-or-down vote when nominated by a President.

That only leaves circuit judge nominees. Up until 2003, so far as I have been able to find, the rule of the Senate was that the President's nominees to be on the Federal courts of appeals always received an up-or-down vote. They were decided by a vote of 51.

Then our friends on the Democratic side, when President Bush became President, decided they did not like that and they changed the practice. They began to filibuster President Bush's judges to deny them their seats.

I had just arrived in the Senate in 2003. I was very upset by that because I knew some of the nominees. I knew about Miguel Estrada. I knew how Charles Pickering, in Mississippi, had been a pioneer in the civil rights movement when people said he was not. I knew that William Pryor had been a law clerk to the Honorable John Minor Wisdom, the Federal courts of appeals judge for whom I clerked in New Orleans. I knew these were good people. They just happen to be conservative. They just happen to be Republicans. So our friends on the other side of the aisle said: We are going to filibuster and kill those nominees.

There were three others: Priscilla Owen, Carolyn Kuhl, Janice Brown. All the cloture votes failed. There was no final vote. And then there were four more in 2004. So there were 10 altogether. Democrats for the first time filibustered to kill 10 of President Bush's judges.

That produced a reaction. That produced Republicans who said: OK, we are going to change the rules of the Senate. We are going to make this a majoritarian institution. We are going to decide these questions by 51 votes.

Well, cooler heads prevailed and we adopted a consensus that only in extraordinary cases would Federal appellate court judges be denied their seat by a cloture vote, by a 60-vote margin. In every other case, it would be 51 votes.

Based on the research I have been able to make, only two of President Obama's circuit court nominees have failed to obtain cloture and were not confirmed, and those are Caitlin Halligan and Goodwin Liu.

So the bottom line of history is, no district judge has ever been denied his seat or her seat by a filibuster. No Cabinet member—with the exception of John Bolton by the Democrats, if you want to count that—has been denied his or her seat by a filibuster.

As far as circuit court nominations go, the score is 10 to 2. The Democrats have filibustered to death 10 of President Bush's nominees, and Republicans, in return, have filibustered 2. I think that is an unfortunate precedent. I would like for the Senate to go back to where it was when even a nominee such as Clarence Thomas for the Supreme Court of the United States was decided by a majority vote.

In addition to that, of course, there is the question of: Do we filibuster legislation? The answer is yes, we do. And sometimes we do on either side to kill a bill. If a bill comes over here to abolish the secret ballot in union elections, I imagine Republicans will do their best to kill the bill with a 60-vote margin. Democrats would do the same with a right-to-work provision if Republicans were in charge. That has happened throughout history. And with lesser nominations that has happened. If a National Labor Relations Board nominee is controversial, there might be a 60-vote requirement—even with a nomination to the Tennessee Valley Authority.

I remember when the distinguished majority leader held up President Bush's TVA nominees because he thought the President should have appointed Democrats instead of Republicans. I pointed out to him that the law did not say he had to do that. But the majority leader said, well, he was going to hold them up anyway. I could not get him to stop doing that until I held up somebody he wanted from Nevada.

So this has gone on throughout history with lesser nominees. It is a part of the advice and consent of the Senate. It is a way we gather information. It is a way we make a point. It is a way we sometimes get something in exchange. It is a power that an individual Senator has.

As with all the powers we have, it should be exercised with restraint. If all 100 of us exercised all the privileges we have at any given time, nothing would happen.

Let me conclude by remaking my first point. Advice and consent is the best known responsibility of this Senate. It is a constitutional duty. We exercise it diligently. It often involves some delay. It often involves asking for more time to consider someone, getting information that was not easily gotten before. Every Senator knows that the time to ask a nominee about an issue is before that nominee is confirmed. They are able to talk about something, it seems, easily. Their appointments are not hard to get. So that is a part of what we do every day.

But I hope the observers of the Senate will make a distinction in the future between the majority leader's effort to cut off debate and the minority's intention to kill a nominee with a filibuster. Because we do not do it with district judges—never have. We do not do it with Cabinet members—never have. We have done it twice on the Republican side with circuit court judges; Democrats have done it 10 times—both unfortunate precedents, I think. But with Cabinet members and district judges, that is the record.

So there is a difference. There is a difference between asking for a reasonable amount of time to debate and exercise advice and consent and a filibuster with the intention of preventing the nomination entirely, finally, of a judge or a Cabinet member.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, while the Senator from Tennessee is on the floor—and because he referenced the filibuster of district judge nominees—let me say that there was a concerted effort to try to filibuster a district court nominee, one whom Senator REED and myself had a particularly keen interest in, since we recommended this candidate to the President, and it was the Senator from Tennessee, along with 10 of his Republican colleagues, who decided that was not in the best traditions of the Senate and who voted against the filibuster and to allow cloture so that the precedent remains that district judges will not be filibustered. I just want to take this opportunity to thank him for doing that, and to let him know he has my gratitude for that. I think it was in the best interests of the Senate. I do not think the Senator did it in order to gain any gratitude from me. I think he did it because, as a matter of principle, he thought this was the way the Senate should behave. But I certainly do appreciate it and I want to take this moment to say so.

CLIMATE CHANGE

Mr. WHITEHOUSE. I am here, actually, Mr. President, to once again urge Congress that we have to wake up to the growing threat of climate change. The alarm bells are ringing. The signs are all around us. Yet we continue to sleepwalk through history, ignoring the warnings from the scientific community, from economists and business leaders—even from our military—of long-term shifts in the climate of our planet.

Another alarm has now sounded—this time by the Government Accountability Office, the taxpayers' watchdog. For the first time ever, the threat to the Federal Government of climate change has been included on the Government Accountability Office's High Risk List.

Every 2 years, at the start of a new Congress, GAO—the Government Accountability Office—provides the House and Senate with a list of program areas that are at high risk. GAO was the government's nonpartisan auditor, and the High Risk List is its catalog of threats to the integrity and performance of the Federal Government.

GAO says:

> Solutions to high-risk problems offer the potential to save billions of dollars, improve service to the public, and strengthen the performance and accountability of the U.S. government.

House Oversight Committee chairman, DARRELL ISSA, has called the High Risk List ''the most important report published.'' As we face the indiscriminate spending cuts of the multibillion-dollar sequester, Chairman ISSA pointed out that ''the list represents tremendous opportunities to save those billions of dollars.'' It is enough, actually, to prevent the sequester we are careening toward twice over.

Only 55 issues have been elevated to the High Risk List since it first began in 1990. The current list comprises 30 big-ticket problems, such as improving defense program management, protecting the Nation's cyber infrastructure, and modernizing Federal health programs. When a problem reaches GAO's High Risk List, it shouldn't matter if you are a Democrat or a Republican. These issues must be among the top priorities of Congress and of the Nation.

Add now to this list of serious national problems the destabilizing fiscal risk posed by climate change.

The Federal Government and our military—and by definition, the American taxpayer—own and operate hundreds of thousands of buildings and extensive infrastructure in every State, including utilities, flood control and navigation systems, powerplants, distribution networks, and irrigation systems, not to mention the usual roads and bridges. The Federal Government also manages about 650 million acres of land for grazing, for timber, for conservation, and for recreation. That is nearly 30 percent of the total area of the United States, and climate change is affecting virtually all of it.

The overwhelming majority of climate scientists tell us that the air and oceans are warming, that sea level is rising, and that we are changing the very chemistry of our oceans. These changes—some of them unprecedented in human history—increase the risk of extreme weather, such as heat waves, floods, droughts, and storms. As GAO points out, Federal assets in every corner of the country are at risk.

Storms crashing into the Southeast, wildfires burning throughout the West, and floods inundating the Northeast are not just local problems. Droughts are draining aquifers in the Midwest, warm temperatures are melting permafrost in Alaska, and rising, warming, more acidic oceans are eroding our national coast lines and threatening our lives and our seas. These are not just local problems. Climate change is a high-risk threat to our shared national well-being, our shared national wealth, and our shared national heritage.

The GAO High Risk List sounds yet another alarm that we are fools to ignore. For instance, GAO found that neither the National Flood Insurance Program nor the Federal Crop Insurance Corporation is prepared to deal with climate change.

Between 1980 and 2005, the Flood Insurance Program's exposure quadrupled to nearly $1 trillion. The Crop Insurance Program increased 26-fold to $44 billion. Yet GAO reports that these programs have not even developed the ''information needed to understand their long-term exposure to climate change and not yet analyzed the potential impacts of an increase in the frequency or severity of weather-related events.''

Major private insurance companies such as Allianz, Swiss Re, Munich Re, and Lloyd's of London have for years been developing strategies to address climate change. Our Federal insurance programs don't even have the basic information to address these risks.

Understanding and preparing for these risks is essential to protect our communities from catastrophic loss. According to NOAA, the value of flood insurance coverage in my home State of Rhode Island was $2.2 billion in 2011. The Ocean State has received $57 million in payouts since 1978, some of which helped Rhode Islanders recover from our record floods of 2010 brought on by extremely heavy rainfall. Folks who have flood coverage through the National Flood Insurance Program should know that heavy rainfall has increased in the Northeast by 74 percent since the 1950s, and scientists predict that warmer air will continue to increase the frequency of heavy rainfall and consequent flooding in the Northeast.

Disaster aid is expensive. FEMA has obligated more than $80 billion in Federal disaster aid between 2004 and 2011. Another $50.5 billion in emergency aid was just approved for the northeastern communities devastated by Hurricane Sandy. PSE&G, New Jersey's largest utility, plans to spend over $4 billion over 10 years to make its electric and gas systems more resilient to these severe storms. New Jersey's second largest utility, JDP&L, announced that it intends to spend $200 million to do the same. According to Jeanne Fox, who is a commissioner on the New Jersey Board of Public Utilities, ''This is a cost of climate change, pure and simple.''

It is really time for us to wake up. In the private sector, the insurance and utility industries are facing the threat. Congress must now act responsively.

House Oversight Committee ranking member ELIJAH CUMMINGS asked GAO Comptroller Gene Dodaro if it was ''GAO's opinion that regardless of the outcome of global negotiations to reduce carbon emissions, the United States Government should take immediate action to mitigate the risk posed by the climate change.'' Comptroller General Dodaro responded with a simple and unequivocal ''yes.''

In the High Risk List, GAO states that despite any possible future reduction of emissions, ''greenhouse gases already in the atmosphere will continue altering the climate system for many decades.'' That is the way the laws of physics and chemistry work. Damage with lasting consequences is already done.

Many effects of climate change can be mitigated, and it is the responsibility of this Congress to help our Nation prepare and adapt. Some Federal efforts are underway. In 2003 the U.S. Department of Transportation initiated a study of climate risks to gulf coast transportation. It is now cooperating in that study with the South Alabama Regional Planning Commission. The Bureau of Land Management and

the U.S. Forest Service are developing a drought vulnerability model, a carbon storage map, and an alpine monitoring program to help land managers in southwestern Colorado cope with the effects of a changing climate. The Centers for Disease Control and Prevention have a Climate-Ready States and Cities Initiative to help local health departments prepare for changes in health risks driven by climate change. EPA partnered with New York City's Department of Environmental Protection to develop a software tool that helps drinking water and wastewater utility operators understand how climate change poses risks to their facilities.

Rhode Island, I am proud to say, is one of many States that have formed a climate change commission. The commission is coordinating with Federal officials to identify specific State and local challenges that are presented by our changing climate. Twenty other States have similar climate action plans developed or underway.

Despite the actions by States, the actions in the private sector, and the warnings in the GAO High Risk List, special interest politics in Congress prevent the Federal Government from using our resources effectively and efficiently against this threat. The polluting special interests have Washington gripped in a barricade of obstruction, and the effect truly is disgraceful.

Consider, for example, NOAA's proposal to create a National Climate Service, akin to its renowned National Weather Service. This was a no-cost restructuring that would have centralized NOAA's work on understanding the climate, including its observations of climate change. The National Climate Service would have helped meet the growing local demand for climate change science information. This proposal was blocked by Republicans over in the House who simply don't want to hear about climate change. That kind of thinking will not get climate change off the High Risk List.

According to GAO, ''The Nation's vulnerability can be reduced by limiting the magnitude of climate change through actions to limit greenhouse gas emissions. . . . While implementing adaptive measures may be costly, there is a growing recognition that the cost of inaction could be greater and—given the government's precarious fiscal position—increasingly difficult to manage given expected budget pressures.''

Congress has been asleep long enough. We have a tradition in this body of taking the accounting of GAO—our nonpartisan watchdog—seriously and of taking GAO's High Risk List seriously. GAO now joins our defense and intelligence communities, our scientific research communities, our State and local governments, and major sectors of private industry that have all elevated climate change from their to-do list to their must-do list. It is time for Congress to wake up to its duties and to get to work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

The Republican leader is recognized.

UNANIMOUS CONSENT AGREEMENT—S. 16

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Inhofe-Toomey bill at the desk be considered as the bill that qualifies for introduction under the February 14 consent agreement.

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

TO PROVIDE FOR A SEQUESTER REPLACEMENT—MOTION TO PROCEED

CLOTURE MOTION

Mr. MCCONNELL. I now move to proceed to S. 16, and I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, S. 16, an Inhofe/Toomey bill to cancel budgetary resources for fiscal year 2013:

Mitch McConnell, John Cornyn, Patrick J. Toomey, James M. Inhofe, Johnny Isakson, Richard Burr, John Thune, Tom Coburn, Jeff Sessions, Roger F. Wicker, Mike Johanns, Mike Crapo, Pat Roberts, Ron Johnson, James E. Risch, Jerry Moran, John Barrasso.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that tomorrow, February 28, at a time to be determined by the majority leader, after consultation with Senator MCCONNELL, the Senate proceed to vote on the motion to invoke cloture on the McConnell motion to proceed to Calendar No. 19, S. 16; that if cloture is not invoked, the motion to proceed be withdrawn and the Senate then proceed to vote on the motion to invoke cloture on the Reid motion to proceed to Calendar No. 18, S. 388; further, if cloture is invoked on the McConnell motion to proceed, the motion to proceed be agreed to and the Senate resume consideration of the Reid motion to proceed to S. 388 and vote on the motion to invoke cloture on the Reid motion; that if cloture is invoked on the Reid motion, the motion to proceed be agreed to; that if the motion to proceed to S. 16 was previously agreed to, the Senate then resume consideration of the bill and, upon disposition of S. 16, the Senate resume consideration of S. 388 if the motion to proceed was previously agreed to.

The PRESIDING OFFICER. Is there objection?

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 allowed to speak therein for up to 10 minutes each.

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

REMEMBERING C. EVERETT KOOP

Mr. DURBIN. Mr. President, I rise to speak about the passing of an extraordinary American, a man who received the Presidential Medal of Freedom. I think he was one of the true leaders in my lifetime when it came to issues related to health care. Of course, I am referring to former U.S. Surgeon General C. Everett Koop.

It is hard to imagine today, as we reflect on all that has happened in the last several decades, the courage it took for Dr. Koop to step up and honestly describe the HIV/AIDS epidemic to the American people. This socially conservative doctor went so far as to make sure there was a mailing to every household in America that described the threat of this disease. There were many who thought that would never happen because of the political environment of the day. But Dr. Koop rose to the challenge and, in doing that, he saved lives in America. And he informed this country in a way that no other Surgeon General has about this looming danger.

If only that alone were his legacy, it would be more than enough. But I had a special personal friendship with him that related to our mutual efforts against the scourge of tobacco and the deaths related to that product. We have come a long way in America, and Dr. Koop was part of the progress we made. He was resolute in making it clear that tobacco was the No. 1 avoidable cause of death in America at his time, and is still today.

He was helpful in so many ways. When Senator FRANK LAUTENBERG and I, more than 25 years ago, teamed up—I was then in the House; FRANK in the Senate—to ban smoking on airplanes, it was something that neither Senator LAUTENBERG nor I could have predicted would have had the impact it did. It is one of the Malcolm Gladwell tipping points in health history in this country because when we took smoking off airplanes, people started asking the obvious question: If secondhand smoke is not healthy on an airplane, why is it healthy in a train, in a bus, in an office, in a hospital, in a restaurant, in a government building? And all of the dominoes started to fall.

America is a different place today. C. Everett Koop was one of the most courageous medical voices who stepped out time and time again to remind us of the importance of that issue. Once again, his leadership saved lives.

On the back pages of yesterday's Washington Post was an editorial entitled: ''PEPFAR's glowing report card, 10 years later.''

PEPFAR—the President's Emergency Plan for AIDS Relief—was begun under President George W. Bush. While President Bush and I haven't always seen eye to eye, I have the greatest respect for his leadership in the effort to end the global AIDS pandemic.

PEPFAR is the largest global health initiative ever undertaken focused on a single disease. When Congress reauthorized it in 2008, we asked for a report card on its effectiveness.

Well, a remarkable—and remarkably thorough—analysis of PEPFAR was just released by the National Institute of Medicine of the National Academy of Sciences. The verdict: PEPFAR has been ''globally transformative,'' a ''lifeline'' and credited around the world for ''restoring hope'' in the long, difficult struggle against HIV/AIDS.

The report goes on to say that the program has set big goals ''and has met or surpassed many of them'' and it ''has saved and improved the lives of millions'' of men, women and children throughout the world.

That is an achievement that all Americans can be proud of.

On the front page of yesterday's newspapers was the story of one American who could take a special pride in our Nation's efforts to end the global AIDS pandemic.

C. Everett Koop died Monday at the age of 96.

He was called ''America's Doctor.'' As U.S. Surgeon General during the Reagan administration, Dr. Koop informed—and really transformed—Americans' understanding of HIV/AIDs.

He saw beyond politics and ideology and understood that HIV/AIDs were not punishments, they were a public health emergency.

At a time when there was great fear and ignorance about HIV/AIDs and little treatment for the illness, Dr. Koop saw that information was the most useful weapon against AIDS.

In May 1988, he mailed a seven-page brochure, ''Understanding AIDS,'' to every household in the country. It was an audacious act of leadership, especially in an administration in which almost no one else would even utter the word ''AIDS'' in public.

Dr. Koop was also a tireless campaigner against tobacco. As surgeon general, he released a report in 1982 that attributed 30 percent of all cancer deaths to smoking.

He wrote that nicotine was as addictive as heroin, warned against the hazards of secondhand smoke, and demanded that the warning labels on cigarette packs be rewritten to reflect the lethal dangers of tobacco.

It is probably hard for anyone younger than 40 and perhaps even 50 to understand how Dr. Koop's courage and candor fundamentally changed the public debate on smoking.

Before the Surgeon General's report, smoking was common in offices and restaurants and public buildings throughout America—even in the confined space of airline cabins.

In 1986, I cosponsored a bill in the House—and Senator LAUTENBERG cosponsored a measure in the Senate—to ban smoking on domestic flights of 2 hours or less. We didn't know it then but that law, which passed in 1987, was the beginning of a smoke-free revolution that has saved countless lives.

Dr. Koop provided the facts and the leadership to make that change possible.

Remarkably, Charles Everett Koop had no background in public health when he was appointed by President Reagan in 1981 to head the commissioned corps of the U.S. Public Health Service.

He was, at the time, 64 years old and one of the world's leading pediatric surgeons. He was also a socially conservative Christian who had written a popular treatise against abortion.

He was born in Brooklyn, an only child, and he used to say that he had wanted to be a surgeon since he was 6 years old.

He attended Dartmouth College and Cornell University's Medical College and began his residency at the University of Pennsylvania Hospital in 1942.

In 1946, when he was not yet 30 years old, Dr. Koop became chief of surgery at Children's Hospital of Philadelphia.

Pediatric surgery as a medical specialty barely existed at that time. Most doctors viewed children then as little adults. Operations on newborns were rare and often fatal.

Dr. Koop established what is considered by many the first neonatal intensive care unit in the country.

President Bill Clinton awarded Dr. Koop the Presidential Medal of Freedom in 1995.

Dr. Koop's legacy will live on in the scores of pediatric surgeons he trained, many of whom went on to head pediatrics departments in hospitals in America and around the world.

His legacy will live on through the institute that bears his name, the C. Everett Koop Institute at Dartmouth University.

And Dr. Koop's legacy will live on in the millions of lives his work has helped save.

I want to read a quote from one of those millions of people. This is what one man wrote on the Washington Post Web site following the front-page story announcing Dr. Koop's death:

''When I was 6 months old, Dr Koop was a pediatric surgeon in Philadelphia. On Thanksgiving night, he left his family dinner to perform an emergency operation on me for pyloric stenosis,'' a condition which prevents the stomach from emptying into the small intestine. ''The surgery saved my life.''

The man continued: ''That was 68 years ago. I grew up . . . went to college and two graduate schools . . . got a commission in the Army . . . served 7½ years active duty with 2½ years in Vietnam in 2 infantry divisions . . . 25 years in the Army Reserves . . . and 30 years as a civilian intelligence officer in DC, with 15 years on the [Joint Chiefs] staff. [I was] in the Pentagon during the 9/11 attack.''

He ends by saying: ''I can only hope that in some small way, I have been worthy of the life Dr Koop gave me although I could never adequately repay him.''

Dr. Koop's wife of 67 years, Elizabeth, died in 2007. He remarried in 2010.

I want to offer my condolences to his widow, Cora Hogue, to Dr. Koop's children and grandchildren and his many friends and colleagues.

As I mentioned, Dr. Koop lived to the impressive age of 96 years. But what is truly impressive is the fact that untold millions of people around the world have lived, and will continue to live longer, healthier lives, because of the professional excellence, wisdom, and courage of Dr. Charles Everett Koop. He served America well and he will be missed.

SELECT COMMITTEE ON ETHICS

RULES OF PROCEDURE

Mrs. BOXER. Mr. President, in accordance with rule XXVI(2) of the Standing Rules of the Senate, Senator ISAKSON and I ask unanimous consent that the Rules of Procedure of the Select Committee on Ethics, which were adopted February 23, 1978, and last revised November 1999, be printed in the RECORD for the 113th Congress. The committee procedural rules for the 113th Congress are identical to the procedural rules adopted by the committee for the 112th Congress.

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

RULES OF THE SELECT COMMITTEE ON ETHICS

PART I: ORGANIC AUTHORITY

SUBPART A—S. RES. 338 AS AMENDED

S. Res. 338, 88th Cong., 2d Sess. (1964)

Resolved, That (a) there is hereby established a permanent select committee of the Senate to be known as the Select Committee on Ethics (referred to hereinafter as the ''Select Committee'') consisting of six Members of the Senate, of whom three shall be selected from members of the majority party and three shall be selected from members of the minority party. Members thereof shall be appointed by the Senate in accordance with the provisions of Paragraph 1 of Rule XXIV of the Standing Rules of the Senate at the beginning of each Congress. For purposes of paragraph 4 of Rule XXV of the Standing Rules of the Senate, service of a Senator as a member or chairman of the Select Committee shall not be taken into account.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be

filled in the same manner as original appointments thereto are made.

(c) (1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of routine business of the Select Committee not covered by the first paragraph of this subparagraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a member of the majority Party and one member of the quorum is a member of the minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) The Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

(d) (1) A member of the Select Committee shall be ineligible to participate in—

(A) any preliminary inquiry or adjudicatory review relating to—

(i) the conduct of—

(I) such member;

(II) any officer or employee the member supervises; or

(III) any employee of any officer the member supervises; or

(ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Select Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the Select Committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) A member of the Select Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Select Committee and the determinations and recommendations of the Select Committee with respect to any such preliminary inquiry or adjudicatory review. Notice of such disqualification shall be given in writing to the President of the Senate.

(3) Whenever any member of the Select Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review or disqualifies himself or herself under paragraph (2) from participating in any preliminary inquiry or adjudicatory review, another Senator shall, subject to the provisions of subsection (d), be appointed to serve as a member of the Select Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Select Committee with respect to such preliminary inquiry or adjudicatory review. Any Member of the Senate appointed for such purposes shall be of the same party as the Member who is ineligible or disqualifies himself or herself.

Sec. 2. (a) It shall be the duty of the Select Committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) (A) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individual concerned due notice and opportunity for a hearing, to have occurred;

(B) pursuant to subparagraph (A) recommend discipline, including—

(i) in the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these; and

(ii) in the case of an officer or employee, dismissal, suspension, payment of restitution, or a combination of these;

(3) subject to the provisions of subsection (e), by a unanimous vote of 6 members, order that a Member, officer, or employee be reprimanded or pay restitution, or both, if the Select Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate;

(4) in the circumstances described in subsection (d)(3), issue a public or private letter of admonition to a Member, officer, or employee, which shall not be subject to appeal to the Senate;

(5) recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

(6) by a majority vote of the full committee, report violations of any law, including the provision of false information to the Select Committee, to the proper Federal and State authorities; and

(7) develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(b) For the purposes of this resolution—

(1) the term ''sworn complaint'' means a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as Members, officers, or employees of the Senate;

(2) the term ''preliminary inquiry'' means a proceeding undertaken by the Select Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred; and

(3) the term ''adjudicatory review'' means a proceeding undertaken by the Select Committee after a finding, on the basis of a preliminary inquiry, that there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred.

(c) (1) No—

(A) adjudicatory review of conduct of a Member or officer of the Senate may be conducted;

(B) report, resolution, or recommendation relating to such an adjudicatory review of conduct may be made; and

(C) letter of admonition pursuant to subsection (d)(3) may be issued, unless approved by the affirmative recorded vote of no fewer than 4 members of the Select Committee.

(2) No other resolution, report, recommendation, interpretative ruling, or advisory opinion may be made without an affirmative vote of a majority of the Members of the Select Committee voting.

(d) (1) When the Select Committee receives a sworn complaint or other allegation or information about a Member, officer, or employee of the Senate, it shall promptly conduct a preliminary inquiry into matters raised by that complaint, allegation, or information. The preliminary inquiry shall be of duration and scope necessary to determine whether there is substantial credible evidence which provides substantial cause for the Select Committee to conclude that a violation within the jurisdiction of the Select Committee has occurred. The Select Committee may delegate to the chairman and vice chairman the discretion to determine the appropriate duration, scope, and conduct of a preliminary inquiry.

(2) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines by a recorded vote that there is not such substantial credible evidence, the Select Committee shall dismiss the matter. The Select Committee may delegate to the chairman and vice chairman the authority, on behalf of the Select Committee, to dismiss any matter that they determine, after a preliminary inquiry, lacks substantial merit. The Select Committee shall inform the individual who provided to the Select Committee the complaint, allegation, or information, and the individual who is the subject of the complaint, allegation, or information, of the dismissal, together with an explanation of the basis for the dismissal.

(3) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that a violation is inadvertent, technical, or otherwise of a de minimis nature, the Select Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline. The Select Committee may issue a public letter of admonition upon a similar determination at the conclusion of an adjudicatory review.

(4) If, as a result of a preliminary inquiry under paragraph (1), the Select Committee determines that there is such substantial credible evidence and the matter cannot be appropriately disposed of under paragraph (3), the Select Committee shall promptly initiate an adjudicatory review. Upon the conclusion of such adjudicatory review, the Select Committee shall report to the Senate, as soon as practicable, the results of such adjudicatory review, together with its recommendations (if any) pursuant to subsection (a)(2).

(e) (1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (a)(3) may, within 30 days of the Select Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the basis for the appeal to the Select Committee and the presiding officer of the Senate. The presiding officer of the Senate shall cause

the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) A motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Select Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

(f) The Select Committee may, in its discretion, employ hearing examiners to hear testimony and make findings of fact and/or recommendations to the Select Committee concerning the disposition of complaints.

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

(h) The Select Committee shall adopt written rules setting forth procedures to be used in conducting preliminary inquiries and adjudicatory reviews.

(i) The Select Committee from time to time shall transmit to the Senate its recommendation as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

Sec. 3. (a) The Select Committee is authorized to (1) make such expenditures; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (5) administer such oaths; (6) take such testimony orally or by deposition; (7) employ and fix the compensation of a staff director, a counsel, an assistant counsel, one or more investigators, one or more hearing examiners, and such technical, clerical, and other assistants and consultants as it deems advisable; and (8) to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, by contract as independent contractors or, in the case of individuals, by employment at daily rates of compensation not in excess of the per diem equivalent of the highest rate of compensation which may be paid to a regular employee of the Select Committee.

(b) (1) The Select Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the executive branch of the Government) whenever the Select Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, which, in the determination of the Select Committee is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee.

(2) Any adjudicatory review as defined in section 2(b)(3) shall be conducted by outside counsel as authorized in paragraph (1), unless the Select Committee determines not to use outside counsel.

(c) With the prior consent of the department or agency concerned, the Select Committee may (1) utilize the services, information and facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the Select Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the Select Committee determines that such action is necessary and appropriate.

(d) (1) Subpoenas may be authorized by—

(A) the Select Committee; or

(B) the chairman and vice chairman, acting jointly.

(2) Any such subpoena shall be issued and signed by the chairman and the vice chairman and may be served by any person designated by the chairman and vice chairman.

(3) The chairman or any member of the Select Committee may administer oaths to witnesses.

(e) (1) The Select Committee shall prescribe and publish such regulations as it feels are necessary to implement the Senate Code of Official Conduct.

(2) The Select Committee is authorized to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction.

(3) The Select Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(4) The Select Committee may in its discretion render an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(5) Notwithstanding any provision of the Senate Code of Official Conduct or any rule or regulation of the Senate, any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of paragraphs (3) and (4) and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

(6) Any advisory opinion rendered by the Select Committee under paragraphs (3) and (4) may be relied upon by (A) any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered: Provided, however, that the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and, (B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(7) Any advisory opinion issued in response to a request under paragraph (3) or (4) shall be printed in the Congressional Record with appropriate deletions to assure the privacy of the individual concerned. The Select Committee shall, to the extent practicable, before rendering an advisory opinion, provide any interested party with an opportunity to transmit written comments to the Select Committee with respect to the request for such advisory opinion. The advisory opinions issued by the Select Committee shall be compiled, indexed, reproduced, and made available on a periodic basis.

(8) A brief description of a waiver granted under paragraph 2(c) [NOTE: Now Paragraph 1] of Rule XXXIV or paragraph 1 of Rule XXXV of the Standing Rules of the Senate shall be made available upon request in the Select Committee office with appropriate deletions to assure the privacy of the individual concerned.

Sec. 4. The expenses of the Select Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Select Committee.

Sec. 5. As used in this resolution, the term ''officer or employee of the Senate'' means—

(1) an elected officer of the Senate who is not a Member of the Senate;

(2) an employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) the Legislative Counsel of the Senate or any employee of his office;

(4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) a Member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(7) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

SUBPART B—PUBLIC LAW 93–191—FRANKED MAIL, PROVISIONS RELATING TO THE SELECT COMMITTEE

Sec. 6. (a) The Select Committee on Standards and Conduct of the Senate [NOTE: Now the Select Committee on Ethics] shall provide guidance, assistance, advice and counsel, through advisory opinions or consultations, in connection with the mailing or contemplated mailing of franked mail under section 3210, 3211, 3212, 3218(2) or 3218, and in connection with the operation of section 3215, of title 39, United States Code, upon the request of any Member of the Senate or Member-elect, surviving spouse of any of the foregoing, or other Senate official, entitled to send mail as franked mail under any of those sections. The select committee shall prescribe regulations governing the proper use of the franking privilege under those sections by such persons.

(b) Any complaint filed by any person with the select committee that a violation of any section of title 39, United State Code, referred to in subsection (a) of this section is about to occur or has occurred within the immediately preceding period of 1 year, by any person referred to in such subsection (a), shall contain pertinent factual material and shall conform to regulations prescribed by the select committee. The select committee, if it determines there is reasonable justification for the complaint, shall conduct an investigation of the matter, including an investigation of reports and statements filed by that complainant with respect to the matter which is the subject of the complaint. The committee shall afford to the person who is the subject of the complaint due notice and, if it determines that there is substantial reason to believe that such violation has occurred or is about to occur, opportunity for all parties to participate in a

hearing before the select committee. The select committee shall issue a written decision on each complaint under this subsection not later than thirty days after such a complaint has been filed or, if a hearing is held, not later than thirty days after the conclusion of such hearing. Such decision shall be based on written findings of fact in the case by the select committee. If the select committee finds, in its written decision, that a violation has occurred or is about to occur, the committee may take such action and enforcement as it considers appropriate in accordance with applicable rules, precedents, and standing orders of the Senate, and such other standards as may be prescribed by such committee.

(c) Notwithstanding any other provision of law, no court or administrative body in the United States or in any territory thereof shall have jurisdiction to entertain any civil action of any character concerning or related to a violation of the franking laws or an abuse of the franking privilege by any person listed under subsection (a) of this section as entitled to send mail as franked mail, until a complaint has been filed with the select committee and the committee has rendered a decision under subsection (b) of this section.

(d) The select committee shall prescribe regulations for the holding of investigations and hearings, the conduct of proceedings, and the rendering of decisions under this subsection providing for equitable procedures and the protection of individual, public, and Government interests. The regulations shall, insofar as practicable, contain the substance of the administrative procedure provisions of sections 551–559 and 701–706, of title 5, United States Code. These regulations shall govern matters under this subsection subject to judicial review thereof.

(e) The select committee shall keep a complete record of all its actions, including a record of the votes on any question on which a record vote is demanded. All records, data, and files of the select committee shall be the property of the Senate and shall be kept in the offices of the select committee or such other places as the committee may direct.

SUBPART C—STANDING ORDERS OF THE SENATE REGARDING UNAUTHORIZED DISCLOSURE OF INTELLIGENCE INFORMATION, S. RES. 400, 94TH CONGRESS, PROVISIONS RELATING TO THE SELECT COMMITTEE

SEC. 8. * * *

(c) (1) No information in the possession of the select committee relating to the lawful intelligence activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to subsection (a) or (b) of this section, has determined should not be disclosed, shall be made available to any person by a Member, officer, or employee of the Senate except in a closed session of the Senate or as provided in paragraph (2).

(2) The select committee may, under such regulations as the committee shall prescribe to protect the confidentiality of such information, make any information described in paragraph (1) available to any other committee or any other Member of the Senate. Whenever the select committee makes such information available, the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the Senate received such information. No Member of the Senate who, and no committee which, receives any information under this subsection, shall disclose such information except in a closed session of the Senate.

(d) It shall be the duty of the Select Committee on Standards and Conduct to investigate any unauthorized disclosure of intelligence information by a Member, officer or employee of the Senate in violation of subsection (c) and to report to the Senate concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Select Committee on Standards and Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation together with its findings. If, at the conclusion of its investigation, the Select Committee on Standards and Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the Senate, it shall report its findings to the Senate and recommend appropriate action such as censure, removal from committee membership, or expulsion from the Senate, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SUBPART D—RELATING TO RECEIPT AND DISPOSITION OF FOREIGN GIFTS AND DECORATIONS RECEIVED BY MEMBERS, OFFICERS AND EMPLOYEES OF THE SENATE OR THEIR SPOUSES OR DEPENDENTS, PROVISIONS RELATING TO THE SELECT COMMITTEE ON ETHICS

Section 7342 of title 5, United States Code, states as follows:

Sec. 7342. Receipt and disposition of foreign gifts and decorations.

''(a) For the purpose of this section—

''(1) 'employee' means—

''(A) an employee as defined by section 2105 of this title and an officer or employee of the United States Postal Service or of the Postal Rate Commission;

''(B) an expert or consultant who is under contract under section 3109 of this title with the United States or any agency, department, or establishment thereof, including, in the case of an organization performing services under such section, any individual involved in the performance of such services;

''(C) an individual employed by, or occupying an office or position in, the government of a territory or possession of the United States or the government of the District of Columbia;

''(D) a member of a uniformed service;

''(E) the President and the Vice President;

''(F) a Member of Congress as defined by section 2106 of this title (except the Vice President) and any Delegate to the Congress; and

''(G) the spouse of an individual described in subparagraphs (A) through (F) (unless such individual and his or her spouse are separated) or a dependent (within the meaning of section 152 of the Internal Revenue Code of 1986) of such an individual, other than a spouse or dependent who is an employee under subparagraphs (A) through (F);

''(2) 'foreign government' means—

''(A) any unit of foreign governmental authority, including any foreign national, State, local, and municipal government;

''(B) any international or multinational organization whose membership is composed of any unit of foreign government described in subparagraph (A); and

''(C) any agent or representative of any such unit or such organization, while acting as such;

''(3) 'gift' means a tangible or intangible present (other than a decoration) tendered by, or received from, a foreign government;

''(4) 'decoration' means an order, device, medal, badge, insignia, emblem, or award tendered by, or received from, a foreign government;

''(5) 'minimal value' means a retail value in the United States at the time of acceptance of $100 or less, except that—

''(A) on January 1, 1981, and at 3 year intervals thereafter, 'minimal value' shall be redefined in regulations prescribed by the Administrator of General Services, in consultation with the Secretary of State, to reflect changes in the consumer price index for the immediately preceding 3-year period; and

''(B) regulations of an employing agency may define 'minimal value' for its employees to be less than the value established under this paragraph; and

''(6) 'employing agency' means—

''(A) the Committee on Standards of Official Conduct of the House of Representatives, for Members and employees of the House of Representatives, except that those responsibilities specified in subsections (c)(2)(A), (e)(1), and (g)(2)(B) shall be carried out by the Clerk of the House;

''(B) the Select Committee on Ethics of the Senate, for Senators and employees of the Senate, except that those responsibilities (other than responsibilities involving approval of the employing agency) specified in subsections (c)(2), (d), and (g)(2)(B) shall be carried out by the Secretary of the Senate;

''(C) the Administrative Office of the United States Courts, for judges and judicial branch employees; and

''(D) the department, agency, office, or other entity in which an employee is employed, for other legislative branch employees and for all executive branch employees.

''(b) An employee may not—

''(1) request or otherwise encourage the tender of a gift or decoration; or

''(2) accept a gift or decoration, other than in accordance with, the provisions of subsections (c) and (d).

''(c)(1) The Congress consents to—

''(A) the accepting and retaining by an employee of a gift of minimal value tendered and received as a souvenir or mark of courtesy; and

''(B) the accepting by an employee of a gift of more than minimal value when such gift is in the nature of an educational scholarship or medical treatment or when it appears that to refuse the gift would likely cause offense or embarrassment or otherwise adversely affect the foreign relations of the United States, except that

''(i) a tangible gift of more than minimal value is deemed to have been accepted on behalf of the United States and, upon acceptance, shall become the property of the United States; and

''(ii) an employee may accept gifts of travel or expenses for travel taking place entirely outside the United States (such as transportation, food, and lodging) of more than minimal value if such acceptance is appropriate, consistent with the interests of the United States, and permitted by the employing agency and any regulations which may be prescribed by the employing agency.

''(2) Within 60 days after accepting a tangible gift of more than minimal value (other than a gift described in paragraph (1)(B)(ii)), an employee shall—

''(A) deposit the gift for disposal with his or her employing agency; or

''(B) subject to the approval of the employing agency, deposit the gift with that agency for official use. Within 30 days after terminating the official use of a gift under subparagraph (B), the employing agency shall forward the gift to the Administrator of General Services in accordance with subsection (e)(1) or provide for its disposal in accordance with subsection (e)(2).

''(3) When an employee deposits a gift of more than minimal value for disposal or for official use pursuant to paragraph (2), or within 30 days after accepting travel or travel expenses as provided in paragraph (1)(B)(ii) unless such travel or travel expenses are accepted in accordance with specific instructions of his or her employing

agency, the employee shall file a statement with his or her employing agency or its delegate containing the information prescribed in subsection (f) for that gift.

''(d) The Congress consents to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance, subject to the approval of the employing agency of such employee. Without this approval, the decoration is deemed to have been accepted on behalf of the United States, shall become the property of the United States, and shall be deposited by the employee, within sixty days of acceptance, with the employing agency for official use, for forwarding to the Administrator of General Services for disposal in accordance with subsection (e)(1), or for disposal in accordance with subsection (e)(2).

''(e) (1) Except as provided in paragraph (2), gifts and decorations that have been deposited with an employing agency for disposal shall be (A) returned to the donor, or (B) forwarded to the Administrator of General Services for transfer, donation, or other disposal in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. However, no gift or decoration that has been deposited for disposal may be sold without the approval of the Secretary of State, upon a determination that the sale will not adversely affect the foreign relations of the United States. Gifts and decorations may be sold by negotiated sale.

''(2) Gifts and decorations received by a Senator or an employee of the Senate that are deposited with the Secretary of the Senate for disposal, or are deposited for an official use which has terminated, shall be disposed of by the Commission on Arts and Antiquities of the United States Senate. Any such gift or decoration may be returned by the Commission to the donor or may be transferred or donated by the Commission, subject to such terms and conditions as it may prescribe, (A) to an agency or instrumentality of (i) the United States, (ii) a State, territory, or possession of the United States, or a political subdivision of the foregoing, or (iii) the District of Columbia, or (B) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such Code. Any such gift or decoration not disposed of as provided in the preceding sentence shall be forwarded to the Administrator of General Services for disposal in accordance with paragraph (1). If the Administrator does not dispose of such gift or decoration within one year, he shall, at the request of the Commission, return it to the Commission and the Commission may dispose of such gift or decoration in such manner as it considers proper, except that such gift or decoration may be sold only with the approval of the Secretary of State upon a determination that the sale will not adversely affect the foreign relations of the United States.

''(f)(1) Not later than January 31 of each year, each employing agency or its delegate shall compile a listing of all statements filed during the preceding year by the employees of that agency pursuant to subsection (c)(3) and shall transmit such listing to the Secretary of State who shall publish a comprehensive listing of all such statements in the Federal Register.

''(2) Such listings shall include for each tangible gift reported—

''(A) the name and position of the employee;

''(B) a brief description of the gift and the circumstances justifying acceptance;

''(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift;

''(D) the date of acceptance of the gift;

''(E) the estimated value in the United States of the gift at the time of acceptance; and

''(F) disposition or current location of the gift.

''(3) Such listings shall include for each gift of travel or travel expenses—

''(A) the name and position of the employee;

''(B) a brief description of the gift and the circumstances justifying acceptance; and

''(C) the identity, if known, of the foreign government and the name and position of the individual who presented the gift.

''(4) In transmitting such listings for the Central Intelligence Agency, the Director of Central Intelligence may delete the information described in subparagraphs (A) and (C) of paragraphs (2) and (3) if the Director certifies in writing to the Secretary of State that the publication of such information could adversely affect United States intelligence sources.

''(g)(1) Each employing agency shall prescribe such regulations as may be necessary to carry out the purpose of this section. For all employing agencies in the executive branch, such regulations shall be prescribed pursuant to guidance provided by the Secretary of State. These regulations shall be implemented by each employing agency for its employees.

''(2) Each employing agency shall—

''(A) report to the Attorney General cases in which there is reason to believe that an employee has violated this section;

''(B) establish a procedure for obtaining an appraisal, when necessary, of the value of gifts; and

''(C) take any other actions necessary to carry out the purpose of this section.

''(h) The Attorney General may bring a civil action in any district court of the United States against any employee who knowingly solicits or accepts a gift from a foreign government not consented to by this section or who fails to deposit or report such gift as required by this section. The court in which such action is brought may assess a penalty against such employee in any amount not to exceed the retail value of the gift improperly solicited or received plus $5,000.

''(i) The President shall direct all Chiefs of a United States Diplomatic Mission to inform their host governments that it is a general policy of the United States Government to prohibit United States Government employees from receiving gifts or decorations of more than minimal value.

''(j) Nothing in this section shall be construed to derogate any regulation prescribed by any employing agency which provides for more stringent limitations on the receipt of gifts and decorations by its employees.

''(k) The provisions of this section do not apply to grants and other forms of assistance to which section 108A of the Mutual Educational and Cultural Exchange Act of 1961 applies.''

PART II: SUPPLEMENTARY PROCEDURAL RULES

145 Cong. Rec. S1832 (daily ed. Feb. 23, 1999)

RULE 1: GENERAL PROCEDURES

(a) OFFICERS: In the absence of the Chairman, the duties of the Chair shall be filled by the Vice Chairman or, in the Vice Chairman's absence, a Committee member designated by the Chairman.

(b) PROCEDURAL RULES: The basic procedural rules of the Committee are stated as a part of the Standing Orders of the Senate in Senate Resolution 338, 88th Congress, as amended, as well as other resolutions and laws. Supplementary Procedural Rules are stated herein and are hereinafter referred to as the Rules. The Rules shall be published in the Congressional Record not later than thirty days after adoption, and copies shall be made available by the Committee office upon request.

(c) MEETINGS:

(1) The regular meeting of the Committee shall be the first Thursday of each month while the Congress is in session.

(2) Special meetings may be held at the call of the Chairman or Vice Chairman if at least forty-eight hours notice is furnished to all members. If all members agree, a special meeting may be held on less than forty-eight hours notice.

(3) (A) If any member of the Committee desires that a special meeting of the Committee be called, the member may file in the office of the Committee a written request to the Chairman or Vice Chairman for that special meeting.

(B) Immediately upon the filing of the request the Clerk of the Committee shall notify the Chairman and Vice Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman or the Vice Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, any three of the members of the Committee may file their written notice in the office of the Committee that a special meeting of the Committee will be held at a specified date and hour; such special meeting may not occur until forty-eight hours after the notice is filed. The Clerk shall immediately notify all members of the Committee of the date and hour of the special meeting. The Committee shall meet at the specified date and hour.

(d) QUORUM:

(1) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business involving complaints or allegations of, or information about, misconduct, including resulting preliminary inquiries, adjudicatory reviews, recommendations or reports, and matters relating to Senate Resolution 400, agreed to May 19, 1976.

(2) Three members shall constitute a quorum for the transaction of the routine business of the Select Committee not covered by the first subparagraph of this paragraph, including requests for opinions and interpretations concerning the Code of Official Conduct or any other statute or regulation under the jurisdiction of the Select Committee, if one member of the quorum is a Member of the Majority Party and one member of the quorum is a Member of the Minority Party. During the transaction of routine business any member of the Select Committee constituting the quorum shall have the right to postpone further discussion of a pending matter until such time as a majority of the members of the Select Committee are present.

(3) Except for an adjudicatory hearing under Rule 5 and any deposition taken outside the presence of a Member under Rule 6, one Member shall constitute a quorum for hearing testimony, provided that all Members have been given notice of the hearing and the Chairman has designated a Member of the Majority Party and the Vice Chairman has designated a Member of the Minority Party to be in attendance, either of whom in the absence of the other may constitute the quorum.

(e) ORDER OF BUSINESS: Questions as to the order of business and the procedure of the Committee shall in the first instance be decided by the Chairman and Vice Chairman, subject to reversal by a vote by a majority of the Committee.

(f) HEARINGS ANNOUNCEMENTS: The Committee shall make public announcement of the date, place and subject matter of any hearing to be conducted by it at least one week before the commencement of that hearing, and shall publish such announcement in the Congressional Record. If the Committee determines that there is good cause to commence a hearing at an earlier date, such notice will be given at the earliest possible time.

(g) OPEN AND CLOSED COMMITTEE MEETINGS: Meetings of the Committee shall be open to the public or closed to the public (executive session), as determined under the provisions of paragraphs 5 (b) to (d) of Rule XXVI of the Standing Rules of the Senate. Executive session meetings of the Committee shall be closed except to the members and the staff of the Committee. On the motion of any member, and with the approval of a majority of the Committee members present, other individuals may be admitted to an executive session meeting for a specific period or purpose.

(h) RECORD OF TESTIMONY AND COMMITTEE ACTION: An accurate stenographic or transcribed electronic record shall be kept of all Committee proceedings, whether in executive or public session. Such record shall include Senators' votes on any question on which a recorded vote is held. The record of a witness's testimony, whether in public or executive session, shall be made available for inspection to the witness or his counsel under Committee supervision; a copy of any testimony given by that witness in public session, or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness if he so requests. (See Rule 5 on Procedures for Conducting Hearings.)

(i) SECRECY OF EXECUTIVE TESTIMONY AND ACTION AND OF COMPLAINT PROCEEDINGS:

(1) All testimony and action taken in executive session shall be kept secret and shall not be released outside the Committee to any individual or group, whether governmental or private, without the approval of a majority of the Committee.

(2) All testimony and action relating to a complaint or allegation shall be kept secret and shall not be released by the Committee to any individual or group, whether governmental or private, except the respondent, without the approval of a majority of the Committee, until such time as a report to the Senate is required under Senate Resolution 338, 88th Congress, as amended, or unless otherwise permitted under these Rules. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(j) RELEASE OF REPORTS TO PUBLIC: No information pertaining to, or copies of any Committee report, study, or other document which purports to express the view, findings, conclusions or recommendations of the Committee in connection with any of its activities or proceedings may be released to any individual or group whether governmental or private, without the authorization of the Committee. Whenever the Chairman or Vice Chairman is authorized to make any determination, then the determination may be released at his or her discretion. Each member of the Committee shall be given a reasonable opportunity to have separate views included as part of any Committee report. (See Rule 8 on Procedures for Handling Committee Sensitive and Classified Materials.)

(k) INELIGIBILITY OR DISQUALIFICATION OF MEMBERS AND STAFF:

(1) A member of the Committee shall be ineligible to participate in any Committee proceeding that relates specifically to any of the following:

(A) a preliminary inquiry or adjudicatory review relating to (i) the conduct of (I) such member; (II) any officer or employee the member supervises; or (ii) any complaint filed by the member; and

(B) the determinations and recommendations of the Committee with respect to any preliminary inquiry or adjudicatory review described in subparagraph (A).

For purposes of this paragraph, a member of the committee and an officer of the Senate shall be deemed to supervise any officer or employee consistent with the provision of paragraph 12 of Rule XXXVII of the Standing Rules of the Senate.

(2) If any Committee proceeding appears to relate to a member of the Committee in a manner described in subparagraph (1) of this paragraph, the staff shall prepare a report to the Chairman and Vice Chairman. If either the Chairman or the Vice Chairman concludes from the report that it appears that the member may be ineligible, the member shall be notified in writing of the nature of the particular proceeding and the reason that it appears that the member may be ineligible to participate in it. If the member agrees that he or she is ineligible, the member shall so notify the Chairman or Vice Chairman. If the member believes that he or she is not ineligible, he or she may explain the reasons to the Chairman and Vice Chairman, and if they both agree that the member is not ineligible, the member shall continue to serve. But if either the Chairman or Vice Chairman continues to believe that the member is ineligible, while the member believes that he or she is not ineligible, the matter shall be promptly referred to the Committee. The member shall present his or her arguments to the Committee in executive session. Any contested questions concerning a member's eligibility shall be decided by a majority vote of the Committee, meeting in executive session, with the member in question not participating.

(3) A member of the Committee may, at the discretion of the member, disqualify himself or herself from participating in any preliminary inquiry or adjudicatory review pending before the Committee and the determinations and recommendations of the Committee with respect to any such preliminary inquiry or adjudicatory review.

(4) Whenever any member of the Committee is ineligible under paragraph (1) to participate in any preliminary inquiry or adjudicatory review, or disqualifies himself or herself under paragraph (3) from participating in any preliminary inquiry or adjudicatory review, another Senator shall be appointed by the Senate to serve as a member of the Committee solely for purposes of such preliminary inquiry or adjudicatory review and the determinations and recommendations of the Committee with respect to such preliminary inquiry or adjudicatory review. Any member of the Senate appointed for such purposes shall be of the same party as the member who is ineligible or disqualifies himself or herself.

(5) The President of the Senate shall be given written notice of the ineligibility or disqualification of any member from any preliminary inquiry, adjudicatory review, or other proceeding requiring the appointment of another member in accordance with subparagraph (k)(4).

(6) A member of the Committee staff shall be ineligible to participate in any Committee proceeding that the staff director or outside counsel determines relates specifically to any of the following:

(A) the staff member's own conduct;

(B) the conduct of any employee that the staff member supervises;

(C) the conduct of any member, officer or employee for whom the staff member has worked for any substantial period; or

(D) a complaint, sworn or unsworn, that was filed by the staff member. At the direction or with the consent of the staff director or outside counsel, a staff member may also be disqualified from participating in a Committee proceeding in other circumstances not listed above.

(l) RECORDED VOTES: Any member may require a recorded vote on any matter.

(m) PROXIES; RECORDING VOTES OF ABSENT MEMBERS:

(1) Proxy voting shall not be allowed when the question before the Committee is the initiation or continuation of a preliminary inquiry or an adjudicatory review, or the issuance of a report or recommendation related thereto concerning a Member or officer of the Senate. In any such case an absent member's vote may be announced solely for the purpose of recording the member's position and such announced votes shall not be counted for or against the motion.

(2) On matters other than matters listed in paragraph (m)(1) above, the Committee may order that the record be held open for the vote of absentees or recorded proxy votes if the absent Committee member has been informed of the matter on which the vote occurs and has affirmatively requested of the Chairman or Vice Chairman in writing that he be so recorded.

(3) All proxies shall be in writing, and shall be delivered to the Chairman or Vice Chairman to be recorded.

(4) Proxies shall not be considered for the purpose of establishing a quorum.

(n) APPROVAL OF BLIND TRUSTS AND FOREIGN TRAVEL REQUESTS BETWEEN SESSIONS AND DURING EXTENDED RECESSES: During any period in which the Senate stands in adjournment between sessions of the Congress or stands in a recess scheduled to extend beyond fourteen days, the Chairman and Vice Chairman, or their designees, acting jointly, are authorized to approve or disapprove blind trusts under the provision of Rule XXXIV.

(o) COMMITTEE USE OF SERVICES OR EMPLOYEES OF OTHER AGENCIES AND DEPARTMENTS: With the prior consent of the department or agency involved, the Committee may (1) utilize the services, information, or facilities of any such department or agency of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee, the Committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the Chairman and Vice Chairman of the Committee, acting jointly, determine that such action is necessary and appropriate.

RULE 2: PROCEDURES FOR COMPLAINTS, ALLEGATIONS, OR INFORMATION

(a) COMPLAINT, ALLEGATION, OR INFORMATION: Any member or staff member of the Committee shall report to the Committee, and any other person may report to the Committee, a sworn complaint or other allegation or information, alleging that any Senator, or officer, or employee of the Senate has violated a law, the Senate Code of Official Conduct, or any rule or regulation of the Senate relating to the conduct of any individual in the performance of his or her duty as a Member, officer, or employee of the Senate, or has engaged in improper conduct which may reflect upon the Senate. Such complaints or allegations or information may be reported to the Chairman, the Vice Chairman, a Committee member, or a Committee staff member.

(b) SOURCE OF COMPLAINT, ALLEGATION, OR INFORMATION: Complaints, allegations, and information to be reported to

the Committee may be obtained from a variety of sources, including but not limited to the following:

(1) sworn complaints, defined as a written statement of facts, submitted under penalty of perjury, within the personal knowledge of the complainant alleging a violation of law, the Senate Code of Official Conduct, or any other rule or regulation of the Senate relating to the conduct of individuals in the performance of their duties as members, officers, or employees of the Senate;

(2) anonymous or informal complaints;

(3) information developed during a study or inquiry by the Committee or other committees or subcommittees of the Senate, including information obtained in connection with legislative or general oversight hearings;

(4) information reported by the news media; or (5) information obtained from any individual, agency or department of the executive branch of the Federal Government.

(c) FORM AND CONTENT OF COMPLAINTS: A complaint need not be sworn nor must it be in any particular form to receive Committee consideration, but the preferred complaint will:

(1) state, whenever possible, the name, address, and telephone number of the party filing the complaint;

(2) provide the name of each member, officer or employee of the Senate who is specifically alleged to have engaged in improper conduct or committed a violation;

(3) state the nature of the alleged improper conduct or violation;

(4) supply all documents in the possession of the party filing the complaint relevant to or in support of his or her allegations as an attachment to the complaint.

RULE 3: PROCEDURES FOR CONDUCTING A PRELIMINARY INQUIRY

(a) DEFINITION OF PRELIMINARY INQUIRY: A ''preliminary inquiry'' is a proceeding undertaken by the Committee following the receipt of a complaint or allegation of, or information about, misconduct by a Member, officer, or employee of the Senate to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) BASIS FOR PRELIMINARY INQUIRY: The Committee shall promptly commence a preliminary inquiry whenever it has received a sworn complaint, or other allegation of, or information about, alleged misconduct or violations pursuant to Rule 2.

(c) SCOPE OF PRELIMINARY INQUIRY:

(1) The preliminary inquiry shall be of such duration and scope as is necessary to determine whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Chairman and Vice Chairman, acting jointly, on behalf of the Committee may supervise and determine the appropriate duration, scope, and conduct of a preliminary inquiry. Whether a preliminary inquiry is conducted jointly by the Chairman and Vice Chairman or by the Committee as a whole, the day to day supervision of a preliminary inquiry rests with the Chairman and Vice Chairman, acting jointly.

(2) A preliminary inquiry may include any inquiries, interviews, sworn statements, depositions, or subpoenas deemed appropriate to obtain information upon which to make any determination provided for by this Rule.

(d) OPPORTUNITY FOR RESPONSE: A preliminary inquiry may include an opportunity for any known respondent or his or her designated representative to present either a written or oral statement, or to respond orally to questions from the Committee. Such an oral statement or answers shall be transcribed and signed by the person providing the statement or answers.

(e) STATUS REPORTS: The Committee staff or outside counsel shall periodically report to the Committee in the form and according to the schedule prescribed by the Committee. The reports shall be confidential.

(f) FINAL REPORT: When the preliminary inquiry is completed, the staff or outside counsel shall make a confidential report, oral or written, to the Committee on findings and recommendations, as appropriate.

(g) COMMITTEE ACTION: As soon as practicable following submission of the report on the preliminary inquiry, the Committee shall determine by a recorded vote whether there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred. The Committee may make any of the following determinations:

(1) The Committee may determine that there is not such substantial credible evidence and, in such case, the Committee shall dismiss the matter. The Committee, or Chairman and Vice Chairman acting jointly on behalf of the Committee, may dismiss any matter which, after a preliminary inquiry, is determined to lack substantial merit. The Committee shall inform the complainant of the dismissal.

(2) The Committee may determine that there is such substantial credible evidence, but that the alleged violation is inadvertent, technical, or otherwise of a de minimis nature. In such case, the Committee may dispose of the matter by issuing a public or private letter of admonition, which shall not be considered discipline and which shall not be subject to appeal to the Senate. The issuance of a letter of admonition must be approved by the affirmative recorded vote of no fewer than four members of the Committee voting.

(3) The Committee may determine that there is such substantial credible evidence and that the matter cannot be appropriately disposed of under paragraph (2). In such case, the Committee shall promptly initiate an adjudicatory review in accordance with Rule 4. No adjudicatory review of conduct of a Member, officer, or employee of the Senate may be initiated except by the affirmative recorded vote of not less than four members of the Committee.

RULE 4: PROCEDURES FOR CONDUCTING AN ADJUDICATORY REVIEW

(a) DEFINITION OF ADJUDICATORY REVIEW: An ''adjudicatory review'' is a proceeding undertaken by the Committee after a finding, on the basis of a preliminary inquiry, that there is substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred.

(b) SCOPE OF ADJUDICATORY REVIEW: When the Committee decides to conduct an adjudicatory review, it shall be of such duration and scope as is necessary for the Committee to determine whether a violation within its jurisdiction has occurred. An adjudicatory review shall be conducted by outside counsel as authorized by section 3(b)(1) of Senate Resolution 338 unless the Committee determines not to use outside counsel. In the course of the adjudicatory review, designated outside counsel, or if the Committee determines not to use outside counsel, the Committee or its staff, may conduct any inquiries or interviews, take sworn statements, use compulsory process as described in Rule 6, or take any other actions that the Committee deems appropriate to secure the evidence necessary to make a determination.

(c) NOTICE TO RESPONDENT: The Committee shall give written notice to any known respondent who is the subject of an adjudicatory review. The notice shall be sent to the respondent no later than five working days after the Committee has voted to conduct an adjudicatory review. The notice shall include a statement of the nature of the possible violation, and description of the evidence indicating that a possible violation occurred. The Committee may offer the respondent an opportunity to present a statement, orally or in writing, or to respond to questions from members of the Committee, the Committee staff, or outside counsel.

(d) RIGHT TO A HEARING: The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand (not requiring discipline by the full Senate).

(e) PROGRESS REPORTS TO COMMITTEE: The Committee staff or outside counsel shall periodically report to the Committee concerning the progress of the adjudicatory review. Such reports shall be delivered to the Committee in the form and according to the schedule prescribed by the Committee, and shall be confidential.

(f) FINAL REPORT OF ADJUDICATORY REVIEW TO COMMITTEE: Upon completion of an adjudicatory review, including any hearings held pursuant to Rule 5, the outside counsel or the staff shall submit a confidential written report to the Committee, which shall detail the factual findings of the adjudicatory review and which may recommend disciplinary action, if appropriate. Findings of fact of the adjudicatory review shall be detailed in this report whether or not disciplinary action is recommended.

(g) COMMITTEE ACTION:

(1) As soon as practicable following submission of the report of the staff or outside counsel on the adjudicatory review, the Committee shall prepare and submit a report to the Senate, including a recommendation or proposed resolution to the Senate concerning disciplinary action, if appropriate. A report shall be issued, stating in detail the Committee's findings of fact, whether or not disciplinary action is recommended. The report shall also explain fully the reasons underlying the Committee's recommendation concerning disciplinary action, if any. No adjudicatory review of conduct of a Member, officer or employee of the Senate may be conducted, or report or resolution or recommendation relating to such an adjudicatory review of conduct may be made, except by the affirmative recorded vote of not less than four members of the Committee.

(2) Pursuant to S. Res. 338, as amended, section 2 (a), subsections (2), (3), and (4), after receipt of the report prescribed by paragraph (f) of this rule, the Committee may make any of the following recommendations for disciplinary action or issue an order for reprimand or restitution, as follows:

(i) In the case of a Member, a recommendation to the Senate for expulsion, censure, payment of restitution, recommendation to a Member's party conference regarding the Member's seniority or positions of responsibility, or a combination of these;

(ii) In the case of an officer or employee, a recommendation to the Senate of dismissal, suspension, payment of restitution, or a combination of these;

(iii) In the case where the Committee determines, after according to the Member, officer, or employee due notice and opportunity for a hearing, that misconduct occurred warranting discipline less serious than discipline by the full Senate, and subject to the provisions of paragraph (h) of this rule relating to appeal, by a unanimous vote

of six members order that a Member, officer or employee be reprimanded or pay restitution or both;

(iv) In the case where the Committee determines that misconduct is inadvertent, technical, or otherwise of a de minimis nature, issue a public or private letter of admonition to a Member, officer or employee, which shall not be subject to appeal to the Senate.

(3) In the case where the Committee determines, upon consideration of all the evidence, that the facts do not warrant a finding that there is substantial credible evidence which provides substantial cause for the Committee to conclude that a violation within the jurisdiction of the Committee has occurred, the Committee may dismiss the matter.

(4) Promptly, after the conclusion of the adjudicatory review, the Committee's report and recommendation, if any, shall be forwarded to the Secretary of the Senate, and a copy shall be provided to the complainant and the respondent. The full report and recommendation, if any, shall be printed and made public, unless the Committee determines by the recorded vote of not less than four members of the Committee that it should remain confidential.

(h) RIGHT OF APPEAL:

(1) Any individual who is the subject of a reprimand or order of restitution, or both, pursuant to subsection (g)(2)(iii), may, within 30 days of the Committee's report to the Senate of its action imposing a reprimand or order of restitution, or both, appeal to the Senate by providing written notice of the appeal to the Committee and the presiding officer of the Senate. The presiding officer shall cause the notice of the appeal to be printed in the Congressional Record and the Senate Journal.

(2) S. Res. 338 provides that a motion to proceed to consideration of an appeal pursuant to paragraph (1) shall be highly privileged and not debatable. If the motion to proceed to consideration of the appeal is agreed to, the appeal shall be decided on the basis of the Committee's report to the Senate. Debate on the appeal shall be limited to 10 hours, which shall be divided equally between, and controlled by, those favoring and those opposing the appeal.

RULE 5: PROCEDURES FOR HEARINGS

(a) RIGHT TO HEARING: The Committee may hold a public or executive hearing in any preliminary inquiry, adjudicatory review, or other proceeding. The Committee shall accord a respondent an opportunity for a hearing before it recommends disciplinary action against that respondent to the Senate or before it imposes an order of restitution or reprimand. (See Rule 4(d).)

(b) NON-PUBLIC HEARINGS: The Committee may at any time during a hearing determine in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate whether to receive the testimony of specific witnesses in executive session. If a witness desires to express a preference for testifying in public or in executive session, he or she shall so notify the Committee at least five days before he or she is scheduled to testify.

(c) ADJUDICATORY HEARINGS: The Committee may, by the recorded vote of not less than four members of the Committee, designate any public or executive hearing as an adjudicatory hearing; and any hearing which is concerned with possible disciplinary action against a respondent or respondents designated by the Committee shall be an adjudicatory hearing. In any adjudicatory hearing, the procedures described in paragraph (j) shall apply.

(d) SUBPOENA POWER: The Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such correspondence, books, papers, documents or other articles as it deems advisable. (See Rule 6.)

(e) NOTICE OF HEARINGS: The Committee shall make public an announcement of the date, place, and subject matter of any hearing to be conducted by it, in accordance with Rule 1(f).

(f) PRESIDING OFFICER: The Chairman shall preside over the hearings, or in his absence the Vice Chairman. If the Vice Chairman is also absent, a Committee member designated by the Chairman shall preside. If an oath or affirmation is required, it shall be administered to a witness by the Presiding Officer, or in his absence, by any Committee member.

(g) WITNESSES:

(1) A subpoena or other request to testify shall be served on a witness sufficiently in advance of his or her scheduled appearance to allow the witness a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel if desired.

(2) The Committee may, by recorded vote of not less than four members of the Committee, rule that no member of the Committee or staff or outside counsel shall make public the name of any witness subpoenaed by the Committee before the date of that witness's scheduled appearance, except as specifically authorized by the Chairman and Vice Chairman, acting jointly.

(3) Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Committee at least two working days in advance of the hearing at which the statement is to be presented. The Chairman and Vice Chairman shall determine whether such statements may be read or placed in the record of the hearing.

(4) Insofar as practicable, each witness shall be permitted to present a brief oral opening statement, if he or she desires to do so.

(h) RIGHT TO TESTIFY: Any person whose name is mentioned or who is specifically identified or otherwise referred to in testimony or in statements made by a Committee member, staff member or outside counsel, or any witness, and who reasonably believes that the statement tends to adversely affect his or her reputation may—

(1) Request to appear personally before the Committee to testify in his or her own behalf; or

(2) File a sworn statement of facts relevant to the testimony or other evidence or statement of which he or she complained. Such request and such statement shall be submitted to the Committee for its consideration and action.

(i) CONDUCT OF WITNESSES AND OTHER ATTENDEES: The Presiding Officer may punish any breaches of order and decorum by censure and exclusion from the hearings. The Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(j) ADJUDICATORY HEARING PROCEDURES:

(1) NOTICE OF HEARINGS: A copy of the public announcement of an adjudicatory hearing, required by paragraph (e), shall be furnished together with a copy of these Rules to all witnesses at the time that they are subpoenaed or otherwise summoned to testify.

(2) PREPARATION FOR ADJUDICATORY HEARINGS:

(A) At least five working days prior to the commencement of an adjudicatory hearing, the Committee shall provide the following information and documents to the respondent, if any:

(i) a list of proposed witnesses to be called at the hearing;

(ii) copies of all documents expected to be introduced as exhibits at the hearing; and

(iii) a brief statement as to the nature of the testimony expected to be given by each witness to be called at the hearing.

(B) At least two working days prior to the commencement of an adjudicatory hearing, the respondent, if any, shall provide the information and documents described in divisions (i), (ii) and (iii) of subparagraph (A) to the Committee.

(C) At the discretion of the Committee, the information and documents to be exchanged under this paragraph shall be subject to an appropriate agreement limiting access and disclosure.

(D) If a respondent refuses to provide the information and documents to the Committee (see (A) and (B) of this subparagraph), or if a respondent or other individual violates an agreement limiting access and disclosure, the Committee, by majority vote, may recommend to the Senate that the offender be cited for contempt of Congress.

(3) SWEARING OF WITNESSES: All witnesses who testify at adjudicatory hearings shall be sworn unless the Presiding Officer, for good cause, decides that a witness does not have to be sworn.

(4) RIGHT TO COUNSEL: Any witness at an adjudicatory hearing may be accompanied by counsel of his or her own choosing, who shall be permitted to advise the witness of his or her legal rights during the testimony.

(5) RIGHT TO CROSS-EXAMINE AND CALL WITNESSES:

(A) In adjudicatory hearings, any respondent and any other person who obtains the permission of the Committee, may personally or through counsel cross-examine witnesses called by the Committee and may call witnesses in his or her own behalf.

(B) A respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his or her behalf. An application shall be approved upon a concise showing by the respondent that the proposed testimony or evidence is relevant and appropriate, as determined by the Chairman and Vice Chairman.

(C) With respect to witnesses called by a respondent, or other individual given permission by the Committee, each such witness shall first be examined by the party who called the witness or by that party's counsel.

(D) At least one working day before a witness's scheduled appearance, a witness or a witness's counsel may submit to the Committee written questions proposed to be asked of that witness. If the Committee determines that it is necessary, such questions may be asked by any member of the Committee, or by any Committee staff member if directed by a Committee member. The witness or witness's counsel may also submit additional sworn testimony for the record within twenty-four hours after the last day that the witness has testified. The insertion of such testimony in that day's record is subject to the approval of the Chairman and Vice Chairman acting jointly within five days after the testimony is received.

(6) ADMISSIBILITY OF EVIDENCE:

(A) The object of the hearing shall be to ascertain the truth. Any evidence that may be relevant and probative shall be admissible unless privileged under the Federal Rules of Evidence. Rules of evidence shall not be applied strictly, but the Presiding Officer shall exclude irrelevant or unduly repetitious testimony. Objections going only to the weight that should be given evidence will not justify its exclusion.

(B) The Presiding Officer shall rule upon any question of the admissibility of testimony or other evidence presented to the

Committee. Such rulings shall be final unless reversed or modified by a recorded vote of not less than four members of the Committee before the recess of that day's hearings.

(C) Notwithstanding paragraphs (A) and (B), in any matter before the Committee involving allegations of sexual discrimination, including sexual harassment, or sexual misconduct, b a Member, officer, or employee within the jurisdiction of the Committee, the Committee shall be guided by the standards and procedures of Rule 412 of the Federal Rules of Evidence, except that the Committee may admit evidence subject to the provisions of this paragraph only upon a determination of not less than four members of the full Committee that the interests of justice require that such evidence be admitted.

(7) SUPPLEMENTARY HEARING PROCEDURES: The Committee may adopt any additional special hearing procedures that it deems necessary or appropriate to a particular adjudicatory hearing. Copies of such supplementary procedures shall be furnished to witnesses and respondents, and shall be made available upon request to any member of the public.

(k) TRANSCRIPTS:

(1) An accurate stenographic or recorded transcript shall be made of all public and executive hearings. Any member of the Committee, Committee staff member, outside counsel retained by the Committee, or witness may examine a copy of the transcript retained by the Committee of his or her own remarks and may suggest to the official reporter any typographical or transcription errors. If the reporter declines to make the requested corrections, the member, staff member, outside counsel or witness may request a ruling by the Chairman and Vice Chairman, acting jointly. Any member or witness shall return the transcript with suggested corrections to the Committee offices within five working days after receipt of the transcript, or as soon thereafter as is practicable. If the testimony was given in executive session, the member or witness may only inspect the transcript at a location determined by the Chairman and Vice Chairman, acting jointly. Any questions arising with respect to the processing and correction of transcripts shall be decided by the Chairman and Vice Chairman, acting jointly.

(2) Except for the record of a hearing which is closed to the public, each transcript shall be printed as soon as is practicable after receipt of the corrected version. The Chairman and Vice Chairman, acting jointly, may order the transcript of a hearing to be printed without the corrections of a member or witness if they determine that such member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

(3) The Committee shall furnish each witness, at no cost, one transcript copy of that witness's testimony given at a public hearing. If the testimony was given in executive session, then a transcript copy shall be provided upon request, subject to appropriate conditions and restrictions prescribed by the Chairman and Vice Chairman. If any individual violates such conditions and restrictions, the Committee may recommend by majority vote that he or she be cited for contempt of Congress.

RULE 6: SUBPOENAS AND DEPOSITIONS

(a) SUBPOENAS:

(1) AUTHORIZATION FOR ISSUANCE: Subpoenas for the attendance and testimony of witnesses at depositions or hearings, and subpoenas for the production of documents and tangible things at depositions, hearings, or other times and places designated therein, may be authorized for issuance by either (A) a majority vote of the Committee, or (B) the Chairman and Vice Chairman, acting jointly, at any time during a preliminary inquiry, adjudicatory review, or other proceeding.

(2) SIGNATURE AND SERVICE: All subpoenas shall be signed by the Chairman or the Vice Chairman and may be served by any person eighteen years of age or older, who is designated by the Chairman or Vice Chairman. Each subpoena shall be served with a copy of the Rules of the Committee and a brief statement of the purpose of the Committee's proceeding.

(3) WITHDRAWAL OF SUBPOENA: The Committee, by recorded vote of not less than four members of the Committee, may withdraw any subpoena authorized for issuance by it or authorized for issuance by the Chairman and Vice Chairman, acting jointly. The Chairman and Vice Chairman, acting jointly, may withdraw any subpoena authorized for issuance by them.

(b) DEPOSITIONS:

(1) PERSONS AUTHORIZED TO TAKE DEPOSITIONS: Depositions may be taken by any member of the Committee designated by the Chairman and Vice Chairman, acting jointly, or by any other person designated by the Chairman and Vice Chairman, acting jointly, including outside counsel, Committee staff, other employees of the Senate, or government employees detailed to the Committee.

(2) DEPOSITION NOTICES: Notices for the taking of depositions shall be authorized by the Committee, or the Chairman and Vice Chairman, acting jointly, and issued by the Chairman, Vice Chairman, or a Committee staff member or outside counsel designated by the Chairman and Vice Chairman, acting jointly. Depositions may be taken at any time during a preliminary inquiry, adjudicatory review or other proceeding. Deposition notices shall specify a time and place for examination. Unless otherwise specified, the deposition shall be in private, and the testimony taken and documents produced shall be deemed for the purpose of these rules to have been received in a closed or executive session of the Committee. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear, or to testify, or to produce documents, unless the deposition notice was accompanied by a subpoena authorized for issuance by the Committee, or the Chairman and Vice Chairman, acting jointly.

(3) COUNSEL AT DEPOSITIONS: Witnesses may be accompanied at a deposition by counsel to advise them of their rights.

(4) DEPOSITION PROCEDURE: Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present. Questions may be propounded by any person or persons who are authorized to take depositions for the Committee. If a witness objects to a question and refuses to testify, or refuses to produce a document, any member of the Committee who is present may rule on the objection and, if the objection is overruled, direct the witness to answer the question or produce the document. If no member of the Committee is present, the individual who has been designated by the Chairman and Vice Chairman, acting jointly, to take the deposition may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or Vice Chairman of the Committee, who may refer the matter to the Committee or rule on the objection. If the Chairman or Vice Chairman, or the Committee upon referral, overrules the objection, the Chairman, Vice Chairman, or the Committee as the case may be, may direct the witness to answer the question or produce the document. The Committee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify or produce documents after having been directed to do so.

(5) FILING OF DEPOSITIONS: Deposition testimony shall be transcribed or electronically recorded. If the deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee, and the witness shall be furnished with access to a copy at the Committee's offices for review. Upon inspecting the transcript, within a time limit set by the Chairman and Vice Chairman, acting jointly, a witness may request in writing changes in the transcript to correct errors in transcription. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman and Vice Chairman, acting jointly, may rule on the witness's request, and the changes or attachments allowed shall be certified by the Committee's chief clerk. If the witness fails to make any request under this paragraph within the time limit set, this fact shall be noted by the Committee's chief clerk. Any person authorized by the Committee may stipulate with the witness to changes in this procedure.

RULE 7: VIOLATIONS OF LAW; PERJURY; LEGISLATIVE RECOMMENDATIONS; EDUCATIONAL MANDATE; AND APPLICABLE RULES AND STANDARDS OF CONDUCT

(a) VIOLATIONS OF LAW: Whenever the Committee determines by the recorded vote of not less than four members of the full Committee that there is reason to believe that a violation of law, including the provision of false information to the Committee, may have occurred, it shall report such possible violation to the proper Federal and state authorities.

(b) PERJURY: Any person who knowingly and willfully swears falsely to a sworn complaint or any other sworn statement to the Committee does so under penalty of perjury. The Committee may refer any such case to the Attorney General for prosecution.

(c) LEGISLATIVE RECOMMENDATIONS: The Committee shall recommend to the Senate by report or resolution such additional rules, regulations, or other legislative measures as it determines to be necessary or desirable to ensure proper standards of conduct by Members, officers, or employees of the Senate. The Committee may conduct such inquiries as it deems necessary to prepare such a report or resolution, including the holding of hearings in public or executive session and the use of subpoenas to compel the attendance of witnesses or the production of materials. The Committee may make legislative recommendations as a result of its findings in a preliminary inquiry, adjudicatory review, or other proceeding.

(d) Educational Mandate: The Committee shall develop and implement programs and materials designed to educate Members, officers, and employees about the laws, rules, regulations, and standards of conduct applicable to such individuals in the performance of their duties.

(e) APPLICABLE RULES AND STANDARDS OF CONDUCT:

(1) Notwithstanding any other provision of this section, no adjudicatory review shall be

initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code.

(2) The Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Committee.

RULE 8: PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED MATERIALS

(a) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE MATERIALS:

(1) Committee Sensitive information or material is information or material in the possession of the Select Committee on Ethics which pertains to illegal or improper conduct by a present or former Member, officer, or employee of the Senate; to allegations or accusations of such conduct; to any resulting preliminary inquiry, adjudicatory review or other proceeding by the Select Committee on Ethics into such allegations or conduct; to the investigative techniques and procedures of the Select Committee on Ethics; or to other information or material designated by the staff director, or outside counsel designated by the Chairman and Vice Chairman.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of Committee Sensitive information in the possession of the Committee or its staff. Procedures for protecting Committee Sensitive materials shall be in writing and shall be given to each Committee staff member.

(b) PROCEDURES FOR HANDLING CLASSIFIED MATERIALS:

(1) Classified information or material is information or material which is specifically designated as classified under the authority of Executive Order 11652 requiring protection of such information or material from unauthorized disclosure in order to prevent damage to the United States.

(2) The Chairman and Vice Chairman of the Committee shall establish such procedures as may be necessary to prevent the unauthorized disclosure of classified information in the possession of the Committee or its staff. Procedures for handling such information shall be in writing and a copy of the procedures shall be given to each staff member cleared for access to classified information.

(3) Each member of the Committee shall have access to classified material in the Committee's possession. Only Committee staff members with appropriate security clearances and a need-to-know, as approved by the Chairman and Vice Chairman, acting jointly, shall have access to classified information in the Committee's possession.

(c) PROCEDURES FOR HANDLING COMMITTEE SENSITIVE AND CLASSIFIED DOCUMENTS:

(1) Committee Sensitive documents and materials shall be stored in the Committee's offices, with appropriate safeguards for maintaining the security of such documents or materials. Classified documents and materials shall be further segregated in the Committee's offices in secure filing safes. Removal from the Committee offices of such documents or materials is prohibited except as necessary for use in, or preparation for, interviews or Committee meetings, including the taking of testimony, or as otherwise specifically approved by the staff director or by outside counsel designated by the Chairman and Vice Chairman.

(2) Each member of the Committee shall have access to all materials in the Committee's possession. The staffs of members shall not have access to Committee Sensitive or classified documents and materials without the specific approval in each instance of the Chairman, and Vice Chairman, acting jointly. Members may examine such materials in the Committee's offices. If necessary, requested materials may be hand delivered by a member of the Committee staff to the member of the Committee, or to a staff person(s) specifically designated by the member, for the Member's or designated staffer's examination. A member of the Committee who has possession of Committee Sensitive documents or materials shall take appropriate safeguards for maintaining the security of such documents or materials in the possession of the Member or his or her designated staffer.

(3) Committee Sensitive documents that are provided to a Member of the Senate in connection with a complaint that has been filed against the Member shall be hand delivered to the Member or to the Member's Chief of Staff or Administrative Assistant. Committee Sensitive documents that are provided to a Member of the Senate who is the subject of a preliminary inquiry, adjudicatory review, or other proceeding, shall be hand delivered to the Member or to his or her specifically designated representative.

(4) Any Member of the Senate who is not a member of the Committee and who seeks access to any Committee Sensitive or classified documents or materials, other than documents or materials which are matters of public record, shall request access in writing. The Committee shall decide by majority vote whether to make documents or materials available. If access is granted, the Member shall not disclose the information except as authorized by the Committee.

(5) Whenever the Committee makes Committee Sensitive or classified documents or materials available to any Member of the Senate who is not a member of the Committee, or to a staff person of a Committee member in response to a specific request to the Chairman and Vice Chairman, a written record shall be made identifying the Member of the Senate requesting such documents or materials and describing what was made available and to whom.

(d) NON-DISCLOSURE POLICY AND AGREEMENT:

(1) Except as provided in the last sentence of this paragraph, no member of the Select Committee on Ethics, its staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics shall release, divulge, publish, reveal by writing, word, conduct, or disclose in any way, in whole, or in part, or by way of summary, during tenure with the Select Committee on Ethics or anytime thereafter, any testimony given before the Select Committee on Ethics in executive session (including the name of any witness who appeared or was called to appear in executive session), any classified or Committee Sensitive information, document or material, received or generated by the Select Committee on Ethics or any classified or Committee Sensitive information which may come into the possession of such person during tenure with the Select Committee on Ethics or its staff. Such information, documents, or material may be released to an official of the executive branch properly cleared for access with a need-to-know, for any purpose or in connection with any proceeding, judicial or otherwise, as authorized by the Select Committee on Ethics, or in the event of termination of the Select Committee on Ethics, in such a manner as may be determined by its successor or by the Senate.

(2) No member of the Select Committee on Ethics staff or any person engaged by contract or otherwise to perform services for the Select Committee on Ethics, shall be granted access to classified or Committee Sensitive information or material in the possession of the Select Committee on Ethics unless and until such person agrees in writing, as a condition of employment, to the nondisclosure policy. The agreement shall become effective when signed by the Chairman and Vice Chairman on behalf of the Committee.

RULE 9: BROADCASTING AND NEWS COVERAGE OF COMMITTEE PROCEEDINGS

(a) Whenever any hearing or meeting of the Committee is open to the public, the Committee shall permit that hearing or meeting to be covered in whole or in part, by television broadcast, radio broadcast, still photography, or by any other methods of coverage, unless the Committee decides by recorded vote of not less than four members of the Committee that such coverage is not appropriate at a particular hearing or meeting.

(b) Any witness served with a subpoena by the Committee may request not to be photographed at any hearing or to give evidence or testimony while the broadcasting, reproduction, or coverage of that hearing, by radio, television, still photography, or other methods is occurring. At the request of any such witness who does not wish to be subjected to radio, television, still photography, or other methods of coverage, and subject to the approval of the Committee, all lenses shall be covered and all microphones used for coverage turned off.

(c) If coverage is permitted, it shall be in accordance with the following requirements:

(1) Photographers and reporters using mechanical recording, filming, or broadcasting apparatus shall position their equipment so as not to interfere with the seating, vision, and hearing of the Committee members and staff, or with the orderly process of the meeting or hearing.

(2) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, the coverage shall be conducted and presented without commercial sponsorship.

(3) Personnel providing coverage by the television and radio media shall be currently accredited to the Radio and Television Correspondents' Galleries.

(4) Personnel providing coverage by still photography shall be currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(5) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and the coverage activities in an orderly and unobtrusive manner.

RULE 10: PROCEDURES FOR ADVISORY OPINIONS

(a) WHEN ADVISORY OPINIONS ARE RENDERED:

(1) The Committee shall render an advisory opinion, in writing within a reasonable time, in response to a written request by a Member or officer of the Senate or a candidate for nomination for election, or election to the Senate, concerning the application of any law, the Senate Code of Official Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(2) The Committee may issue an advisory opinion in writing within a reasonable time in response to a written request by any employee of the Senate concerning the application of any law, the Senate Code of Official

Conduct, or any rule or regulation of the Senate within the Committee's jurisdiction, to a specific factual situation pertinent to the conduct or proposed conduct of the person seeking the advisory opinion.

(b) FORM OF REQUEST: A request for an advisory opinion shall be directed in writing to the Chairman of the Committee and shall include a complete and accurate statement of the specific factual situation with respect to which the request is made as well as the specific question or questions which the requestor wishes the Committee to address.

(c) OPPORTUNITY FOR COMMENT:

(1) The Committee will provide an opportunity for any interested party to comment on a request for an advisory opinion

(A) which requires an interpretation on a significant question of first impression that will affect more than a few individuals; or

(B) when the Committee determines that comments from interested parties would be of assistance.

(2) Notice of any such request for an advisory opinion shall be published in the Congressional Record, with appropriate deletions to insure confidentiality, and interested parties will be asked to submit their comments in writing to the Committee within ten days.

(3) All relevant comments received on a timely basis will be considered.

(d) ISSUANCE OF AN ADVISORY OPINION:

(1) The Committee staff shall prepare a proposed advisory opinion in draft form which will first be reviewed and approved by the Chairman and Vice Chairman, acting jointly, and will be presented to the Committee for final action. If (A) the Chairman and Vice Chairman cannot agree, or (B) either the Chairman or Vice Chairman requests that it be taken directly to the Committee, then the proposed advisory opinion shall be referred to the Committee for its decision.

(2) An advisory opinion shall be issued only by the affirmative recorded vote of a majority of the members voting.

(3) Each advisory opinion issued by the Committee shall be promptly transmitted for publication in the Congressional Record after appropriate deletions are made to insure confidentiality. The Committee may at any time revise, withdraw, or elaborate on any advisory opinion.

(e) RELIANCE ON ADVISORY OPINIONS:

(1) Any advisory opinion issued by the Committee under Senate Resolution 338, 88th Congress, as amended, and the rules may be relied upon by

(A) Any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered if the request for such advisory opinion included a complete and accurate statement of the specific factual situation; and

(B) any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.

(2) Any person who relies upon any provision or finding of an advisory opinion in accordance with the provisions of Senate Resolution 338, 88th Congress, as amended, and of the rules, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of any such act, be subject to any sanction by the Senate.

RULE 11: PROCEDURES FOR INTERPRETATIVE RULINGS

(a) BASIS FOR INTERPRETATIVE RULINGS: Senate Resolution 338, 88th Congress, as amended, authorizes the Committee to issue interpretative rulings explaining and clarifying the application of any law, the Code of Official Conduct, or any rule or regulation of the Senate within its jurisdiction. The Committee also may issue such rulings clarifying or explaining any rule or regulation of the Select Committee on Ethics.

(b) REQUEST FOR RULING: A request for such a ruling must be directed in writing to the Chairman or Vice Chairman of the Committee.

(c) ADOPTION OF RULING:

(1) The Chairman and Vice Chairman, acting jointly, shall issue a written interpretative ruling in response to any such request, unless

(A) they cannot agree,

(B) it requires an interpretation of a significant question of first impression, or

(C) either requests that it be taken to the Committee, in which event the request shall be directed to the Committee for a ruling.

(2) A ruling on any request taken to the Committee under subparagraph (1) shall be adopted by a majority of the members voting and the ruling shall then be issued by the Chairman and Vice Chairman.

(d) PUBLICATION OF RULINGS: The Committee will publish in the Congressional Record, after making appropriate deletions to ensure confidentiality, any interpretative rulings issued under this Rule which the Committee determines may be of assistance or guidance to other Members, officers or employees. The Committee may at any time revise, withdraw, or elaborate on interpretative rulings.

(e) RELIANCE ON RULINGS: Whenever an individual can demonstrate to the Committee's satisfaction that his or her conduct was in good faith reliance on an interpretative ruling issued in accordance with this Rule, the Committee will not recommend sanctions to the Senate as a result of such conduct.

(f) RULINGS BY COMMITTEE STAFF: The Committee staff is not authorized to make rulings or give advice, orally or in writing, which binds the Committee in any way.

RULE 12: PROCEDURES FOR COMPLAINTS INVOLVING IMPROPER USE OF THE MAILING FRANK

(a) AUTHORITY TO RECEIVE COMPLAINTS: The Committee is directed by section 6(b) of Public Law 93—191 to receive and dispose of complaints that a violation of the use of the mailing frank has occurred or is about to occur by a Member or officer of the Senate or by a surviving spouse of a Member. All such complaints will be processed in accordance with the provisions of these Rules, except as provided in paragraph (b).

(b) DISPOSITION OF COMPLAINTS:

(1) The Committee may dispose of any such complaint by requiring restitution of the cost of the mailing, pursuant to the franking statute, if it finds that the franking violation was the result of a mistake.

(2) Any complaint disposed of by restitution that is made after the Committee has formally commenced an adjudicatory review, must be summarized, together with the disposition, in a report to the Senate, as appropriate.

(3) If a complaint is disposed of by restitution, the complainant, if any, shall be notified of the disposition in writing.

(c) ADVISORY OPINIONS AND INTERPRETATIVE RULINGS: Requests for advisory opinions or interpretative rulings involving franking questions shall be processed in accordance with Rules 10 and 11.

RULE 13: PROCEDURES FOR WAIVERS

(a) AUTHORITY FOR WAIVERS: The Committee is authorized to grant a waiver under the following provisions of the Standing Rules of the Senate:

(1) Section 101(h) of the Ethics in Government Act of 1978, as amended (Rule XXXIV), relating to the filing of financial disclosure reports by individuals who are expected to perform or who have performed the duties of their offices or positions for less than one hundred and thirty days in a calendar year;

(2) Section 102(a)(2)(D) of the Ethics in Government Act, as amended (Rule XXXIV), relating to the reporting of gifts;

(3) Paragraph 1 of Rule XXXV relating to acceptance of gifts; or

(4) Paragraph 5 of Rule XLI relating to applicability of any of the provisions of the Code of Official Conduct to an employee of the Senate hired on a per diem basis.

(b) REQUESTS FOR WAIVERS: A request for a waiver under paragraph (a) must be directed to the Chairman or Vice Chairman in writing and must specify the nature of the waiver being sought and explain in detail the facts alleged to justify a waiver. In the case of a request submitted by an employee, the views of his or her supervisor (as determined under paragraph 12 of Rule XXXVII of the Standing Rules of the Senate) should be included with the waiver request.

(c) RULING: The Committee shall rule on a waiver request by recorded vote with a majority of those voting affirming the decision. With respect to an individual's request for a waiver in connection with the acceptance or reporting the value of gifts on the occasion of the individual's marriage, the Chairman and the Vice Chairman, acting jointly, may rule on the waiver.

(d) AVAILABILITY OF WAIVER DETERMINATIONS: A brief description of any waiver granted by the Committee, with appropriate deletions to ensure confidentiality, shall be made available for review upon request in the Committee office. Waivers granted by the Committee pursuant to the Ethics in Government Act of 1978, as amended, may only be granted pursuant to a publicly available request as required by the Act.

RULE 14: DEFINITION OF ''OFFICER OR EMPLOYEE''

(a) As used in the applicable resolutions and in these rules and procedures, the term ''officer or employee of the Senate'' means:

(1) An elected officer of the Senate who is not a Member of the Senate;

(2) An employee of the Senate, any committee or subcommittee of the Senate, or any Member of the Senate;

(3) The Legislative Counsel of the Senate or any employee of his office;

(4) An Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

(5) A member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

(6) An employee of the Vice President, if such employee's compensation is disbursed by the Secretary of the Senate;

(7) An employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate;

(8) An officer or employee of any department or agency of the Federal Government whose services are being utilized on a full-time and continuing basis by a Member, officer, employee, or committee of the Senate in accordance with Rule XLI(3) of the Standing Rules of the Senate; and

(9) Any other individual whose full-time services are utilized for more than ninety days in a calendar year by a Member, officer, employee, or committee of the Senate in the conduct of official duties in accordance with Rule XLI(4) of the Standing Rules of the Senate.

RULE 15: COMMITTEE STAFF

(a) COMMITTEE POLICY:

(1) The staff is to be assembled and retained as a permanent, professional, nonpartisan staff.

(2) Each member of the staff shall be professional and demonstrably qualified for the position for which he or she is hired.

(3) The staff as a whole and each member of the staff shall perform all official duties in a nonpartisan manner.

(4) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(5) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to his or her employment or duties with the Committee without specific advance permission from the Chairman and Vice Chairman.

(6) No member of the staff may make public, without Committee approval, any Committee Sensitive or classified information, documents, or other material obtained during the course of his or her employment with the Committee.

(b) APPOINTMENT OF STAFF:

(1) The appointment of all staff members shall be approved by the Chairman and Vice Chairman, acting jointly.

(2) The Committee may determine by majority vote that it is necessary to retain staff members, including a staff recommended by a special counsel, for the purpose of a particular preliminary inquiry, adjudicatory review, or other proceeding. Such staff shall be retained only for the duration of that particular undertaking.

(3) The Committee is authorized to retain and compensate counsel not employed by the Senate (or by any department or agency of the Executive Branch of the Government) whenever the Committee determines that the retention of outside counsel is necessary or appropriate for any action regarding any complaint or allegation, preliminary inquiry, adjudicatory review, or other proceeding, which in the determination of the Committee, is more appropriately conducted by counsel not employed by the Government of the United States as a regular employee. The Committee shall retain and compensate outside counsel to conduct any adjudicatory review undertaken after a preliminary inquiry, unless the Committee determines that the use of outside counsel is not appropriate in the particular case.

(c) DISMISSAL OF STAFF: A staff member may not be removed for partisan, political reasons, or merely as a consequence of the rotation of the Committee membership. The Chairman and Vice Chairman, acting jointly, shall approve the dismissal of any staff member.

(d) STAFF WORKS FOR COMMITTEE AS WHOLE: All staff employed by the Committee or housed in Committee offices shall work for the Committee as a whole, under the general direction of the Chairman and Vice Chairman, and the immediate direction of the staff director or outside counsel.

(e) NOTICE OF SUMMONS TO TESTIFY: Each member of the Committee staff or outside counsel shall immediately notify the Committee in the event that he or she is called upon by a properly constituted authority to testify or provide confidential information obtained as a result of and during his or her employment with the Committee.

RULE 16: CHANGES IN SUPPLEMENTARY PROCEDURAL RULES

(a) ADOPTION OF CHANGES IN SUPPLEMENTARY RULES: The Rules of the Committee, other than rules established by statute, or by the Standing Rules and Standing Orders of the Senate, may be modified, amended, or suspended at any time, pursuant to a recorded vote of not less than four members of the full Committee taken at a meeting called with due notice when prior written notice of the proposed change has been provided each member of the Committee.

(b) PUBLICATION: Any amendments adopted to the Rules of this Committee shall be published in the Congressional Record in accordance with Rule XXVI(2) of the Standing Rules of the Senate.

SELECT COMMITTEE ON ETHICS

PART III—SUBJECT MATTER JURISDICTION

Following are sources of the subject matter jurisdiction of the Select Committee:

(a) The Senate Code of Official Conduct approved by the Senate in Title I of S. Res. 110, 95th Congress, April 1, 1977, as amended, and stated in Rules 34 through 43 of the Standing Rules of the Senate;

(b) Senate Resolution 338, 88th Congress, as amended, which states, among others, the duties to receive complaints and investigate allegations of improper conduct which may reflect on the Senate, violations of law, violations of the Senate Code of Official Conduct and violations of rules and regulations of the Senate; recommend disciplinary action; and recommend additional Senate Rules or regulations to insure proper standards of conduct;

(c) Residual portions of Standing Rules 41, 42, 43 and 44 of the Senate as they existed on the day prior to the amendments made by Title I of S. Res. 110;

(d) Public Law 93-191 relating to the use of the mail franking privilege by Senators, officers of the Senate; and surviving spouses of Senators;

(e) Senate Resolution 400, 94th Congress, Section 8, relating to unauthorized disclosure of classified intelligence information in the possession of the Select Committee on Intelligence;

(f) Public Law 95–105, Section 515, relating to the receipt and disposition of foreign gifts and decorations received by Senate members, officers and employees and their spouses or dependents;

(g) Preamble to Senate Resolution 266, 90th Congress, 2d Session, March 22, 1968; and

(h) The Code of Ethics for Government Service, H. Con. Res. 175, 85th Congress, 2d Session, July 11, 1958 (72 Stat. B12). Except that S. Res. 338, as amended by Section 202 of S. Res. 110 (April 2, 1977), and as amended by Section 3 of S. Res. 222 (1999), provides:

(g) Notwithstanding any other provision of this section, no adjudicatory review shall be initiated of any alleged violation of any law, the Senate Code of Official Conduct, rule, or regulation which was not in effect at the time the alleged violation occurred. No provisions of the Senate Code of Official Conduct shall apply to or require disclosure of any act, relationship, or transaction which occurred prior to the effective date of the applicable provision of the Code. The Select Committee may initiate an adjudicatory review of any alleged violation of a rule or law which was in effect prior to the enactment of the Senate Code of Official Conduct if the alleged violation occurred while such rule or law was in effect and the violation was not a matter resolved on the merits by the predecessor Select Committee.

APPENDIX A OPEN AND CLOSED MEETINGS

Paragraphs 5 (b) to (d) of Rule XXVI of the Standing Rules of the Senate reads as follows:

(b) Each meeting of a standing, select, or special committee of the Senate, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in classes (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

APPENDIX B—''SUPERVISORS'' DEFINED

Paragraph 12 of Rule XXXVII of the Standing Rules of the Senate reads as follows:

FOR PURPOSES OF THIS RULE—

(a) a Senator or the Vice President is the supervisor of his administrative, clerical, or other assistants;

(b) a Senator who is the chairman of a committee is the supervisor of the professional, clerical, or other assistants to the committee except that minority staff members shall be under the supervision of the ranking minority Senator on the committee;

(c) a Senator who is a chairman of a subcommittee which has its own staff and financial authorization is the supervisor of the professional, clerical, or other assistants to the subcommittee except that minority staff members shall be under the supervision of the ranking minority Senator on the subcommittee;

(d) the President pro tempore is the supervisor of the Secretary of the Senate, Sergeant at Arms and Doorkeeper, the Chaplain, the Legislative Counsel, and the employees of the Office of the Legislative Counsel;

(e) the Secretary of the Senate is the supervisor of the employees of his office;

(f) the Sergeant at Arms and Doorkeeper is the supervisor of the employees of his office;

(g) the Majority and Minority Leaders and the Majority and Minority Whips are the supervisors of the research, clerical, and other assistants assigned to their respective offices;

(h) the Majority Leader is the supervisor of the Secretary for the Majority and the Secretary for the Majority is the supervisor of the employees of his office; and

(i) the Minority Leader is the supervisor of the Secretary for the Minority and the Secretary for the Minority is the supervisor of the employees of his office.

CONFIRMATION OF CHUCK HAGEL AS SECRETARY OF DEFENSE

Mr. LAUTENBERG. Mr. President, today is Chuck Hagel's first day as our Secretary of Defense. This is a great development for our Armed Forces and the Nation they protect.

I was proud to support Chuck Hagel's nomination to become the Secretary of Defense, and I was proud to see his nomination confirmed with bipartisan support yesterday. Throughout his life, Chuck has displayed courage, wisdom, and leadership. And he has always served this Nation with dedication and resolve. I am confident he will be a strong and able leader of the men and women in our military, and I am confident he will do everything possible to keep our country safe.

I congratulate Secretary Hagel on his successful and well-deserved confirmation and wish him the best as he begins his leadership of our Department of Defense.

I yield the floor.

TRIBUTE TO RICK DEBOBES

Mr. LEVIN. Mr. President, there is a document posted on the wall of the offices of the Senate Armed Services Committee with all of the staff listed in order of seniority, with the dates on which they started their service. The second name on the list is that of Rick DeBobes, the staff director of the committee, who joined the committee staff 24 years ago, on March 9, 1989. That record of service is all the more remarkable because Rick did not come to the Senate until after he had completed a distinguished 26-year career in the Navy. His last assignment on Active Duty was as legal advisor to Chairman of the Joint Chiefs of Staff William Crowe.

This week, Rick will retire for the second time, culminating an extraordinary record of 50 years of service to the Senate, the Navy, the men and women of our Armed Forces, and his country.

In the course of his service on the committee staff, Rick has played a key role in the enactment of 24 National Defense Authorization Acts. A proud graduate of Georgetown University, Rick received his law degree from Fordham University and a masters' degree in international law from the National Law Center at George Washington University. He has gone on to have what I am sure must be a far greater influence on international law than any of his professors or mentors could have imagined. It is no exaggeration to say that Rick DeBobes has been involved in writing or improving virtually every major piece of national security legislation to come before the Congress in the last quarter century, starting with the Goldwater-Nichols legislation that he helped shape before joining the committee staff.

For the last 10 years, Rick has served as staff director of the Senate Armed Services Committee—one of the toughest and most important jobs in the Senate. In this capacity, Rick has not only helped guide our annual National Defense Authorization Act to enactment each year, but also played a vital role in congressional oversight of our military operations in Iraq, Afghanistan, and elsewhere. His leadership of the committee staff has also seen the enactment of the Wounded Warrior Act, the Detainee Treatment Act, the Military Commissions Act of 2009, the Weapon Systems Acquisition Reform Act, TRICARE for Life, and the repeal of don't ask, don't tell, along with other major legislation. Rick's advice and counsel on all of these matters—informed by his unique background and experience—have been invaluable not only to me and to other members of the Armed Services Committee, but also to our military chiefs of staff, combatant commanders, and other senior military and civilian officials in the Department of Defense.

In the 16 years that I have served as chairman or ranking member of the Armed Services Committee, Rick has spent countless hours in my office, discussing national security matters of every kind. He has joined me on virtually every overseas trip I have taken, including more than a dozen trips to Iraq and Afghanistan. We have met together with Senators, Secretaries of Defense, chiefs of staff, and foreign heads of state. We have been through markups, floor debates, and conferences together. Through all of this, I have not only appreciated and needed Rick's wise counsel, I have enjoyed his company.

Rick's hallmark as staff director has been the composure, the steadiness, and the sound judgment that he brings to the job every single day. The committee staff often line up outside Rick's office door, bringing him one crisis after another that needs to be addressed. Whether it is early in the morning before a hearing or late at night after a ''Little 4'' meeting in conference, Rick always makes time for the staff. And I don't think any of us have ever seen Rick lose his cool—except perhaps when his beloved Georgetown Hoyas basketball team blows a late lead.

As Rick leaves us to enjoy a well-deserved retirement with his wife Margaret, his children, and his grandchildren, I know I speak for the entire Armed Services Committee—members and staff—when I say: Thanks, Rick, for a job extraordinarily well done, and best wishes for the future.

ADDITIONAL STATEMENTS

CONGRATULATING WAYNE WILSON

• Mr. HELLER. Mr. President, today I wish to recognize one of Nevada's own, Wayne Wilson, for being named as a finalist for the Citizen Service Before Self Honors by the Congressional Medal of Honor Foundation. His efforts to assist disabled veterans have earned him this distinct honor, and I am both humbled and honored to recognize him today.

After graduating from the United States Army Sergeant Major Academy in 1976, Wayne served in the National Guard for over four decades. He served as command sergeant major of an engineer group and a combat engineer battalion. In 1984, he transferred to the Nevada National Guard and moved to Carson City. Throughout Wayne's lifetime, he has always remained an active member in the veteran community and has dedicated his free time to looking after this community's needs. Wayne was one of the original founders of the Veterans Guest House, is a lifetime member of the Disabled American Veterans, DAV, and has been named the Silver State's Veteran of the Month.

In 2008, Wayne founded the Northern Nevada Wheelchair Program to distribute wheelchairs to disabled veterans. Providing our Nation's greatest heroes with mobility and independence is a unique gift and a singular act of heroism. His commitment to putting others first is a true example of sacrifice for the betterment of others.

In October 2012, I had the privilege of meeting Wayne when he was recognized by Governor Sandoval as Nevada's Veteran of the Month. His continued service and sacrifice to our country and veteran community makes me proud that Wayne calls Nevada home. Today, I ask my colleagues to join me in recognizing Wayne for his tireless efforts to better the Silver State.•

REMEMBERING CLARENCE JACKSON

• Ms. MURKOWSKI. Mr. President, I would like to take a moment to reflect on the sad news that Clarence Jackson, a Tlingit elder, ''walked into the forest'' on January 31, 2013, at the age of 78.

Clarence Jackson was an individual who committed his life to the Native peoples of Alaska. Clarence was invaluable and irreplaceable, as he generously shared his vast knowledge of the

Tlingit language, history and culture. In 1972, Jackson signed the articles of incorporation for Sealaska Corporation that was created under the Alaska Native Claims Settlement Act. As one of the original incorporators of Sealaska Corporation, he was the only board member to serve continuously from the time Sealaska was founded. He also served on the board of directors for Sealaska Timber Corporation and served as the chairman of the Sealaska Heritage Institute's Council of Traditional Scholars. But many saw him as an ambassador to the community. He was a gentle man adept at using humor to reach people. In his capacity on the board, he represented Sealaska at funerals, celebrations, and many other community events.

Clarence was born in Kake, AK, on May 24, 1934. He lived there most of his life, attending Sheldon Jackson School in Sitka. He continued on to Sheldon Jackson College in 1954. Growing up immersed in his Tlingit community allowed him to become a very articulate orator. He excelled through his teachings of the Tlingit culture. After college, Clarence moved back to Kake, where he became a fisherman and operated a small store.

In the 1960's, Clarence became a delegate to the Central Council of Tlingit and Haida Indians in the Alaska Native claims movement. He served as this council's president from 1972 through 1976.

Clarence also advocated for the importance of preserving the cultural values of all Native people and eloquently spoke to this at Celebration 2012 in Juneau.

Clarence positively impacted the lives of everyone he met. He accomplished a great deal for his Native people, and he was blessed with a truly wonderful family. Thanks to modern technology, his stories and life experiences will live on for eternity.

On behalf of the Senate I extend condolences to Clarence's family, his wife of 58 years, Gertrude Louise ''Lidda'' Paddock, and the Tlingit people of Southeast Alaska. His life has been appropriately honored with a ceremony at Elizabeth Peratrovich Hall, in Juneau, AK.●

TRIBUTE TO JIM ALEXANDER

● Ms. AYOTTE. Mr. President, today I rise to recognize and congratulate chief of police M. James ''Jim'' Alexander, Jr., of the Lebanon New Hampshire Police Department for his more than 26 years of dedicated law enforcement service to our State and Nation.

The Chief began his law enforcement career as a police officer with the Brattleboro, VT, Police Department in 1987. Chief Alexander then joined the Lebanon New Hampshire Police Department in 1990 as a patrol officer. He was promoted to patrol supervisor in 1991, sergeant in 1996, lieutenant in 1999, captain in 2002, and deputy chief in 2004. Jim was appointed Lebanon's chief of police on March 1, 2006.

During his long career as a public safety professional, Chief Alexander has been a leader in promoting community-oriented policing, improving public safety within the State of New Hampshire, and promoting sound public policies and practices, which have helped keep New Hampshire one of the safest States in the Nation. Chief Alexander has worked tirelessly with his peers and with other public safety officials to better the administration of justice. He is well known for his collaboration with local, county, State, and Federal law enforcement agencies. He was recognized in 2007 with the Community Health Leadership Award, and in 2009 he received recognition for his extraordinary commitment and contributions to the Grafton County Drug Court Program. Under his leadership, the Lebanon, NH, Police Department was cited for the extraordinary assistance provided to the U.S. Marshals Service in helping to successfully end a dangerous 9-month-long standoff with convicted antigovernment activists.

As Chief Alexander celebrates his retirement, I commend him on a job well done. I ask my colleagues to join me in wishing him, his wife Deb, and their adult children, Nick and Jacqui, well in all future endeavors.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

MEASURES PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar pursuant to the order of February 14, 2013, as modified on February 26, 2013:

S. 16. A bill to provide for a sequester replacement.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–457. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Decreased Assessment Rate'' (Docket No. AMS–FV–12–0051; FV12–966–1 IR) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–458. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Change to Administrative Rules Regarding the Transfer and Storage of Excess Spearmint Oil'' (Docket No. AMS–FV–12–0014; FV12–985–2 FR) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–459. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Department of Defense counternarcotics support activities (OSS Control No. 2013–0256); to the Committee on Armed Services.

EC–460. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Alleged Crimes By or Against Contractor Personnel'' ((RIN0750–AH57) (DFARS Case 2012–D006)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–461. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Electronic Subcontracting Reporting System'' ((RIN0750–AG40) (DFARS Case 2009–D002)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–462. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Acquisition of Tents and Other Temporary Structures'' ((RIN0750–AH73) (DFARS Case 2012–D015)) received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–463. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, (15) reports relative to vacancies in the Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–464. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the Department of the Air Force, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–465. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, (2) reports relative to vacancies in the Department of the Army, received during adjournment of the Senate in the Office of the President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–466. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the Department of the Navy, received during adjournment of the Senate in the Office of the

President of the Senate on February 21, 2013; to the Committee on Armed Services.

EC–467. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft; to the Committee on Banking, Housing, and Urban Affairs.

EC–468. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–469. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC–470. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–471. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Appraisals for Higher-Priced Mortgage Loans'' (RIN1557–AD62) received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–472. A communication from the Associate General Counsel for Legislation and Regulations, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Fair Housing Act's Discriminatory Effects Standard'' (RIN2529–AA96) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–473. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle (AFV) program for fiscal year 2012; to the Committee on Energy and Natural Resources.

EC–474. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the status of all extensions granted by Congress regarding the requirements of Section 13 of the Federal Power Act; to the Committee on Energy and Natural Resources.

EC–475. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Independent Oversight Activities of the Department of Energy's Office of Health, Safety and Security for Fiscal Year 2012''; to the Committee on Energy and Natural Resources.

EC–476. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC–477. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report related to the Colorado River System Reservoirs for 2013; to the Committee on Energy and Natural Resources.

EC–478. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, Sleeping Bear Dunes National Lakeshore, Bicycling'' (RIN1024–AE11) received during adjournment of the Senate in the Office of the President of the Senate on February 15, 2013; to the Committee on Energy and Natural Resources.

EC–479. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Texas Regulatory Program'' (Docket No. TX–065–FOR) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Energy and Natural Resources.

EC–480. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Alabama Regulatory Program'' (Docket No. AL–077–FOR) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Energy and Natural Resources.

EC–481. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program; to the Committee on Environment and Public Works.

EC–482. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Agency, transmitting, pursuant to law, the report of a rule entitled ''Addition of South Sudan to the Restricted Destinations List'' (RIN3150–AJ21) received in the Office of the President of the Senate on February 13, 2013; to the Committee on Environment and Public Works.

EC–483. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Seismic Evaluation Guidance, Screening, Prioritization, and Implementation Details (SPID) for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic'' received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–484. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of trans 1-chloro-3,3,3-trifluoroprop-1-ene [Solstice 1233zd(E)]'' (FRL No. 9779–5) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–485. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Alaska; Regional Haze State Implementation Plan'' (FRL No. 9756–8) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–486. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee: Revisions to Volatile Organic Compound Definition'' (FRL No. 9780–8) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–487. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protections for Subjects in Human Research Involving Pesticides'' (FRL No. 9353–4) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–488. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality: Revision to Definition of Volatile Organic Compounds—Exclusion of a Group of Four Hydrofluoropolyethers (HFPEs)'' (FRL No. 9779–3) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–489. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Stay and Defer Sanctions, Sacramento Metropolitan Air Quality Management District'' (FRL No. 9777–8) received in the Office of the President of the Senate on February 12, 2013; to the Committee on Environment and Public Works.

EC–490. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Hawaii; Update to Materials Incorporated by Reference'' (FRL No. 9712–2) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–491. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas; Idle Reduction of Heavy-Duty Diesel Vehicles and Reduction of Nitrogen Oxides (NOx) Emissions for the Kansas City Ozone Maintenance Area'' (FRL No. 9781–5) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–492. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; Knox County Supplement Motor Vehicle Emissions Budget Update'' (FRL No. 9782–1) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–493. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Restriction of Emission of Particulate Matter from Industrial Processes'' (FRL No. 9781–7) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–494. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Greenhouse Gas Reporting Rule: Revision to Best Available Monitoring Method

Request Submission Deadline for Petroleum and Natural Gas Systems Source Category'' (FRL No. 9780–3) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–495. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; PBR and PTIO'' (FRL No. 9771–8) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Environment and Public Works.

EC–496. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9784–6) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–497. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Deferral for CO2 Emissions from Bioenergy and other Biogenic Sources Under the Prevention of Significant Deterioration Program'' (FRL No. 9783–9) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–498. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision'' (FRL No. 9783–7) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–499. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan'' (FRL No. 9785–5) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–500. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revision to Allegheny County Regulations for Prevention of Significant Deterioration'' (FRL No. 9783–8) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–501. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Charlotte, Raleigh/Durham and Winston Salem Carbon Monoxide Limited Maintenance Plan'' (FRL No. 9782–8) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–502. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental Shelf Air Regulations Consistency Update for California'' (FRL No. 9773–9) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2013; to the Committee on Environment and Public Works.

EC–503. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–005, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–504. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–004, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. Res. 59. An original resolution authorizing expenditures by the Committee on Finance.

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. INHOFE (for himself and Mr. TOOMEY):

S. 16. A bill to provide for a sequester replacement; placed on the calendar.

By Mr. VITTER (for himself, Mr. BARRASSO, Mr. BLUNT, Mr. CHAMBLISS, Mr. COATS, Mr. COCHRAN, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON of Wisconsin, Mr. RISCH, Mr. SHELBY, Mr. TOOMEY, Mr. WICKER, Mr. SESSIONS, Mr. LEE, and Mr. JOHANNS):

S. 17. A bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. AYOTTE (for herself, Mr. MCCAIN, Mr. GRAHAM, and Mr. INHOFE):

S. 18. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to replace the sequester established by the Budget Control Act of 2011; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. COBURN, Mr. ROBERTS, Mr. LEE, Mr. ENZI, Mr. BOOZMAN, Mr. FLAKE, Ms. MURKOWSKI, Mr. VITTER, Mr. INHOFE, Mr. BARRASSO, Mr. WICKER, Mr. HATCH, and Mrs. FISCHER):

S. 19. A bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements; to the Committee on Environment and Public Works.

By Mr. VITTER (for himself, Mr. CRAPO, Mr. MCCONNELL, Mr. PAUL, Mr. JOHANNS, Mr. BOOZMAN, Mr. FLAKE, Mr. COBURN, Mr. BLUNT, Mr. SHELBY, Mr. HELLER, Mr. TOOMEY, Mr. LEE, Mr. CHAMBLISS, Mr. CRUZ, Mr. ALEXANDER, Mr. INHOFE, Mr. CORNYN, Mr. RISCH, and Mr. ISAKSON):

S. 20. A bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. MIKULSKI, Mr. BEGICH, and Ms. HIRONO):

S. 390. A bill to amend the Child Care and Development Block Grant Act of 1990 to authorize a national toll-free referral line and website, to develop and disseminate child care consumer education information for parents and to help parents access child care in their community, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 391. A bill to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 392. A bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself and Mr. CARPER):

S. 393. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Mr. GRAHAM, Mr. SCHUMER, and Mr. HOEVEN):

S. 394. A bill to prohibit and deter the theft of metal, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. VITTER, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MENENDEZ, Mr. MERKLEY, Mr. UDALL of Colorado, and Mr. WYDEN):

S. 395. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG (for himself and Mr. WHITEHOUSE):

S. 396. A bill to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Ms. COLLINS, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 397. 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 Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Ms. MURKOWSKI, Ms. KLOBUCHAR, Ms. AYOTTE, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Ms. LANDRIEU, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 398. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S.J. Res. 8. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service of the Department of the Treasury relating to taxable medical devices; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 58. A resolution authorizing the reporting of committee funding resolutions for the period March 1, 2013 through September 30, 2013; considered and agreed to.

By Mr. BAUCUS:

S. Res. 59. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. BROWN, and Mr. BLUMENTHAL):

S. Res. 60. A resolution supporting women's reproductive health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Ms. COLLINS):

S. Res. 61. A resolution designating March 1, 2013, as ''Read Across America Day''; considered and agreed to.

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

S. Res. 62. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. PAUL, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 15, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 146

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 146, a bill to enhance the safety of America's schools.

S. 170

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 172

At the request of Mr. MERKLEY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 172, a bill to amend the Truth in Lending Act to address certain issues related to the extension of consumer credit, and for other purposes.

S. 177

At the request of Mr. CRUZ, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 177, a bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

S. 186

At the request of Mr. SHELBY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 186, a bill to award posthumously a Congressional Gold Medal to Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, in recognition of the 50th anniversary of the bombing of the Sixteenth Street Baptist Church, where the 4 little Black girls lost their lives, which served as a catalyst for the Civil Rights Movement.

S. 210

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Rhode Island (Mr. REED) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 296, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 310

At the request of Mr. MORAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 310, a bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of 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.

S. 346

At the request of Mr. HELLER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of 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.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor 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 Mr. DURBIN (for himself, Mr. VITTER, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Ms. LANDRIEU, Mr. MENENDEZ, Mr. MERKLEY, Mr. UDALL of Colorado, and Mr. WYDEN):

S. 395. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I ask unanimous consent the 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. 395

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 ''Puppy Uniform Protection and Safety Act''.

SEC. 2. PROTECTION OF PUPPIES UNDER THE ANIMAL WELFARE ACT.

(a) HIGH VOLUME RETAIL BREEDER DEFINED.—Section 2 of the Animal Welfare Act (7 U.S.C. 2132) is amended—

(1) in subsection (l), by striking ''research.'' and inserting ''research;'';

(2) in subsection (n), by striking ''section 13(b); and'' and inserting ''section 13(b);'';

(3) in subsection (o), by striking ''experimentation.'' and inserting ''experimentation; and''; and

(4) by adding at the end the following:

''(p) HIGH VOLUME RETAIL BREEDER.—

''(1) DEFINITIONS.—In this subsection:

''(A) BREEDING FEMALE DOG.—The term 'breeding female dog' means an intact female dog aged 4 months or older.

''(B) HIGH VOLUME RETAIL BREEDER.—The term 'high volume retail breeder' means a person who, in commerce, for compensation or profit—

''(i) has an ownership interest in or custody of 1 or more breeding female dogs; and

''(ii) sells or offers for sale, via any means of conveyance (including the Internet, telephone, or newspaper), more than 50 of the offspring of such breeding female dogs for use as pets in any 1-year period.

''(2) RELATIONSHIP TO DEALERS.—

''(A) IN GENERAL.—For purposes of this Act, a high volume retail breeder shall be considered to be a dealer and subject to all provisions of this Act applicable to a dealer.

''(B) EXCEPTION.—The retail pet store exemption in subsection (f)(i) shall not apply to a high volume retail breeder.''.

(b) LICENSES.—Section 3 of the Animal Welfare Act (7 U.S.C. 2133) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) in subsection (a) (as so designated), in the second proviso of the first sentence, by inserting ''(other than a high volume retail breeder)'' after ''any retail pet store or other person''; and

(3) by adding at the end the following:

''(b) DEALERS.—A dealer (including a high volume retail breeder) applying for a license under subsection (a) (including annual renewals) shall include on the license application the total number of dogs exempted from exercise on the premises of the dealer in the preceding year by a licensed veterinarian under section 13(j)(2).''.

(c) EXERCISE REQUIREMENTS.—Section 13 of the Animal Welfare Act (7 U.S.C. 2143) is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively;

(2) by redesignating the second subsection (f) (as redesignated by section 1752(a)(1) of Public Law 99–198 (99 Stat. 1645)) as subsection (g); and

(3) by adding at the end the following:

''(j) EXERCISE REQUIREMENTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate standards covering dealers that include requirements for the exercise of dogs at facilities owned or operated by a dealer, including exercise regulations that ensure that—

''(A) each dog that is at least 12 weeks old (other than a female dog with unweaned puppies) has daily access to exercise that—

''(i) allows the dog—

''(I) to move sufficiently to develop or maintain normal muscle tone and mass as appropriate for the age, breed, sex, and reproductive status of the dog; and

''(II) the ability to achieve a running stride; and

''(ii) is not a forced activity (other than a forced activity used for veterinary treatment) or other physical activity that is repetitive, restrictive of other activities, solitary, and goal-oriented;

''(B) the provided area for exercise—

''(i) is separate from the primary enclosure if the primary enclosure does not provide sufficient space to achieve a running stride;

''(ii) has flooring that—

''(I) is sufficient to allow for the type of activity described in subparagraph (A); and

''(II)(aa) is solid flooring; or

''(bb) is nonsolid, nonwire flooring, if the nonsolid, nonwire flooring—

''(AA) is safe for the breed, size, and age of the dog;

''(BB) is free from protruding sharp edges; and

''(CC) is designed so that the paw of the dog is unable to extend through or become caught in the flooring;

''(iii) is cleaned at least once each day;

''(iv) is free of infestation by pests or vermin; and

''(v) is designed in a manner to prevent escape of the dogs.

''(2) EXEMPTION.—

''(A) IN GENERAL.—If a licensed veterinarian determines that a dog should not exercise because of the health, condition, or well-being of the dog, this subsection shall not apply to that dog.

''(B) DOCUMENTATION.—A determination described in subparagraph (A) shall be—

''(i) documented by the veterinarian;

''(ii) subject to review and approval by the Secretary; and

''(iii) unless the basis for the determination is a permanent condition, reviewed and updated at least once every 30 days by the veterinarian.

''(C) REPORTS.—A determination described in subparagraph (A) shall be maintained by the dealer.''.

SEC. 3. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall promulgate any regulations that the Secretary determines to be necessary to implement this Act and the amendments made by this Act.

SEC. 4. EFFECT ON STATE LAW.

Nothing in this Act or the amendments made by this Act preempt any law (including a regulation) of a State, or a political subdivision of a State, containing requirements that provide equivalent or greater protection for animals than the requirements of this Act or the amendments made by this Act.

By Ms. COLLINS (for herself, Ms. MIKULSKI, Ms. MURKOWSKI, Ms. KLOBUCHAR, Ms. AYOTTE, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Ms. LANDRIEU, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 398. A bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Commission Act of 2013, a bill that would create a commission to evaluate and plan the establishment of a museum dedicated to women's history in our Nation's capital city. I appreciate the co-sponsorship of Senators MILKULSKI, MURKOWSKI, KLOBUCHAR, AYOTTE, STABENOW, SHAHEEN, MURRAY, LANDRIEU, BOXER, and FEINSTEIN.

American women have made invaluable contributions to our country in such diverse fields as government, business, medicine, law, literature, sports, entertainment, the arts, and the military. The need for a museum recognizing the contributions of American women is long overdue.

In 1999, a Presidential commission on commemorating women in American history concluded that: ''Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's Capital.''

Although Congress has made commendable provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Museum of the American Indian, there is still no institution in the capital region dedicated to women's role in our country's history.

This National Women's History Museum Commission Act would be a good step toward rectifying this oversight. The legislation is very straightforward and would simply establish a commission, similar to what was done for the African American History and Culture Museum, to develop a feasible plan for the establishment of such a museum in here in Washington, D.C. However, unlike previous museum commissions, taxpayers will not shoulder the funding of this project. The proposed legislation calls for the commission to fund its own costs.

A museum dedicated to women's history would help ensure that future generations understand what we owe to the many generations of American women who have helped build, sustain, and advance our society. These key moments in history deserve a museum, which would present the stories of pioneering women like abolitionist Harriet Tubman, founder of the Girl Scouts Juliette Gordon Low, Supreme Court Justice Sandra Day O'Connor, astronaut Sally Ride, and Maine Senator Margaret Chase Smith.

Of special pride to the State of Maine is a legendary predecessor in the Senate seat I now hold: Margaret Chase Smith who was the first woman nominated for President of the United States by a major political party, and the first woman elected to both houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and courage. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

Again, I urge my colleagues to support this 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. 398

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 ''National Women's History Museum Commission Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Commission to Study the Potential Creation of a National Women's History Museum established by section 3(a).

(2) MUSEUM.—The term ''Museum'' means the National Women's History Museum.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the Commission to Study the Potential Creation of a National Women's History Museum.

(b) MEMBERSHIP.—The Commission shall be composed of 8 members, of whom—

(1) 2 members shall be appointed by the majority leader of the Senate;

(2) 2 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of women's history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

(ii) expertise in fundraising for nonprofit or cultural institutions;

(iii) experience in the study and teaching of women's history at the post-secondary level;

(iv) experience in studying the issue of the representation of women in art, life, history, and culture at the Smithsonian Institution; or

(v) extensive experience in public or elected service;

(2) experience in the administration of, or the planning for, the establishment of, museums; or

(3) experience in the planning, design, or construction of museum facilities.

(d) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

(e) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this Act.

(f) VACANCIES.—A vacancy in the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the same manner as the original appointment was made.

(g) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

(a) REPORTS.—

(1) PLAN OF ACTION.—The Commission shall submit to the President and Congress a report containing the recommendations of the Commission with respect to a plan of action for the establishment and maintenance of a National Women's History Museum in Washington, DC.

(2) REPORT ON ISSUES.—The Commission shall submit to the President and Congress a report that addresses the following issues:

(A) The availability and cost of collections to be acquired and housed in the Museum.

(B) The impact of the Museum on regional women history-related museums.

(C) Potential locations for the Museum in Washington, DC, and its environs (including the location located on public land bounded by Independence Avenue SW., 14th Street SW., 15th Street SW., and Jefferson Drive SW., in Washington, DC, that is established subject to chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'')).

(D) Whether the Museum should be part of the Smithsonian Institution.

(E) The governance and organizational structure from which the Museum should operate.

(F) Best practices for engaging women in the development and design of the Museum.

(G) The cost of constructing, operating, and maintaining the Museum.

(3) DEADLINE.—The reports required under paragraphs (1) and (2) shall be submitted not later than the date that is 18 months after the date of the first meeting of the Commission.

(b) FUNDRAISING PLAN.—

(1) IN GENERAL.—The Commission shall develop a fundraising plan to support the establishment and maintenance of the Museum through contributions from the public.

(2) CONSIDERATIONS.—In developing the fundraising plan under paragraph (1), the Commission shall consider—

(A) the role of the National Women's History Museum (a nonprofit, educational organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that was incorporated in 1996 in Washington, DC, and dedicated for the purpose of establishing a women's history museum) in raising funds for the construction of the Museum; and

(B) issues relating to funding the operations and maintenance of the Museum in perpetuity.

(c) LEGISLATION TO CARRY OUT PLAN OF ACTION.—Based on the recommendations contained in the report submitted under paragraphs (1) and (2) of subsection (a), the Commission shall submit for consideration to the Committees on Transportation and Infrastructure, House Administration, Natural Resources, and Appropriations of the House of Representatives and the Committees on Rules and Administration, Energy and Natural Resources, Environment and Public Works, and Appropriations of the Senate recommendations for a legislative plan of action to establish and construct the Museum.

(d) NATIONAL CONFERENCE.—Not later than 18 months after the date on which the initial members of the Commission are appointed under section 3, the Commission may, in carrying out the duties of the Commission under this section, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of women.

SEC. 5. DIRECTOR AND STAFF OF COMMISSION.

(a) DIRECTOR AND STAFF.—

(1) IN GENERAL.—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.

(2) RATES OF PAY.—Rates of pay for persons employed under paragraph (1) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(b) NOT FEDERAL EMPLOYMENT.—Any individual employed under this Act shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(c) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—Subject to paragraph (2), on request of the Commission, the head of a Federal agency may provide technical assistance to the Commission.

(2) PROHIBITION.—No Federal employees may be detailed to the Commission.

SEC. 6. ADMINISTRATIVE PROVISIONS.

(a) COMPENSATION.—

(1) IN GENERAL.—A member of the Commission—

(A) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(B) shall serve without pay.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed a per diem allowance for travel expenses, at rates consistent with the rates authorized under subchapter I of chapter 57 of title 5, United States Code.

(b) GIFTS, BEQUESTS, DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission.

(c) FEDERAL ADVISORY COMMITTEE ACT.—The Commission shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 7. TERMINATION.

The Commission shall terminate on the date that is 30 days after the date on which the final versions of the reports required under section 4(a) are submitted.

SEC. 8. FUNDING.

(a) IN GENERAL.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(b) PROHIBITION.—No Federal funds may be obligated to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 58—AUTHORIZING THE REPORTING OF COMMITTEE FUNDING RESOLUTIONS FOR THE PERIOD MARCH 1, 2013 THROUGH SEPTEMBER 30, 2013

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

S. RES. 58

Resolved, That notwithstanding paragraph 9 of rule XXVI of the Standing Rules of the Senate—

(1) not later than February 26, 2013, each committee shall report 1 resolution authorizing the committee to make expenditures out of the contingent fund of the Senate to defray its expenses, including the compensation of members of its staff, for the period March 1, 2013 through September 30, 2013; and

(2) the Committee on Rules and Administration may report 1 authorization resolution containing more than 1 committee authorization resolution for the period March 1, 2013 through September 30, 2013.

SENATE RESOLUTION 59—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. BAUCUS submitted the following resolution; which was referred from the Committee on Finance; to the Committee on Rules and Administration:

S. RES. 59

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2013, through September 30, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2013, through September 30, 2013, under this resolution shall not exceed $4,693,751, of which amount (1) not to exceed $17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 4. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2013, through September 30, 2013, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

SENATE RESOLUTION 60—SUPPORTING WOMEN'S REPRODUCTIVE HEALTH

Mrs. BOXER (for herself, Mrs. SHAHEEN, Mr. LAUTENBERG, Mr. BROWN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 60

Whereas access to comprehensive reproductive health care is critical to improving the health and well-being of women and their families;

Whereas access to affordable contraceptives and medically accurate information prevents unintended pregnancies, thereby improving the health of women, children, families, and society as a whole;

Whereas title X of the Public Health Service Act (42 U.S.C. 300 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) cover health care and family planning services for millions of women and men who do not have other insurance coverage, with the Medicaid program alone covering 71 percent of publicly-funded family planning services and more than 40 percent of all births in the United States;

Whereas women need access to comprehensive, affordable insurance that covers family planning services, prenatal and postnatal care, miscarriage management, labor and delivery services, and abortion; and

Whereas the lack of adequate prenatal care increases the risks of infant and maternal mortality and preterm birth, which cost our health care system approximately $26,000,000,000 annually: Now, therefore, be it

Resolved, That the Senate supports efforts to—

(1) ensure that women have access to contraception, other preventive services, and medically accurate information necessary to make health care decisions;

(2) ensure that the millions of women who rely on title X of the Public Health Service Act (42 U.S.C. 300 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and non-profit providers like Planned Parenthood continue to get cancer screenings, birth control, and other essential health care services;

(3) ensure that women have access to affordable insurance coverage for all pregnancy-related health care needs; and

(4) reduce health disparities between men and women and among women of different races, ethnicities, and sexual orientations.

SENATE RESOLUTION 61—DESIGNATING MARCH 1, 2013, AS ''READ ACROSS AMERICA DAY''

Mr. REED (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 61

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and on providing additional resources for reading assistance, including through the programs authorized by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 1, the day before the anniversary of the birth of Theodor Geisel (also known as Dr. Seuss), as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 1, 2013, as ''Read Across America Day'';

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) honors the 16th anniversary of ''Read Across America Day'';

(4) encourages parents to read with their children for at least 30 minutes on ''Read Across America Day'' in honor of the commitment of the Senate to building a country of readers; and

(5) encourages the people of the United States to observe ''Read Across America Day'' with appropriate ceremonies and activities.

SENATE RESOLUTION 62—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 62

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted an investigation into offshore profit shifting and the United States tax code;

Whereas, the Subcommittee has received a request from a federal law enforcement agency for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's investigation into offshore profit shifting and the United States tax code.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. 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 27, 2013, at 2:30 p.m. in room of the Russell Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 27, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Power of Transparency: Giving Consumers the Information They Need to Make Smart Choices in the Health Insurance Market.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled ''Animal Drug User Fee Agreements: Advancing Animal Health for the Public Health'' on February 27, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on February 27, 2013, at 10 a.m., in room SH–216 of the Hart Senate Office Buiding, to conduct a hearing entitled ''Hearing on the Assault Weapons Ban of 2013.''

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 27, 2013, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 27, 2013, at 10 a.m.

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

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on February 27, 2013, in room 106 of the Dirksen Senate Office Building beginning at 3 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be granted the privilege of the floor for the remainder of the 2013 calendar year: Melanie Rainer, Erik Hansen, Swarna Vallurupalli, Anderson Heiman, Tyler Evilsizer, Aaron Tjoa, Elizabeth Karan, and Peter Sokolove.

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

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 14, H.R. 307.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (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, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pandemic and All-Hazards Preparedness Reauthorization Act of 2013''.

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

Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.
Sec. 102. Assistant Secretary for Preparedness and Response.
Sec. 103. National Advisory Committee on Children and Disasters.
Sec. 104. Modernization of the National Disaster Medical System.
Sec. 105. Continuing the role of the Department of Veterans Affairs.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary reassignment of State and local personnel during a public health emergency.
Sec. 202. Improving State and local public health security.
Sec. 203. Hospital preparedness and medical surge capacity.
Sec. 204. Enhancing situational awareness and biosurveillance.
Sec. 205. Eliminating duplicative Project Bioshield reports.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.
Sec. 302. Authorization for medical products for use in emergencies.
Sec. 303. Definitions.
Sec. 304. Enhancing medical countermeasure activities.
Sec. 305. Regulatory management plans.
Sec. 306. Report.
Sec. 307. Pediatric medical countermeasures.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.
Sec. 402. Biomedical Advanced Research and Development Authority.
Sec. 403. Strategic National Stockpile.
Sec. 404. National Biodefense Science Board.

TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) IN GENERAL.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh–1) is amended—

(1) in subsection (a)(1), by striking ''2009'' and inserting ''2014''; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting '', including drills and exercises to ensure medical surge capacity for events without notice'' after ''exercises''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''facilities), and trauma care'' and inserting ''and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,''; and

(II) by inserting ''(including related availability, accessibility, and coordination)'' after ''public health emergencies'';

(ii) in subparagraph (A), by inserting ''and trauma'' after ''medical'';

(iii) in subparagraph (B), by striking ''Medical evacuation and fatality management'' and inserting ''Fatality management'';

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following the new subparagraph:

''(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.'';

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting ''(which may include such dental health assets)'' after ''medical assets''; and

(vii) by adding at the end the following:

''(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting '', including the unique needs and considerations of individuals with disabilities,'' after ''medical needs of at-risk individuals''; and

(ii) in subparagraph (B), by inserting ''the'' before ''purpose of this section''; and

(D) by adding at the end the following:

''(7) COUNTERMEASURES.—

''(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

''(B) For purposes of this paragraph, the term 'countermeasures' has the same meaning as the terms 'qualified countermeasures' under section 319F–1, 'qualified pandemic and epidemic products' under section 319F–3, and 'security countermeasures' under section 319F–2.

''(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

''(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

''(B) promoting familiarity with local medical and public health systems.''.

(b) AT-RISK INDIVIDUALS.—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh–16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking ''2811(b)(3)(B)'' and inserting ''2802(b)(4)(B)'';

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

''(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;'';

(5) by amending paragraph (2) (as so redesignated) to read as follows:

''(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);''; and

(6) by inserting after paragraph (6), the following:

''(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

''(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.''.

SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

(a) IN GENERAL.—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting ''security countermeasures (as defined in section 319F–2),'' after ''qualified countermeasures (as defined in section 319F–1)'';

(B) in paragraph (4), by adding at the end the following:

''(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

''(E) IDENTIFICATION OF INEFFICIENCIES.—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

''(F) COORDINATION OF GRANTS AND AGREEMENTS.—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

''(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

''(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

''(G) DRILL AND OPERATIONAL EXERCISES.—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

''(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

''(ii) unknown threats for which no countermeasures are available.

''(H) NATIONAL SECURITY PRIORITY.—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.''; and

(C) by adding at the end the following:

''(7) COUNTERMEASURES BUDGET PLAN.—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

''(A) include consideration of the entire medical countermeasures enterprise, including—

''(i) basic research and advanced research and development;

''(ii) approval, clearance, licensure, and authorized uses of products; and

''(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

''(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

''(C) identify medical countermeasure lifecycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F–2; and

''(D) be made available to the appropriate committees of Congress upon request.'';

(2) by striking subsection (c) and inserting the following:

''(c) FUNCTIONS.—The Assistant Secretary for Preparedness and Response shall—

''(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

''(2) have authority over and responsibility for—

''(A) the National Disaster Medical System pursuant to section 2812;

''(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C–2;

''(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

''(D) the Medical Reserve Corps pursuant to section 2813;

''(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

''(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

''(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

''(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C–1;

''(B) the Strategic National Stockpile pursuant to section 319F–2; and

''(C) the Cities Readiness Initiative; and

''(4) assume other duties as determined appropriate by the Secretary.''; and

(3) by adding at the end the following:

''(d) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the 'Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan'.

''(2) REQUIREMENTS.—The plan under paragraph (1) shall—

''(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), or qualified pandemic or epidemic products (as defined in section 319F–3) for each threat;

''(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

''(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

''(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

''(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

''(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

''(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M;

''(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

''(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F–2(h) and the impact this funding will have on meeting the requirements under section 319F–2;

''(H) incorporate input from Federal, State, local, and tribal stakeholders;

''(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

''(i) a list of such countermeasures and products necessary to address the needs of pediatric populations;

''(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

''(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

''(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C);

''(J) identify the use of authority and activities undertaken pursuant to sections 319F–1(b)(1), 319F–1(b)(2), 319F–1(b)(3), 319F–1(c), 319F–1(d), 319F–1(e), 319F–2(c)(7)(C)(iii), 319F–2(c)(7)(C)(iv), and 319F–2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

''(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

''(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

''(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

''(iv) whether, with respect to each procurement that is approved by the President under section 319F–2(c)(6), a contract was entered into within one year after such approval by the President; and

''(v) with respect to section 319F–1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling $100,000 or greater and the number of persons who were paid amounts totaling at least $50,000 but less than $100,000; and

''(K) be made publicly available.

''(3) GAO REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the

first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

''(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

''(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

''(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

''(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

''(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.''.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) (as added by subsection (a)(3)), the Secretary of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

''SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the 'National Advisory Committee on Children and Disasters' (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

''(d) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

''(A) the Assistant Secretary for Preparedness and Response;

''(B) the Director of the Biomedical Advanced Research and Development Authority;

''(C) the Director of the Centers for Disease Control and Prevention;

''(D) the Commissioner of Food and Drugs;

''(E) the Director of the National Institutes of Health;

''(F) the Assistant Secretary of the Administration for Children and Families;

''(G) the Administrator of the Federal Emergency Management Agency;

''(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

''(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

''(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

''(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

''(f) SUNSET.—The Advisory Committee shall terminate on September 30, 2018.''.

SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting '', including at-risk individuals as applicable'' after ''victims of a public health emergency'';

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

''(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.''.

''(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.''; and

(2) in subsection (g), by striking ''such sums as may be necessary for each of the fiscal years 2007 through 2011'' and inserting ''$52,700,000 for each of fiscal years 2014 through 2018''.

SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking ''such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011'' and inserting ''$155,300,000 for each of fiscal years 2014 through 2018 to carry out this section''.

TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

SEC. 201. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

''(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

''(1) EMERGENCY REASSIGNMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or a tribal organization or such Governor or tribal organization's designee, the Secretary may authorize the requesting State or Indian tribe to temporarily reassign, for purposes of immediately addressing a public health emergency in the State or Indian tribe, State and local public health department or agency personnel funded in whole or in part through programs authorized under this Act, as appropriate.

''(2) ACTIVATION OF EMERGENCY REASSIGNMENT.—

''(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary reassignment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

''(B) CONTENTS OF REQUEST.—To seek authority for a temporary reassignment of personnel under paragraph (1), the Governor of a State or a tribal organization shall submit to the Secretary a request for such reassignment flexibility and shall include in the request each of the following:

''(i) An assurance that the public health emergency in the geographic area of the requesting State or Indian tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

''(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary reassignment of State and local personnel described in paragraph (1).

''(iii) An assurance that the requested temporary reassignment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C–1.

''(iv) An identification of—

''(I) each Federal program from which personnel would be temporarily reassigned pursuant to the requested authority; and

''(II) the number of personnel who would be so reassigned from each such program.

''(v) Such other information and assurances upon which the Secretary and Governor of a State or tribal organization agree.

''(C) CONSIDERATION.—In reviewing a request for temporary reassignment under paragraph (1), the Secretary shall consider the degree to which the program or programs funded in whole or in part by programs authorized under this Act would be adversely affected by the reassignment.

''(D) TERMINATION AND EXTENSION.—

''(i) TERMINATION.—A State or Indian tribe's temporary reassignment of personnel under paragraph (1) shall terminate upon the earlier of the following:

''(I) The Secretary's determination that the public health emergency no longer exists.

''(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or Indian tribe's request for such reassignment flexibility.

''(ii) EXTENSION OF REASSIGNMENT FLEXIBILITY.—The Secretary may extend reassignment flexibility of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

''(I) the State or Indian tribe that submitted the initial request for a temporary reassignment

of personnel submits a request for an extension of such temporary reassignment; and

''(II) the request for an extension contains the same information and assurances necessary for the approval of an initial request for such temporary reassignment pursuant to subparagraph (B).

''(3) VOLUNTARY NATURE OF TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL.—

''(A) IN GENERAL.—Unless otherwise provided under the law or regulation of the State or Indian tribe that receives authorization for temporary reassignment of personnel under paragraph (1), personnel eligible for reassignment pursuant to such authorization—

''(i) shall have the opportunity to volunteer for temporary reassignment; and

''(ii) shall not be required to agree to a temporary reassignment.

''(B) PROHIBITION ON CONDITIONING FEDERAL AWARDS.—The Secretary may not condition the award of a grant, contract, or cooperative agreement under this Act on the requirement that a State or Indian tribe require that personnel eligible for reassignment pursuant to an authorization under paragraph (1) agree to such reassignment.

''(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

''(A) any initial request for temporary reassignment of personnel; and

''(B) any request for an extension of such temporary reassignment.

''(5) GUIDANCE.—The Secretary shall—

''(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary reassignment of personnel under this subsection; and

''(B) after providing notice and a 60-day period for public comment, finalize such guidance.

''(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on temporary reassignment under this subsection, including—

''(A) a description of how, and under what circumstances, such temporary reassignment has been used by States and Indian tribes;

''(B) an analysis of how such temporary reassignment has assisted States and Indian tribes in responding to public health emergencies;

''(C) an evaluation of how such temporary reassignment has improved operational efficiencies in responding to public health emergencies;

''(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily reassigned have been adversely affected by the reassignment; and

''(E) recommendations on how medical surge capacity could be improved in responding to public health emergencies and the impact of the reassignment flexibility under this section on such surge capacity.

''(7) DEFINITIONS.—In this subsection—

''(A) the terms 'Indian tribe' and 'tribal organization' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act; and

''(B) the term 'State' includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

''(8) SUNSET.—This subsection shall terminate on September 30, 2018.''.

SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C–1 of the Public Health Service Act (42 U.S.C. 247d–3a) is amended—

(1) in subsection (b)(1)(C), by striking ''consortium of entities described in subparagraph (A)'' and inserting ''consortium of States'';

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

''(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

''(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);'';

(ii) in clause (iv), by striking ''and'' at the end; and

(iii) by adding at the end the following:

''(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

''(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

''(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infectious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

''(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;''; and

(B) in subparagraph (C), by inserting '', including addressing the needs of at-risk individuals,'' after ''capabilities of such entity'';

(3) in subsection (f)—

(A) in paragraph (2), by adding ''and'' at the end;

(B) in paragraph (3), by striking ''; and'' and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and''; and

(B) in paragraph (2)(A), by adding at the end the following: ''The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).'';

(5) by striking subsection (h);

(6) by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively;

(7) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''$824,000,000 for fiscal year 2007, of which $35,000,000 shall be used to carry out subsection (h),'' and inserting ''$641,900,000 for fiscal year 2014''; and

(II) by striking ''such sums as may be necessary for each of fiscal years 2008 through 2011'' and inserting ''$641,900,000 for each of fiscal years 2015 through 2018'';

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(B) in subparagraphs (C) and (D) of paragraph (3), by striking ''(1)(A)(i)(I)'' each place it appears and inserting ''(1)(A)'';

(C) in paragraph (4)(B), by striking ''subsection (c)'' and inserting ''subsection (b)''; and

(D) by adding at the end the following:

''(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

''(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

''(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).''; and

(8) in subsection (i), as so redesignated—

(A) in paragraph (1)(E), by striking ''subsection (k)'' and inserting ''subsection (j)'';

(B) by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d–1(e)) is amended by striking ''such sums for each of fiscal years 2007 through 2011'' and inserting ''$30,800,000 for each of fiscal years 2014 through 2018''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 319C–1(b)(1)(B) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(1)(B)) is amended by striking ''subsection (i)(4)'' and inserting ''subsection (h)(4)''.

(2) Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(A) in subsection (i), by striking ''(j), and (k)'' and inserting ''(i), and (j)''; and

(B) in subsection (j)(3), by striking ''319C–1(i)'' and inserting ''319C–1(h)''.

SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d–6(a)(5)(B)) is amended by striking ''public health or medical'' and inserting ''public health, medical, or dental''.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d–7b(k)) is amended by striking ''$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011'' and inserting ''$5,000,000 for each of fiscal years 2014 through 2018''.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh–15) is amended—

(A) in subsection (d)(2), by adding at the end the following: ''Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.''; and

(B) in subsection (i), by striking ''$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011'' and inserting ''$11,200,000 for each of fiscal years 2014 through 2018''.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a), by inserting '', including, as appropriate, capacity and preparedness to address the needs of children and other at-risk individuals'' before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking ''centers, primary'' and inserting ''centers, community health centers, primary'';

(3) by striking subsection (c) and inserting the following:

''(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.'';

(4) by striking subsection (g) and inserting the following:

''(g) COORDINATION.—

''(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

''(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).'';

(5) in subsection (i)—

(A) by striking ''The requirements of'' and inserting the following:

''(1) IN GENERAL.—The requirements of''; and

(B) by adding at the end the following:

''(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.''; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated $374,700,000 for each of fiscal years 2014 through 2018.''; and

(B) by adding at the end the following:

''(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

''(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

''(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).''.

SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

(a) IN GENERAL.—Section 319D of the Public Health Service Act (42 U.S.C. 247d–4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting ''poison control centers,'' after ''hospitals,'';

(B) in paragraph (2), by inserting before the period at the end the following: '', allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort''; and

(C) in paragraph (3), by inserting before the period at the end the following: ''and update such standards as necessary'';

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively;

(4) in subsection (c), as so redesignated—

(A) in the subsection heading, by striking ''PUBLIC HEALTH SITUATIONAL AWARENESS'' and inserting ''MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE'';

(B) in paragraph (1)—

(i) by striking ''Pandemic and All-Hazards Preparedness Act'' and inserting ''Pandemic and All-Hazards Preparedness Reauthorization Act of 2013''; and

(ii) by inserting '', novel emerging threats,'' after ''disease outbreaks'';

(C) by striking paragraph (2) and inserting the following:

''(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

''(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

''(B) modernize and enhance biosurveillance activities; and

''(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.'';

(D) in paragraph (3)(D), by inserting ''community health centers, health centers'' after ''poison control,'';

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) utilize applicable interoperability standards as determined by the Secretary, and in consultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process;''; and

(F) by adding at the end the following:

''(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall—

''(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

''(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

''(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.'';

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking ''subsection (d)'' and inserting ''subsection (c)'';

(B) in paragraph (4)(B), by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(C) in paragraph (5)—

(i) by striking ''4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act'' and inserting ''3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013''; and

(ii) by striking ''subsection (d)'' and inserting ''subsection (c)'';

(6) in subsection (f), as so redesignated, by striking ''such sums as may be necessary in each of fiscal years 2007 through 2011'' and inserting ''$138,300,000 for each of fiscal years 2014 through 2018''; and

(7) by adding at the end the following:

''(g) DEFINITION.—For purposes of this section the term 'biosurveillance' means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 319C–1(b)(2)(D) of the Public Health Service Act (42 U.S.C. 247d–3a(b)(2)(D)) is amended by striking ''section 319D(d)(3)'' and inserting ''section 319D(c)(3)''.

SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d–6c) is repealed.

TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B)) is amended by striking ''size of clinical trials intended'' and all that follows through ''. The sponsor or applicant'' and inserting the following: ''size—

''(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

''(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

''(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies.

The sponsor or applicant''.

SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''sections 505, 510(k), and 515 of this Act'' and inserting ''any provision of this Act'';

(B) in paragraph (2)(A), by striking ''under a provision of law referred to in such paragraph'' and inserting ''under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act''; and

(C) in paragraph (3), by striking ''a provision of law referred to in such paragraph'' and inserting ''a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EMERGENCY'' and inserting ''EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may declare an emergency'' and inserting ''may make a declaration that the circumstances exist'';

(ii) in subparagraph (A), by striking ''specified'';

(iii) in subparagraph (B)—

(I) by striking ''specified''; and

(II) by striking ''; or'' and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

''(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or''; and

(v) by adding at the end the following:

''(D) the identification of a material threat pursuant to section 319F–2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.'';

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

''(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking ''advance notice of termination, and renewal under this subsection.'' and inserting '', and advance notice of termination under this subsection.''; and

(E) by adding at the end the following:

''(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''the Assistant Secretary for Preparedness and Response,'' after ''consultation with'';

(ii) by striking ''Health and'' and inserting ''Health, and''; and

(iii) by striking ''circumstances of the emergency involved'' and inserting ''applicable circumstances described in subsection (b)(1)'';

(B) in paragraph (1), by striking ''specified'' and inserting ''referred to''; and

(C) in paragraph (2)(B), by inserting '', taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable'' after ''risks of the product'';

(4) in subsection (d)(3), by inserting '', to the extent practicable given the circumstances of the emergency,'' after ''including'';

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking ''circumstances of the emergency'' and inserting ''applicable circumstances described in subsection (b)(1)'';

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

''(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.'';

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''manufacturer of the product'' and inserting ''person'';

(II) by striking ''circumstances of the emergency'' and inserting ''applicable circumstances described in subsection (b)(1)''; and

(III) by inserting at the end before the period ''or in paragraph (1)(B)'';

(ii) in subparagraph (B)(i), by inserting before the period at the end '', except as provided in section 564A with respect to authorized changes to the product expiration date''; and

(iii) by amending subparagraph (C) to read as follows:

''(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use.''; and

(D) by amending paragraph (3) to read as follows:

''(3) GOOD MANUFACTURING PRACTICE; PRESCRIPTION.—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

''(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

''(B) requirements established under section 503(b); and

''(C) requirements established under section 520(e).'';

(6) in subsection (g)—

(A) in the subsection heading, by inserting ''REVIEW AND'' before ''REVOCATION'';

(B) in paragraph (1), by inserting after the period at the end the following: ''As part of such review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

''(A) an unapproved product for which an authorization was issued under this section; or

''(B) an unapproved use of an approved product for which an authorization was issued under this section.''; and

(C) by amending paragraph (2) to read as follows:

''(2) REVISION AND REVOCATION.—The Secretary may revise or revoke an authorization under this section if—

''(A) the circumstances described under subsection (b)(1) no longer exist;

''(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

''(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.'';

(7) in subsection (h)(1), by adding after the period at the end the following: ''The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.'';

(8) by adding at the end of subsection (j) the following:

''(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued.''; and

(9) by adding at the end the following:

''(m) CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.—

''(1) IN GENERAL.—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

''(A) such categorization would be beneficial to protecting the public health; and

''(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

''(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

''(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).''.

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

''SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE PRODUCT.—The term 'eligible product' means a product that—

''(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

''(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

''(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

''(C) is intended for use during the circumstances under which—

''(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

''(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.

''(2) PRODUCT.—The term 'product' means a drug, device, or biological product.

''(b) EXPIRATION DATING.—

''(1) IN GENERAL.—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

''(A) the expiration date extension is intended to support the United States ability to protect—

''(i) the public health; or

''(ii) military preparedness and effectiveness; and

''(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

''(2) REQUIREMENTS AND CONDITIONS.—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

''(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized;

''(B) the duration of the extension; and

''(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, recordkeeping, periodic testing or retesting, or product disposition.

''(3) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

''(4) EXPIRATION DATE.—For purposes of this subsection, the term 'expiration date' means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

''(c) CURRENT GOOD MANUFACTURING PRACTICE.—

''(1) IN GENERAL.—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

''(2) EFFECT.—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

''(d) EMERGENCY DISPENSING.—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

''(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

''(2) such dispensing without an individual prescription occurs—

''(A) as permitted under the law of the State in which the product is dispensed; or

''(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

''(e) EMERGENCY USE INSTRUCTIONS.—

''(1) IN GENERAL.—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product's approved, licensed, or cleared conditions of use.

''(2) EFFECT.—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

''(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

''(B) by a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.''.

(c) RISK EVALUATION AND MITIGATION STRATEGIES.—Section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

''(k) WAIVER IN PUBLIC HEALTH EMERGENCIES.—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F–1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which—

''(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

''(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F–2 of the Public Health Service Act.''.

(d) PRODUCTS HELD FOR EMERGENCY USE.—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

''SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.

''It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

''(1) is intended to be held and not used; and

''(2) is held and not used, unless and until that product—

''(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

''(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

''(C) is authorized for use under section 564.''.

SEC. 303. DEFINITIONS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) is amended by striking ''The Secretary, in consultation'' and inserting the following:

''(a) DEFINITIONS.—In this section—

''(1) the term 'countermeasure' means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product;

''(2) the term 'qualified countermeasure' has the meaning given such term in section 319F–1 of the Public Health Service Act;

''(3) the term 'security countermeasure' has the meaning given such term in section 319F–2 of such Act; and

''(4) the term 'qualified pandemic or epidemic product' means a product that meets the definition given such term in section 319F–3 of the Public Health Service Act and—

''(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

''(B) is included under this paragraph pursuant to a determination by the Secretary.

''(b) GENERAL DUTIES.—The Secretary, in consultation''.

SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 303, is further amended—

(1) in the section heading, by striking ''**TECHNICAL ASSISTANCE**'' and inserting ''**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**'';

(2) in subsection (b), by striking the subsection enumerator and all that follows through ''shall establish'' and inserting the following:

''(b) GENERAL DUTIES.—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

''(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F–1, 319F–2, 319F–3, 319L, and 2811 of the Public Health Service Act;

''(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

''(3) promote countermeasure expertise within the Food and Drug Administration by—

''(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F–2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

''(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

''(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

''(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

''(4) maintain teams, composed of Food and Drug Administration personnel with expertise on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

''(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

''(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

''(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

''(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

''(5) establish''; and

(3) by adding at the end the following:

''(c) FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible.

''(2) AUTHORITY TO EXTEND DEADLINE.—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(d) DEVELOPMENT AND ANIMAL MODELING PROCEDURES.—

''(1) AVAILABILITY OF ANIMAL MODEL MEETINGS.—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not

later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

''(A) a meeting to discuss proposed animal model development activities; and

''(B) a meeting prior to initiating pivotal animal studies.

''(2) PEDIATRIC MODELS.—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

''(e) REVIEW AND APPROVAL OF COUNTERMEASURES.—

''(1) MATERIAL THREAT.—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F–2 of the Public Health Service Act for which the countermeasure under review is intended.

''(2) REVIEW EXPERTISE.—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the protocols established under subsection (b)(3)(D).''.

SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 304, is further amended by adding at the end the following:

''(f) REGULATORY MANAGEMENT PLAN.—

''(1) DEFINITION.—In this subsection, the term 'eligible countermeasure' means—

''(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F–2(c) of the Public Health Service Act; or

''(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

''(2) REGULATORY MANAGEMENT PLAN PROCESS.—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligible countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

''(3) SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.—

''(A) IN GENERAL.—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

''(B) TIMING OF SUBMISSION.—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

''(C) RESPONSE BY SECRETARY.—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

''(4) PLAN.—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

''(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

''(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

''(C) an agreement on how the plan shall be modified, if needed.

''(5) MILESTONES AND PERFORMANCE TARGETS.—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

''(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

''(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

''(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

''(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

''(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

''(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

''(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

''(6) PRIORITIZATION.—

''(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

''(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.''.

SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4), as amended by section 305, is further amended by adding at the end the following:

''(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

''(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

''(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

''(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

''(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

''(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

''(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

''(C) explanations for any failure to meet such performance targets and goals;

''(3) the number of regulatory teams established pursuant to subsection (b)(4), the number of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

''(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

''(A) Center-specific objectives and accomplishments; and

''(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

''(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

''(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

''(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

''(A) sponsors of a countermeasure as defined in subsection (a); or

''(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.''.

SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

''(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of the Public Health

Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.''; and

(2) in subsection (n)(1), by adding at the end the following:

''(C) For a drug that is a qualified countermeasure (as defined in section 319F–1 of the Public Health Service Act), a security countermeasure (as defined in section 319F–2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F–3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.''.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

''(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

''(A) shall consider—

''(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response, metabolism of drugs and biologics in children, and pediatric clinical trials;

''(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

''(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

''(B) may consider the availability of qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), and qualified pandemic or epidemic products (as defined in section 319F–3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.''; and

(2) in subsection (b), by striking ''subsection (a)'' and inserting ''paragraphs (1) and (2)(A) of subsection (a)''.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting ''; and''; and

(2) by adding at the end the following:

''(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.''.

TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F–2(c) of the Public Health Service Act (42 U.S.C. 247d–6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking ''eight years'' and inserting ''10 years'';

(2) in paragraph (2)(C), by striking ''the designated congressional committees (as defined in paragraph (10))'' and inserting ''the appropriate committees of Congress'';

(3) in paragraph (5)(B)(ii), by striking ''eight years'' and inserting ''10 years'';

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking ''DESIGNATED CONGRESSIONAL COMMITTEES'' and inserting ''APPROPRIATE CONGRESSIONAL COMMITTEES''; and

(B) by striking ''the designated congressional committees'' and inserting ''the appropriate congressional committees''; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting ''including advanced research and development,'' after ''as may reasonably be required,'';

(B) in clause (ii)—

(i) in subclause (III), by striking ''eight years'' and inserting ''10 years''; and

(ii) by striking subclause (IX) and inserting the following:

''(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

''(aa) may specify—

''(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

''(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

''(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

''(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).''; and

(C) by adding at the end the following:

''(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.''.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (c)—

(A) by striking ''special reserve fund under paragraph (10)'' each place it appears and inserting ''special reserve fund as defined in subsection (h)''; and

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

''(g) SPECIAL RESERVE FUND.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), $2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

''(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

''(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

''(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than $1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

''(A) in meeting the security countermeasure needs identified under this section; and

''(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

''(h) DEFINITIONS.—In this section:

''(1) The term 'advanced research and development' has the meaning given such term in section 319L(a).

''(2) The term 'special reserve fund' means the 'Biodefense Countermeasures' appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).''.

SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting ''(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)'' after ''development''; and

(2) in subparagraph (D)(iii), by striking ''and vaccine manufacturing technologies'' and inserting ''vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies''.

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)) is amended by adding at the end the following:

''(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.''.

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d–7e(d)(2)) is amended to read as follows:

''(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund $415,000,000 for each of fiscal years 2014 through 2018, such amounts to remain available until expended.''.

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(C)) is amended by striking ''7 years'' and inserting ''12 years''.

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d–6a note) is amended by striking ''6-year'' and inserting ''12-year''.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) is amended by adding at the end the following:

''(f) INDEPENDENT EVALUATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

''(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation

conducted under paragraph (1). Such report shall review and assess—

''(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

''(B) the activities supported by flexible manufacturing initiatives; and

''(C) the ability of flexible manufacturing activities carried out under this section to—

''(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

''(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.''.

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F–1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d–6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking ''to—'' and inserting ''—'';

(B) in clause (i)—

(i) by striking ''diagnose'' and inserting ''to diagnose''; and

(ii) by striking ''; or'' and inserting a semicolon;

(C) in clause (ii)—

(i) by striking ''diagnose'' and inserting ''to diagnose''; and

(ii) by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).''.

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F–3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d–6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking ''; or'' and inserting ''; '';

(B) in clause (ii), by striking ''; and'' and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and''.

(3) TECHNICAL AMENDMENTS.—Section 319F–3(i) of the Public Health Service Act (42 U.S.C. 247d–6d(i)) is amended—

(A) in paragraph (1)(C), by inserting '', 564A, or 564B'' after ''564''; and

(B) in paragraph (7)(B)(iii), by inserting '', 564A, or 564B'' after ''564''.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''consistent with section 2811'' before ''by the Secretary to be appropriate''; and

(ii) by inserting before the period at the end of the second sentence the following: ''and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security''; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: ''and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment''; and

(2) in subsection (f)(1), by striking ''$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).'' and inserting ''$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).''.

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d–f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

''(iii) one such member shall be an individual with pediatric subject matter expertise; and

''(iv) one such member shall be a State, tribal, territorial, or local public health official.''; and

(B) by adding at the end the following flush sentence:

''Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).''; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.''.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be made and laid upon the table with no intervening action or debate.

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

The committee-reported substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read the third time and passed.

The bill (H.R. 307), as amended, was read the third time and passed.

READ ACROSS AMERICA DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 61, 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. 61) designating March 1, 2013, as ''Read Across America Day.''

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. 61) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AUTHORIZING THE PRODUCTION OF RECORDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 62, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 62) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to the resolution.

Mr. REID. I ask unanimous consent that the resolution 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. 62) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, FEBRUARY 28, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, February 28, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of the motion to proceed to S. 388, the American Family Economic Protection Bill.

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

PROGRAM

Mr. REID. Mr. President, at a time to be determined, there will be two cloture votes on motions to proceed to sequestration-related bills offered by the majority leader and Republican leader, respectively. Senators will be notified when those votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, February 28, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

JANNETTE LAKE DATES, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016, VICE ERNEST J. WILSON, III, TERM EXPIRED.

BRUCE M. RAMER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2018. (REAPPOINTMENT)

UNITED STATES INSTITUTE OF PEACE

STEPHEN J. HADLEY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE JUDY VAN REST, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR, VICE ROSS OWEN SWIMMER, RESIGNED.

DEPARTMENT OF STATE

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO UKRAINE.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

MARGARET A. HANSON–MUSE, OF MARYLAND
JOHN M. MCCASLIN, OF OHIO
PATRICK O. SANTILLO, OF MARYLAND

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DAVID L. GOSSACK, OF WASHINGTON
SARAH E. KEMP, OF WASHINGTON

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN E. HYTEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHELLE D. JOHNSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. BRUCE E. GROOMS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALEXANDER M. ARCHIBALD III
BENJAMIN C. BOTH
ROMEL L. JARAMILLO

To be major

FRANCIS S. BEAUDOIN
JOHN L. DECKER
AMY E. MCDANIEL
TIMOTHY Y. SALAM

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MICHAEL J. BURKE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

CHARLES A. SLANEY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SARA L. CARLSON
JONATHAN A. NEWSOM
DAVID R. TRAINOR

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be colonel

JAMES W. NESS
LEON L. ROBERT
MICHAEL J. ROGERS

To be lieutenant colonel

RANDY R. COTE
CHRISTOPHER HEMPEL
CHRISTINE M. NELSONCHUNG
SHONNEIL W. SEVERNS
CLIFTON B. TROUT
GERARD A. VAVRINA

To be major

ZACHARY T. IRVINE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY L. ADAMS
MICHAEL J. ATCHESON
BENJAMIN T. BREWER
ALEJANDRO P. BRICENO
DOUGLAS B. BRUUN
DAVID CARBONERO
ERIC R. CASEY
STANTON L. CHAMBERS
RICHARD J. COATES, JR.
ERIC M. DIFRANCESCO
PAUL C. FAGAN
MARK C. GERHARD
SCOTT W. GRANDGEORGE
DAVID E. GRIBBLE
MICHAEL C. GRIFFIN
MARTIN T. GRIFFITH
ARTURO G. HERNANDEZ
PAUL A. KONOPKA
PAUL D. KOVAC
KERRY G. KRELL
MARC C. LANGEVIN
RORY S. LANGRAN
ANTHONY E. LANZA
STEPHEN A. LAWSON
EDWIN H. LOWSMA
STEVEN P. MANBER
MORGAN G. MANN
GREGORY C. MCCARTHY
KEVIN A. MCCOWN
ADAM N. MCKEOWN
KENNETH L. MCROSTIE
CARLOS L. OLIVO
JOSEPH V. ORSI III
ANDREW J. PAIGE
ERIK T. PETERSON
THOMAS D. PLEITGEN
WALTER D. POWERS
JAVIER T. RAMOS
ALEX M. RAY
DAVID V. READY
JULIE C. SCHAFFER
MARK E. SEILHAMER
MARK A. SEXTON
PETER P. SHACKLETTE
TIMOTHY E. SHANAHAN
SANJEEV SHINDE
WILLIAM E. SOUZA III
JOHN A. SPEICHER
RONALD A. STEPHENS
JAMES W. THOMAS, JR.
MICHAEL H. TORREY
JEFFREY M. VERRANT
DANIEL K. WARD
CHRISTOPHER J. WARNKE
MICHAEL P. WASTILA
LEE C. WHALEN
JAMES R. WILLSEA

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2013:

DEPARTMENT OF THE TREASURY

JACOB J. LEW, OF NEW YORK, TO BE SECRETARY OF THE TREASURY.

EXTENSIONS OF REMARKS

ACADEMIC COMPETITION RESOLUTION OF 2013

SPEECH OF

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 2013

Mr. ROYCE. Mr. Speaker, as an original cosponsor of the Academic Competition Resolution (H. Res 77), I rise to express my strong support for the Congressional Academic Competition for STEM Education. I believe this new and innovative program promotes entrepreneurship while engaging students in Science, Technology, Engineering and Math (STEM).

With the increasing demand for students to focus on STEM fields, it is important for students to get involved, compete, and further their scientific knowledge. This Congressional competition will prepare future generations to better understand the world and technological progress. Since technology evolves rapidly, this competition reflects the fast pace of developments in these cutting edge fields.

The Congressional Academic Competition for STEM will first focus on developing mobile applications for phones, tablets and other computer devices. As time progresses, it has been constructed to evolve to meet future STEM needs whether it be technological applications or future inventions.

I am excited to see what students across America will invent and I look forward to the creative breakthroughs and scientific advancements this competition will fuel. I encourage my colleagues to support this initiative, which seeks to inspire our future generations to lead through innovation.

A TRIBUTE TO THE BURBANK COORDINATING COUNCIL'S 80TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to pay special tribute to the Burbank Coordinating Council as it celebrates its eightieth anniversary.

Since 1933, the Burbank Coordinating Council—comprised of volunteers from city departments, businesses, PTAs, service organizations, and schools—has been dedicated to serving the needs of Burbank by creating numerous programs to benefit the community.

The Burbank Coordinating Council founded many programs to serve the community, including the school crossing guards program called "Safety Sallies," community forums to allow the residents' voices to be heard regarding public issues, Senior and Youth boards to better understand the needs of seniors and youth, Foster Home Studies, and Books for Korea.

In 1936, the Burbank Coordinating Council began a program to provide scholarships to needy children from low-income families to attend a week of resident or day camp during summer. This camp experience gives children an opportunity to make new friends, build self-confidence, relax and, of course, "just be kids." Today, the Burbank Coordinating Council sends anywhere from 50 to 200 children to camp each year.

Since 1946, the Burbank Coordinating Council has prepared and delivered hundreds of Christmas baskets to families in need throughout the City of Burbank. These baskets, filled with food and gifts, are assembled with love and with the goal of making a positive difference in peoples' lives. This effort has grown tremendously over time, from serving a few families when it first began to now serving over 550 families annually, in what is now called "Holiday Baskets".

This remarkable organization always lends a helping hand to those in need of food, shelter, counseling, or other assistance. The time, energy and resources that the volunteers of the Burbank Coordinating Council provide to the City of Burbank is extraordinary, and so many needy residents have benefited greatly from the generosity of the Burbank Coordinating Council. I ask all Members to join with me in commending the Burbank Coordinating Council for eighty years of dedicated service to the City of Burbank.

HONORING THE LIFE OF E. WILLIAM MILLER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the life of Mr. E. William Miller, who passed away last Friday, February 22nd, 2013 at the age of 86. A family man and veteran who served many years as the chairman of the Town of Tonawanda's Youth, Parks and Recreation Department, Bill dedicated his career to bringing quality public facilities and activities to the people of Tonawanda.

Bill was born in Buffalo, New York, on May 4th, 1926, and lived most of his childhood in Kenmore. Upon graduating in 1944 from the newly built Kenmore High School, he was drafted to serve our country in World War II.

While in the Army, Bill fought in Belgium, France, and Germany, rising to the rank of staff sergeant before his discharge in 1946. During his first summer home from battle, he met his future wife, Barbara Frost, at Crystal Beach, a popular summer retreat for Western New Yorkers in Ontario, Canada. Bill and Barbara married in 1950.

After graduating from Hobart College in 1951, Bill accepted a job installing telephone poles for the New York Telephone Company, and the couple moved to Dunkirk. Five years later, they returned to the Buffalo area, and built their first and only home in 1958. There, on Abbington Avenue in the Town of Tonawanda, they raised three children, and lived together until Barbara passed away in 2006.

In 1973, Bill began his tenure on the Tonawanda Town Board, serving as chairman of the Youth, Parks, and Recreation Department. As a councilman, he was innovative both in vision and method, working tirelessly to bring progressive, utilitarian recreational facilities and programs to Tonawanda. Inspired by his family summers at Crystal Beach, Bill believed that all people, not just country–club members, should have access to high–quality recreational facilities. He understood that spaces for public recreation form the fabric of close–knit communities by giving neighbors opportunities to come together.

Bill was instrumental in countless projects, including adding roofs to the Lincoln and Brighton ice arenas, replacing a deteriorating pool with the new Aquatic and Fitness Center, the Senior Citizens Center on Ensminger Road, the construction of a boat launch and docks on the Niagara River, the Paddock Golf Dome, a driving range, and lighted baseball fields. Over his years of service, he earned the nickname "Mr. Recreation" from his colleagues for his inimitable work. By the time he retired in 2002, Bill was deputy town supervisor.

In addition to his time on the town board, Bill worked in the credit department at National Gypsum and as an administrator at many area hospitals. His devotion to good works extended to his personal life. He was a founding member and strong supporter of the Ken–Ton YMCA, and a lifelong member of the Deerhurst Presbyterian Church. Politically, he was a long–time member of the Ken–Ton Republican Party.

Mr. Speaker, I ask that you join me in expressing our deepest condolences to the family, friends and colleagues of Mr. Bill Miller, especially his daughter, Lynda Vandermeer, and son, Gary. Like so many of his neighbors and friends, I am grateful for his many years of service to the Town of Tonawanda and Western New York.

SHELBY V. HOLDER AND THE VOTING RIGHTS ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. LEE of California. Mr. Speaker, today the Supreme Court heard arguments in Shelby County, Alabama vs. Holder. This case presents a direct threat to Section Five of the Voting Rights Acts of 1965—the most effective civil rights legislation ever enacted by Congress.

The Voting Rights Act of 1965 was passed just one year after I graduated high school.

I was born and raised in El Paso, Texas, and I vividly remember the days of Jim Crow, segregation, and the poll tax.

Even now, in 2012, discrimination is still haunting us.

It's not in the form of a poll tax, but it's in the cost of waiting in line for 7,8, 9 hours just to vote.

We should be making it easier for everyone to participate in the democratic process, not harder.

We still need the Voting Rights Act.

We still need to be vigilant about protecting our full democratic right to vote.

That right is the heart and soul of our democracy, and we must defend it.

We will not go back.

Should the Supreme Court rule against the Justice Department and overturn this important legislation, minority communities will lose these vital voting protections.

Today, I attended a rally with my colleagues in the Congressional Black, Hispanic, and Asian American and Pacific Islander Caucuses outside the Supreme Court as oral arguments are delivered.

Many of us were part of the 390–33 majority—along with 98 Senators—who voted to reauthorize the Voting Rights Act in 2006.

After an exhaustive review that lasted almost a year, including 21 hearings, testimony from over 90 witnesses, and over 15,000 pages of evidence, Congress came to a nearly unanimous decision that protections are still needed to preserve the voting rights of ALL Americans.

After all, it is this right that lies at the very heart of our democracy.

The Voting Rights Act is routinely used to protect voters against efforts to dilute or suppress their vote. Section five is a critical tool to protect Americans whose voting rights continue to be threatened to this day. I am certain that the Supreme Court will uphold the will of Congress, and respect the overwhelming evidence and comprehensive review that led to President George W. Bush reauthorizing the Voting Rights Act in 2006.

Voting is at the heart of our democracy and we must constantly fight to protect it when it is threatened.

We have come a long way because of the work and sacrifice of millions who came before.

We encourage and support democratic movements around the world, yet here in our country these rights are being eroded each and every day.

Far too many have shed their blood and shed their tears.

So we must protect the most valuable right, the most central right, the right that makes America the nation that it is: the right to vote.

I call on every American to stand up and join us in the call to protect the right of every American to cast their vote.

As our great Drum Major for Justice, Dr. King once said: "Voting is the foundation stone for political action." Truly, our votes are the bedrock of democracy. We will not bow to voter suppression. These are our rights. We will not budge.

As we pursue the Founding Father's vision of a more perfect union, I am proud to stand with my Congressional Black Caucus colleagues in defense of this critical tool for our democratic republic.

HONORING KARI GRACE MORK

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HENSARLING. Mr. Speaker, today, I honor a mother and her child.

A member of my staff recently gave birth to her daughter, who had a fatal birth defect and could not survive outside of the womb.

This absolutely devastating condition unfortunately happens to many children each year. We rarely hear of these cases, though, because such pregnancies are often terminated.

But there are also many mothers who choose to carry their sons and daughters to term—providing nourishment and the most loving home possible here on earth.

This child had a name—Kari Grace. And she had a mom, Kirsten, and dad, David.

That is why I am sharing this story today—so that other women might hear it, and might feel that they are not alone, and know that caring for their child is an act of pure, unselfish love worthy of recognition.

Most of us will never meet these children. But they exist, and we will forever be touched by the grace of knowing that a life was created and a mother was made.

Thank you, Kirsten, for displaying such strength and love to a world that doesn't always recognize it. And to Kari Grace—please know you created a great mom, and that you will always be loved and remembered.

REMEMBERING THE 21ST ANNIVERSARY OF THE KHOJALY TRAGEDY

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PASTOR of Arizona. Mr. Speaker, I rise today to remember the 21st Anniversary of the Khojaly Tragedy, which occurred in this small town in the Nagorno-Karabakh region of Azerbaijan on February 25–26, 1992. In the early 1990s, Azerbaijan was involved in a brutal conflict with its neighbor to the West, Armenia, and the repercussions from atrocities committed during that time still impact diplomatic and economic relations today. The Khojaly Tragedy is perhaps the worst single incident that occurred during this time, resulting in hundreds of lives lost, families devastated, and the town destroyed.

Since a cease-fire was negotiated in 1994, these two nations have been locked in a dispute over the Nagorno-Karabakh region, located within Azerbaijan but occupied by Armenian forces. The Minsk Group of the Organization for Security and Cooperation in Europe, of which the United States is a co-chair, was created to encourage a peaceful, negotiated resolution to this conflict, yet work remains in reaching this goal.

In December 2012, Azerbaijani Foreign Minister Mammadyarov addressed this situation as follows: "As a result, our relations with Armenia are practically nonexistent. There is also a distinct lack of economic cooperation and trade between our two countries. Azerbaijan wants peace so that we can continue to grow our economy, develop our energy resources and advance our relations with Europe and our neighbors. But Armenia also has a stake in peace with Azerbaijan. The country is isolated in the region largely because of this conflict. It is excluded from all regional infrastructure and energy projects, such as the oil and gas pipelines passing from the Caspian Sea to Turkey and Europe via Georgia, as well as a new railroad line between Azerbaijan and Turkey through Georgia, to be inaugurated this year. When we can agree on lasting peace, Armenia could become a stakeholder in these regional projects."

A peaceful resolution of this conflict would benefit not only Azerbaijan and Armenia, but would ensure security and economic growth for the South Caucasus region.

RECOGNIZING HEATHER ERICKSON AS THE 2013 OKALOOSA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Heather Erickson as the 2013 Okaloosa County, Florida Teacher of the Year. For eight years, Ms. Erickson has been an inspiration to her students, her colleagues, and her community, and I am honored to recognize her success and myriad of achievements.

After receiving her bachelor's degree in Education from William Smith College in 2005, Ms. Erickson moved to Northwest Florida to begin her teaching career. After teaching kindergarten and second grade at Holley-Navarre Primary School for six years, Ms. Erickson joined Elliot Point Elementary School, where she currently serves as a kindergarten teacher.

Northwest Florida has been blessed with an abundance of exemplary educators who teach students of all ages. As a kindergarten teacher, Ms. Erickson understands and values the critical role she plays in the journey and development of her young students. Throughout her teaching career, Ms. Erickson has shown an unwavering commitment to inspiring her students and pushing them to their highest potential. Most recently, she has demonstrated her leadership as Data Team leader, and she has made a tremendous impact on Elliot Point Elementary.

Outside of her classroom, Ms. Erickson dedicates her time and teaching experience to mentor other teachers and support school activities. In addition to her involvement at Elliot Point Elementary, Ms. Erickson is a member of the Okaloosa County Educations Associations, as well as, the National Educators Association.

Ms. Erickson has been widely recognized and honored for her years of exemplary work, dedication, and inspiration as an educator. She was awarded both the Holley-Navarre Primary School Teacher of the Year, as well as, the Elliot Point Teacher of the Year. In both 2007 and 2009, Ms. Erickson was a recipient of the Santa Rosa Education Foundation Grant, which she utilized to improve the reading and math curricula in the community.

While Ms. Erickson is an exceptional educator, she credits her success and achievements to the amazing students she has had the privilege of teaching. The most rewarding aspect of her profession is that she is able to watch her students grow as they learn.

Mr. Speaker, I am proud to recognize Heather Erickson as the Okaloosa County, Florida Teacher of the Year and thank her for her commitment to service to Northwest Florida. My wife Vicki joins me in congratulating Ms. Erickson, and we wish her all the best.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BILIRAKIS. Mr. Speaker, on Tuesday, February 26, 2013, I missed rollcall votes 48, 49, and 50 for unavoidable reasons. Had I been present, I would have voted as follows:

Rollcall No. 48: ''nay'' (On motion to adjourn.); Rollcall No. 49: ''yea'' (On motion to suspend the rules and pass H. Res. 77, the Academic Competition Resolution of 2013.); Rollcall No. 50: ''yea'' (On approving the Journal).

HONORING THE LIFE OF RAYMOND MINNITE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay to tribute to the life of Raymond Minnite, who lived a long and fulfilling life of 95 years. As founder of the town of Three Rocks in California, Raymond was a true supporter and advocate for our Central Valley. His kind heart and generosity will be greatly missed.

Raymond was born into a large family with nine brothers and sisters. His parents were first generation immigrants from Italy. Growing up in an immigrant family of 12, Raymond quickly developed great values and principles. He knew the importance of treating others with respect, compassion, and consideration. Raymond's charitable acts were witnessed by many because helping those in need was essential to him.

As a young man, Raymond served in the Army in World War II. He was stationed in Germany, Italy, and France. Raymond did not discuss the brutalities of war with his family and friends. Instead he shared about the times when he would take extra food to the hungry children. Raymond's positive outlook on life was apparent to all of those around him.

After Raymond married Bernadette and they had their children: Gary, Jack, Bernadette, Janis, Dion, and John, he purchased 20 acres of land at the intersection of Clarkson and Highway 33. There was nothing built on the land, but he had a vision. Bernadette believed in his plan, so he had his families support. Raymond's boys took part in the project and helped him salvage old wood and nails. Slowly a small town was built, and Raymond named it Three Rocks. Surrounded by farming communities, it serves a place for farm laborers to live. Today, Three Rocks has about 230 residents.

Raymond had an ingenious idea, and he made it into a reality. He truly achieved the ''American Dream.'' Raymond's children, 17 grandchildren, and 31 great-grandchildren have an outstanding role model that they will hold in their hearts forever.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Raymond Minnite. His presence will be greatly missed, but his legacy will surely live on in Fresno County.

HONORING DONALD AND BARBARA HORAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of my constituents, Donald and Barbara Horan of Greensburg, Indiana.

Don and Barb were married and actively involved in their church and community. After working with several local businesses, Don acquired Collection Associates Incorporated and developed it into a thriving business. Don served on the Decatur County Fair Board, Greensburg Redevelopment Board, and the Decatur County Community Foundation. Barb volunteered with Tri Kappa and the Decatur county YMCA Board, among others. They were both actively involved in St. Mary's Catholic Church and the Archdiocese of Indianapolis.

Don and Barb will forever be remembered as devoted parents to their daughters and lifelong friends of their community. I ask the entire 6th Congressional District to keep their four daughters Rebecca, Olivia, Regan, and Adrienne, along with the entire extended Horan family, in your thoughts and prayers.

OPPOSITION TO SEQUESTRATION

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. VARGAS. Mr. Speaker, I rise today in strong opposition to sequestration. I am appalled by the complete and utter abdication of leadership and responsibility by Speaker BOEHNER and House Republicans to bring a bill to the House Floor that would replace the catastrophic and needless sequester.

Early this week, President Obama reminded us of the untold damage that the automatic, across-the-board spending cuts would inflict on our fragile economy, on the lives of working families, children, students, and on our military. I am outraged that House Republicans would stand idly by and allow these disastrous, self-inflicted cuts to go into effect causing between one and two million people to lose their jobs. We should be adopting policies that create jobs, instead of succumbing to policies that eliminate jobs.

California residents cannot afford another GOP-manufactured crisis. That is why, on behalf of all the residents of California, and especially the residents of the 51st Congressional District, I have joined with my colleagues to call on the House Republican leadership to do what is right for our Nation's economy, security and families and take action this week on a balanced plan to avert these damaging and mindless spending cuts.

The Office of Management and Budget released a report earlier this week that substantiates many of the devastating and widespread impacts that sequestration will have on local communities in California, several of which are included below:

Military Readiness and Jobs: In California, approximately 64,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around $399.4 million in total. My district includes portions of San Diego, which has one of the largest military presences in the Nation and is the headquarters for the Navy Region Southwest. These cuts to defense spending will cause the maintenance and repair of ships and aircraft to be cancelled, putting at risk the safety and security of our men and women in uniform. As nearly 25% of the jobs in San Diego County are directly connected to the defense industry, these brutal cuts will cause extraordinary harm to the struggling economy and put thousands of jobs at risk.

Job Search Assistance: Around 130,000 fewer Californians will get the help and skills they need to find employment as California will lose about $3.3 million for job search assistance, referral, and placement. My district includes Imperial County which suffers from one of the highest unemployment rates in the Nation, nearly 30%. My constituents cannot afford to lose critical employment assistance.

Nutrition for Seniors: California would lose approximately $5.4 million to help provide meals for seniors. Many of our seniors live on limited fixed incomes and rely on these programs to help provide basic necessities. We cannot sit here on our hands and allow our seniors to go hungry.

Child Care: Up to 2,000 disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents to hold down a job.

Vaccines for Children: In California around 15,810 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and Hepatitis B due to reduced funding for vaccinations. It is callous and unacceptable to put the health and safety of our children at risk.

Public Health: California will lose approximately $2.6 million to help upgrade its ability to respond to public health threats including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events. In addition, California will lose about $12.4 in grants to help prevent and treat substance abuse, resulting in around 9,400 fewer admissions to substance abuse programs. And the California State Department of Public Health will lose about $2 million resulting in around 49,300 fewer HIV tests.

Teachers and Schools: California will lose approximately $87.6 million for primary and secondary education, putting around 1,210 teacher and aide jobs at risk. In addition about 187,000 fewer students would be served and approximately 320 fewer schools would receive funding.

Head Start: Head Start and Early Head Start services would be eliminated for approximately 8,200 children in California, reducing

access to critical early education. Many of my constituents rely on this crucial service to help bridge the education gap.

Education for Children with Disabilities: California will lose approximately $62.9 million for about 760 teachers, aides, and staff who help children with disabilities.

College Aid and Work-Study Jobs: Around 9,600 fewer low income students in California, many from my district, would receive aid to help them finance the costs of college and around 3,690 fewer students will get work-study jobs that help them pay for college.

Law Enforcement and Public Safety Funds: California will lose about $1.6 million in Justice Assistance Grants that support law enforcement, prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Violence Against Women Grants: California could lose up to $795,000 to provide services to victims of domestic violence, resulting in up to 3,000 fewer victims being served.

Protections for Clean Air and Clean Water: California would lose about $12.4 million to ensure clean water and air quality, as well as prevent pollution from pesticides and hazardous waste. My district relies on this essential funding to help mitigate the pollution that drifts across the United States-Mexico border.

The most egregious part of the House Republicans' dereliction of legislative duty, is that over the last several months, both Senate and House Democrats have offered fair, balanced plans to avert these damaging cuts. These proposals are built on responsible spending cuts, increased revenues, and job growth.

Yesterday, Representative CHRIS VAN HOLLEN, Ranking Member of the House Budget Committee, fought valiantly to bring a fair and balanced plan to replace the sequester to the floor. His reasonable and responsible plan would have eliminated tax loopholes and adopted the ''Buffet Rule'' to make sure that wealthy Americans pay their fair share.

Yet House Republicans have adamantly refused to work toward a compromise to reduce the deficit because they refuse to ask the wealthy to pay a little more by closing tax loopholes that benefit the privileged few. Republicans are blissfully content to continue to place millions of jobs at risk, threaten the health and security of middle class families, and put the safety of neighborhoods across the Nation in jeopardy.

I call on my colleagues, the House Republicans, to immediately bring legislation to the floor that would replace the sequester with a balanced plan and protect our Nation's military, working families, seniors, and children from these devastating and unwarranted cuts.

RECOGNIZING MELISSA DICESARE AS THE 2012–2013 WALTON COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Ms. Melissa Dicesare as the 2012–2013 Walton County, Florida Teacher of the Year. For more than thirteen years, Ms. Dicesare has been an inspiration to her students, her colleagues, and her community, and I am honored to recognize her success and myriad of achievements.

After earning a bachelor's degree in Secondary English Education and master's degree in Educational Leadership from the University of West Florida, Ms. Dicesare joined the Northwest Florida school system as an English teacher at Fort Walton Beach High School for three years. Ms. Dicesare then joined Niceville Senior High School for eight years and eventually South Walton High School, where she currently serves as an English teacher and Leadership Sponsor.

Teachers are among our nation's most valuable public servants. They are responsible for helping mentor our students and for ensuring that our youth have the proper tools they need to succeed. It is unquestionable that Ms. Dicesare values the important influence and role teachers play in the lives of their students. To Ms. Dicesare, being a teacher is about being a positive force in bettering the lives of her students and always inspiring them to strive for excellence. She challenges her students to think critically. She emphasizes the importance of building a strong character with integrity and resolve, and she speaks of the importance of becoming productive members of society. Aside from her students, Ms. Dicesare mentors young aspiring teachers, and by sharing her wisdom and experience with her fellow colleagues, Ms. Dicesare improves the quality of her own classroom, as well as the entire school.

In addition to being named Walton County, Florida Teacher of the Year, Ms. Dicesare has previously earned recognition as the Okaloosa County, Florida First Year Teacher of the Year; Sallie Mae First Year Teacher Award; Claes Nobel Educator of Distinction; United States Achievement Academy Leadership Award; Beta Club Helping Hand Award; 2005 Niceville High School Outstanding Educator Award; and 2000–2008 Who's Who Among America's Teachers.

Ms. Dicesare's unbridled compassion and enthusiasm exemplify the essential characteristics of a successful teacher. They are evidenced by the numerous accolades she has received, and the impact of her achievements is alive in the hearts and minds of the students who have been deeply affected by her unwavering dedication.

Mr. Speaker, I am proud to recognize Melissa Dicesare as the Walton County, Florida Teacher of the Year and thank her for her leadership and commitment to service to Northwest Florida. My wife Vicki joins me in congratulating Ms. Dicesare, and we wish her all the best.

RECOGNITION OF THE 2012 DEPARTMENT OF DEFENSE RESERVE FAMILY READINESS AWARD FOR THE NAVAL OPERATIONS SUPPORT CENTER IN TUCSON, AZ

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BARBER. Mr. Speaker, I rise today to honor the Naval Operations Support Center in Tucson, Arizona, which has been awarded the 2012 Department of Defense Reserve Family Readiness Award.

The Reserve Family Readiness Award was established in 2000 to recognize the dedication of our Reserve and National Guard units to their military families. Winners of the Reserve Family Readiness Award are those units deemed to have the best programs in support of military families. As we can all agree, our military families are critical to total force readiness and deserve to be a top priority.

The care and support of the military family must be a paramount endeavor, especially for a nation that has been at war for over a decade. Family readiness directly impacts force readiness and provides the critical link that enables our service members to complete the mission without having to worry about the well-being of their loved ones back home. Family support systems improve the quality of life and increase morale for those on the homefront. They educate families on military benefits and entitlements, and in times of need can respond quickly and provide assistance. In this regard, the Naval Operations Support Center in Tucson has proven its commitment to its service members and their families.

Last year, the Naval Operations Support Center in Tucson competed against 131 stellar naval commands taking top honors in the category of family readiness. It is my honor to thank them for their service to our country and congratulate them on being selected for the 2012 Department of Defense Reserve Family Readiness Award. Fleet, Family, Fitness!

HONORING BEN GILLILAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Ben Gilliland. Ben is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most prestigious award of the Gold Medal of Achievement.

Ben has taken an active part with the Royal Rangers through his church, Blue Springs Assembly in Blue Springs, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Ben's dedication and commitment to the Royal Rangers. I am sure that Ben will continue to hold such high standards in the future.

Mr. Speaker, I proudly ask you to join me in commending Ben Gilliland for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

HONORING STEVEN AND DENISE BUTZ

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of my constituents, Steven and Denise Butz of Greensburg, Indiana.

Steve and Denise were married and actively involved in their church and community. As members of St. Mary's Catholic Church, they served on the St. Mary's Festival and Christ Renews His Parish Committees. Steve was a member of the Knights of Columbus and a coach with youth wrestlers; Denise participated in the local Big Brothers/Big Sisters program. On a personal note, I have fond memories playing alongside Steve on the Greensburg High School football team.

Steve and Denise will forever be remembered as devoted parents to their two sons and life-long friends of their community. I ask the entire 6th Congressional District to keep their sons Blake and Brandon, along with the entire extended Butz family, in your thoughts and prayers.

DANGERS OF SEQUESTER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BISHOP of Georgia. Mr. Speaker, throughout my twenty years representing Middle and Southwest Georgia in Congress, I have always done my dead level best to work with all of my colleagues, across the aisle to find reasonable solutions for the nation's issues.

Today, I come before Congress to appeal to reason. Without a doubt, the across-the-board spending cuts we call sequester will undermine our economy and hurt job creation. My district, home to Fort Benning in Columbus, the Marine Corps Logistics Base in Albany, the area outside of Robins Air Force Base, and thousands of service members, veterans, families, and supporting businesses cannot sustain the cuts proposed by Sequestration.

Furthermore, schools and teachers, law enforcement and crime prevention, public health and Head Start will be negatively impacted. The Second Congressional District of Georgia relies on these funds, as do many of your districts. Mr. Speaker, I ask for a balanced proposal.

We may be in the 11th hour, but we must act. We owe it to our constituents, we owe it to our districts, and we owe it to our nation.

INTRODUCTION OF THE NATIONAL WOMEN'S HISTORY MUSEUM COMMISSION ACT OF 2013

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to introduce the National Women's History Museum Commission Act of 2013. I am proud to be joined in this effort by my friends and colleagues Congresswoman MARSHA BLACKBURN, Delegate ELEANOR HOLMES NORTON, as well as by Senator SUSAN COLLINS.

This bill, with a Senate companion sponsored by Senator COLLINS, creates a commission to review the feasibility and cost for building a National Women's History Museum (NWHM) on the National Mall.

This commission will be bipartisan, consisting of an eight member body comprised of two members appointed by the Senate Majority Leader, two members appointed by the Speaker of the House of Representatives, two members appointed by the Minority Speaker of the Senate, and two members appointed by the House of Representatives Minority Leader. The appointees are required to demonstrate proficient knowledge and commitment to the research and study of women's history.

Most importantly, this fiscally responsible bill will not use any taxpayer dollars. The NWHM commission will be entirely financed through private funds.

Women's history is largely missing from textbooks, memorials, museum exhibits and many other venues. Today, more than half a century after she changed our nation's history, Congress is honoring civil rights leader Rosa Parks with a statue in the U.S. Capitol. This is an extraordinary achievement that we should build on. Of the over 200 statues in the Capitol, there are currently only 13 statues depicting women.

Across the country, less than 5 percent of the 2,400 national historic landmarks chronicle women's achievements and according to a survey of 18 history textbooks, only 10% were dedicated to women.

The museums and memorials in our Nation's Capital reflect our country's values. Though we have museums dedicated to other important people and subjects such as flight, postage stamps, and law enforcement, we do not have a museum contributed to women's history.

Despite being half of our population, women's deep and lasting impacts have taken a backseat to the hundreds of years of written and available narrative focusing on men. It is time that women are honored for their many contributions that are the very fabric of our country. This bill would be the first step in achieving that goal.

I urge my colleagues to join me in honoring the women that built this nation by cosponsoring the National Women's History Museum Commission Act.

COMMENDING BOB ANDRADE FOR SERVICE AT PAWTUCKET CREDIT UNION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. LANGEVIN. Mr. Speaker, I am pleased today to recognize Robert P. Andrade, Executive Vice President and Chief Operating Officer of the Pawtucket Credit Union in my home state of Rhode Island. Bob has had a long and distinguished career in public service, and I want to thank him for his continuing commitment to causes that have helped the people of Rhode Island build wealth and economic stability.

Mr. Andrade first distinguished himself as a legislative advocate for the credit unions of Rhode Island working diligently to ensure that the members of credit unions receive outstanding financial service. He has served in many capacities at the Credit Union Association of Rhode Island including Board Chairman, Governmental Affairs Committee Chairman, Bylaw and Resolutions Committee Chairman, and Marketing Committee Chairman. Through his efforts to provide service to credit unions with unique and forward looking programs, he has earned national recognition.

Through this leadership, Rhode Island credit unions joined a ground breaking cooperative with their colleagues in New England that allows pooling of resources while maintaining autonomy. During his tenure, the Credit Union Association of Rhode Island has also provided almost $600,000 to support the Special Olympics of Rhode Island as a distinguished corporate sponsor. Mr. Andrade has been and continues to be committed to the conviction that the credit union community must invest in the future by staying engaged at every level of the legislative process to ensure a dynamic operating environment with flexibility for change and modernization.

Mr. Speaker, throughout his career, Mr. Andrade has eloquently voiced his belief that credit unions make it possible for all Americans to lead better, happier and more productive lives. Today, I salute his advocacy work and his charitable efforts, and I wish him continued success in his future endeavors.

HONORING JACK PATRICK CORGAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jack Patrick Corgan. Jack 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 249, and earning the most prestigious award of Eagle Scout.

Jack has been very active with his troop, participating in many scout activities. Over the many years Jack has been involved with scouting, he has not only earned 35 merit badges, but also the respect of his family, peers, and community. Most notably, Jack has led his troop as the assistant patrol leader, quartermaster and patrol leader while also becoming a member of the Tribe of Mic-O-Say. Jack has also contributed to his community through his Eagle Scout project. Jack constructed shelving and organized the commercial kitchen of The Farmer's House in Weston, Missouri, an organization where many adults with developmental disabilities are employed. Jack made the kitchen more friendly for these workers, including the additional shelving and labeling the kitchen in Braille, in simple text and with pictures.

Mr. Speaker, I proudly ask you to join me in commending Jack Patrick Corgan for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING CLIFFORD BOWEN

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. STIVERS. Mr. Speaker, I rise today to congratulate Mr. Clifford Bowen for celebrating his 100th birthday on February 8, 2013. Mr. Bowen is Madison County's oldest veteran, and his life and service to our country are nothing short of outstanding.

Born in Bell County, Kentucky, in 1913, Mr. Bowen grew up on a farm as one of six children. When he was 16, he followed in his father's footsteps and began working in a coal mine, where he was assigned to operate the tram motor.

When World War II broke out, Bowen left the coal mine and was assigned to the Army motor pool. The trucks he and his crew kept running supported the ordnance corps in Luzon and New Guinea in the Pacific Theater, and he was promoted to the rank of Technical Sergeant in 1946. After the war, Bowen met his wife Lucille in a dance hall, and the two were married for 27 years until she passed away in 1973. Mr. Bowen moved to Ohio in the 1980s, and he has remained there ever since.

I would again like to wish Clifford Bowen a very happy 100th birthday, and I ask that all Members of Congress stand with me and thank him for serving our country as Madison County's oldest veteran. The people of Ohio's 15th District are remarkable and hardworking, and Mr. Bowen is a perfect example of the sort of accomplished, admirable people who make my district truly exceptional.

HONORING EUGENE DAUB

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. HAHN. Mr. Speaker, I rise to honor Eugene Daub, a gifted local artist who designed and sculpted the new Congressional statue of civil rights icon Rosa Parks. I am thrilled that Rosa Parks will finally be honored with a statue in the Halls of Congress, and I am proud to recognize Mr. Daub, one of my constituents, as the creator of this great work.

We all know of Rosa Parks' extraordinary contributions to the civil rights movement. Her bravery and courage carried us forward on the road to equality. This statue is the first full-sized depiction of an African American in the Capitol, and an honor fitting for Rosa Parks. She fought for the values of life and liberty that this Nation has pledged to uphold and that these halls strive to embody.

Eugene Daub, the artist, is a resident of San Pedro, California, and the 44th Congressional District. He is the master sculptor of Daub and Firmin Sculptor Studios, LLC. In 2009, Daub and Firmin Studios was selected as the winner of a national competition managed by the National Endowment for the Arts to create the statue. Rob Firmin, partner and project manager, worked with Mr. Daub on the concept and design of the statue.

Mr. Daub has achieved an extraordinary career in public-art sculpture over the past 30 years. He received training at the Pennsylvania Academy for the Fine Arts and the University of Pittsburgh. Mr. Daub's sculptures are featured in public memorials and permanent collections throughout the world, including the Smithsonian Institution, The British Museum, Ellis Island Museum, the University of Virginia, and the Montana State Senate. He has been honored with prestigious awards for his artistry, including the Arthur Ross Award for sculpture from the Institute for Classical Architecture and Classical America and the American Numismatic Association Gold Medal for Lifetime Achievement in Bas Relief Sculpture.

I am thrilled to welcome such a talented artist and fellow San Pedran to the Capitol. Mr. Daub's depiction of Rosa Parks will attract visitors from all over the world who will note both its historical significance and profound beauty.

TEXAS INDEPENDENCE DAY, SATURDAY, MARCH 2, 2013

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, this Saturday, March 2, 2013, marks Texas Independence Day. 177 years ago on March 2, 1836, after more than a year of negotiations, citizen delegates met at Washington-on-the-Brazos and declared Texas independent.

The story of Texas independence dates back to 1830s, when a military dictatorship seized power in Mexico and abolished the Mexican Constitution. Once in power, the dictatorship refused to provide the most basic of rights, including a trial by jury, freedom of religion, public education for their citizens and the right to bear arms, this last one being the most intolerable, particularly among Texans.

Failure to provide these basic rights violated the sacred contract between a government and the people, and Texans did what we still do today—stand up for our rights.

At the Convention of 1836 on March 1, a committee of five delegates was appointed to draft the Texas Declaration of Independence. The committee, consisting of George C. Childress, Edward Conrad, James Gaines, Bailey Hardeman, and Collin McKinney, prepared the declaration in record time. It was briefly reviewed, then adopted by the delegates of the convention the following day, March 2.

The Texas Declaration of Independence states that Texas' government had been ''forcibly changed, without their consent, from a restricted federative republic, composed of sovereign states, to a consolidated central military despotism.''

The Texas Declaration of Independence was truly produced overnight. Its urgency was paramount, because while it was being prepared, the Alamo in San Antonio was under siege by Santa Anna's army of Mexico.

On March 6, four days after the signing, the Alamo fell with her commander Lt. Colonel William Barrett Travis, Colonel Jim Bowie, Former Tennessee Congressman David Crockett, and approximately 200 other Texan defenders.

However, on the afternoon of April 21, 1836, the Texan army avenged their losses at the Alamo and attacked Santa Anna's camp near the San Jacinto River. The Mexican army was taken by surprise, and the roughly 900 members of the Texan army were able to overpower the much larger Mexican army. During the fighting, many of the Texan soldiers repeatedly cried, ''Remember the Alamo!'' The Battle of San Jacinto was over after just 18 minutes. Santa Anna was forced to order his troops out of Texas, thus ending Mexico's control.

Today we give thanks to the many Texans that sacrificed for the freedom we now enjoy. God bless Texas and God bless America.

SHIRLEY CHISHOLM CONGRESSIONAL GOLD MEDAL AWARD

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. RANGEL. Mr. Speaker, I introduced the Shirley Chisholm Congressional Medal Act (H. R. 1303) in the 112th Congress. This bill is being introduced to recognize the extraordinary contributions of Shirley Chisholm.

Shirley Chisholm was a pioneer. She was the first African-American woman elected to Congress in 1968 where she served until 1982. She represented Brooklyn's 12th Congressional District in the United States House of Representatives. '

In 1972 Shirley Chisholm was the first African-American to seek the nomination of a major party for President of the United States.

Shirley Chisholm was a co-founder of the National Organization for Women (NOW).

This posthumous gold medal presentation will recognize Shirley Chisholm for her activism, independence and groundbreaking achievements in politics during and after the civil rights era. Both her election to Congress and her candidacy for the presidency raised the profile and aspirations of all African-Americans and women in the field of politics.

An historic figure in American political history and a champion for social justice, Shirley Chisholm died at the age of 80 on New Year's Day 2005. it is befitting that Congress bestow its highest civilian award, the Congressional Gold Medal, to former Congresswoman Shirley Chisholm posthumously.

HONORING BRYCE J. PARKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Bryce J. Parker. Bryce 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 175, and earning the most prestigious award of Eagle Scout.

Bryce has been very active with his troop, participating in many scout activities. Over the many years Bryce 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, Bryce has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Bryce J. Parker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PITTENGER. Mr. Speaker, on rollcall votes Nos. 48–50, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On rollcall No. 48. Had I been present, I would have voted "no."

On rollcall No. 49. Had I been present, I would have voted "yea."

On rollcall No. 50. Had I been present, I would have voted "no."

A TRIBUTE TO EASTON C. WRIGHT, POSTMASTER OF MILWAUKEE

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. MOORE. Mr. Speaker, I rise today to recognize Easton C. Wright, a Milwaukee native and veteran having served 10 years in the U.S. Navy as a Seabees in the Navy's Construction Battalion. Mr. Easton will be installed as Postmaster of Milwaukee on March 8, 2013. Mr. Wright is the only African American and the 38th person to earn this distinction since the Milwaukee Post Office was established in 1835.

Postmaster Wright began his career with the United States Postal Service 18 years ago as a letter carrier in Milwaukee. He is now a senior executive with the United States Postal Service having served in many postal positions, including Manager of Operations of Program Support in the Greater Indiana District and as Officer in Charge in Detroit. As Milwaukee Postmaster, he oversees more than 1,500 employees and 760 city delivery routes. Postmaster Wright is responsible for mail delivery, retail sales and other customer service operations at the Milwaukee, West Allis, Wauwatosa, Bay View, Glendale, Shorewood, West Milwaukee and Brown Deer post offices.

Throughout his career with the Postal Service, Postmaster Wright has reached out to veterans and members of the African American community. For over 14 years, Mr. Wright has worked with other veterans to establish a nonprofit organization called Veteran's Community Outreach, Inc., which provides mentoring, tutoring, clothing and scholarships to at-risk youth. He served for many years as a member of the Milwaukee Diversity Team to provide an inclusive Postal Service environment. For his efforts he received both local and national recognition, including the prestigious National Postal Diversity Award and the Milwaukee Times 2011 Black Excellence Award as a Community Leader.

Postmaster Wright also served as a mentor to students and other postal employees. Early in his postal career he participated in a community partnership program working at the Lafollette Elementary School in Milwaukee, mentoring students and working with their parents. He developed and implemented a program to encourage parents to take the postal employment exam and offered prospective candidates on-going classes on how to improve exam scores as well as interviewing skills. The classes proved successful and were expanded throughout the community which led to meaningful employment for hundreds of people. Mr. Wright continued to serve as a mentor to many of these new employees.

Mr. Speaker, I am proud to honor Postmaster Wright. He continues to be a mentor to veterans and postal employees. The citizens of the Fourth Congressional District, the state of Wisconsin and the nation have benefited tremendously from his dedicated service. For these reasons, I am honored to pay tribute to Postmaster Wright.

HONORING MINISTER JAMES KEVIN MURRAY

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. HAHN. Mr. Speaker, I rise to honor the memory of Minister James Kevin Murray, who passed away on February 18, 2013. James was born on April 21, 1961 to James David and Darlene Murray. James began preaching at an early age and preached his first gospel meeting in Jasper, Texas at the age of 13. He was an active member of the Figueroa church and was involved with the youth ministry, bus ministry, and the Figueroa Angelic Chorus.

At Figueroa Church of Christ, James met and later married the love of his life, Linda Earls. They were married June 20, 1987, and had three beautiful children. After marrying, they joined the Alondra Church of Christ where James served as minister for the past 27 years.

James developed his passion for public service and education through his years in school. After graduating from Manual Arts High School, James received his Bachelors of Arts in Political Science from UCLA. He then obtained his Masters in Education Administration from Cal State Dominguez Hills. James pursed his love for education and his commitment to our young people by serving as an Assistant Principal and Counselor in several school districts, including Los Angeles, Compton, Santa Monica, and Lynwood. For the past eight years, James served as the National Youth Conference Director.

James enjoyed preaching the Word of God, spending time with his family and friends, enjoying intriguing conversations brimming with humor, basketball, running marathons, politics, technology, and watching his favorite team, the Los Angeles Lakers.

He is survived by his wife, Linda; his children, David, Jason and Jessica; his mother, Darlene; his sisters, Cheryl and Janice; his brothers, Rodney, Kenny, Antoney, Orlando; and a host of family and friends. He will truly be missed.

HONORING KATHARINE CARNEY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MORAN. Mr. Speaker, after more than 32 years of dedicated service to the Department of the Navy's Office of General Counsel, Katharine Carney has decided to retire on April 1, 2013. Ms. Carney began her federal service in March 1981, as an Attorney-Advisor at the Naval Facilities Engineering Command Headquarters. Her duties included representing the Command's position on contract matters to Naval authorities, other Federal agencies, and the construction industry; drafting contract clauses and contracting officer final decisions; and advising on legal matters involving the Buy American statute, termination; for default, claims, protests, and source selection procedures.

From January 1984 to July 1987, Ms. Carney was the primary legal advisor on the London staff for the Commander in Chief, U.S. Naval Forces, Europe and other commands in the U.K. and Europe, advising on contracts, international agreements, real estate, ethics, fiscal and labor law. She was an attorney in the Naval Sea Systems Command shipbuilding section until May 1991, where she advised on contract and fiscal law matters from pre-award to contract close-out. She then became the Marine Corps Systems Command Deputy Counsel, supervising three other attorneys and two support staff, and serving as counsel to the Direct Reporting Program Manager for the Advanced Amphibious Assault Vehicle Program. In these roles, she advised on procurement, ethics, civilian personnel, Freedom of Information Act, and fiscal law matters.

In May 1993, Ms. Carney began her current position as an Associate Counsel in the Office of the Assistant General Counsel for Research, Development, and Acquisition (OAGC(RD&A)). As part of the Navy Senior Acquisition Executive's legal staff, she advises on procurement, ethics, and fiscal law matters. For her nearly twenty years at OAGC(RD&A), she has been the primary legal advisor on all Navy shipbuilding programs. Her duties have also included drafting Navy Secretariat policy and guidance to implement statutes; reviewing legislative proposals; and representing the Navy's legal position before governmental entities such as GAO, the Maritime Administration, the Office of Government Ethics, and Congress. Ms. Carney is a subject matter expert on Government ethics and standards of conduct laws, and serves as the Program Manager of the Assistant Secretary of the Navy (RD&A) ethics program.

Ms. Carney has provided noteworthy service throughout her tenure. She has been firmly committed to a strong ethics program and ethical culture, serving for over two years with distinction as the OAGC(RD&A) representative on the Secretariat Executive Steering Group, implementing one of the Secretary of the Navy's Strategic Objectives. She has consistently placed an emphasis on cooperative efforts within the Navy and Federal agencies, leading to more efficient and consistent operations. Ms. Carney's exceptional cooperation and teamwork skills are not confined to her Federal colleagues—she has also established

effective working relationships throughout industry while working on highly complex, contentious legal issues. On many occasions, she used her relationships with industry counsel to resolve or even avoid sensitive ethics issues. Ms. Carney is widely known for her expertise on matters concerning the release of information to Congress, GAO, the Congressional Budget Office, and the Congressional Research Service. She has been instrumental in developing enhanced DON policy on communications with industry, an area where acquisition and ethics issues overlap.

Katharine has been a friend and mentor to both military and civilian personnel throughout her career. I thank her for her service to Navy OGC and our nation. I urge my colleagues to salute her for a job well done and wish her a happy and healthy retirement.

HONORING JOSH GILLILAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Josh Gilliland. Josh is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Royal Rangers and earning the most prestigious award of the Gold Medal of Achievement.

Josh has taken an active part with the Royal Rangers through his church, Blue Springs Assembly in Blue Springs, Missouri. The Royal Rangers provide young men the character development and leadership formation needed to thrive in today's world. Attaining the Gold Medal of Achievement demonstrates Josh's dedication and commitment to the Royal Rangers. I am sure that Josh will continue to hold such high standards in the future.

Mr. Speaker, I proudly ask you to join me in commending Josh Gilliland for his accomplishments with the Royal Rangers and for his efforts put forth in achieving the highest distinction of the Gold Medal of Achievement.

HONORING THE UNVEILING OF THE ROSA PARKS STATUE IN STATUARY HALL

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, the unveiling of the new statue of Rosa Parks in Statuary Hall marks an historic moment. No American man or woman has stood taller than Rosa Parks when she refused to stand and move to the back of a legally segregated bus in Montgomery, Alabama. The first full-sized statue of an African American to be approved and funded by Congress since 1873 honors the actions of this humble Black woman which triggered the Montgomery bus boycott. The boycott ultimately led to the U.S. Supreme Court's 1956 decision declaring segregation on municipal buses unconstitutional.

As Chairman of the Committee on House Administration, it was my honor to shepherd the process through Congress and to manage passage of the enabling legislation which was written and introduced by introduced by former Congressman Jesse Jackson, Jr. It was humbling for me, and my colleagues, to make decisions that would help shape and preserve her legacy including working with Architect of the Capitol on selecting the final design. The artists captured her quiet dignity, and hallmark strength. She'll forever appear as steady and unmovable as the rock she sits upon.

Mr. Speaker, I would like to commend the work of Congressman Jackson who brought the need for this statute and the need to name Emancipation Hall to the House's attention. I was moved by the statement that Mr. Jackson prepared to deliver today.

THE UNVEILING OF ROSA PARK'S STATUE IN STATUARY HALL—SPEECH PREPARED BY JACKSON BEFORE HE WENT ON MEDICAL LEAVE, JUNE 10, 2012

INTRODUCTION

Statuary Hall is the old home of the House of Representatives. Clio, the female figure in back, was symbolically taking notes and recording laws as they were made. The woman in front is a symbol of freedom and liberty—even though slavery existed in her presence. The body that met here was totally racially segregated and sexist.

I. WHY ROSA PARKS IN STATUARY HALL?

On December 1, 1955 Rosa Parks stood up by sitting down on a legally segregated bus in Montgomery, Alabama. She violated a state statute and a city ordinance that was in keeping with the dominant conservative legal framework of Alabama—states' rights, local control, laissez-faire economics and voluntarism.

Why did I insist that the Rosa Park's statue be placed in Statuary Hall? Because I wanted her presence to represent a more holistic view of American history and I wanted her to be seen in historical context. What do I mean?

I wanted her to desegregate this room and to keep an eye on the others here who kept her legally segregated (because of her race) in the name of a conservative political philosophy called states' rights, local control, laissez-faire economics and voluntarism with an attitude of (quote) ''our Negroes are happy down here and we'll work it out.'' Persons like Jefferson Davis of Mississippi, President of the Confederacy; Alexander Hamilton Stephens of Georgia, Vice President of the Confederacy; General Joseph Wheeler of Alabama, still in his Confederate uniform; and the Great racial Compromiser, Henry Clay of Kentucky.

The Rosa Parks statue is appropriately taking the spot formerly occupied by Confederate General Robert E. Lee of Virginia, who was recently reassigned to the Crypt.

And I don't want to forget Brigham Young of Utah, whose religion barred African Americans until 1978.

Finally, I wanted Daniel Webster and those who believed in building a more perfect Union—not a more separate and unequal states' rights—to have some company.

II. WE MUST SEE ROSA PARKS IN HISTORICAL CONTEXT

This is what I mean by ''historical context.'' The House of Representatives met in this room for 50 years—between 1807 and 1857.

Under the Constitution's direction, in this room, the international slave trade ended in 1808—even though it was allowed to continue between the states.

In this room the Missouri Compromise of 1820 became law, which admitted Missouri as a slave state and Maine as a free state—followed by six other states admitted by 1848, three slave and three free in order to protect the peculiar institution through a balance of power in the Senate.

The House's ''gag rule'' originated in this room in the mid-1830s—which barred discussion or referral to committee of all anti-slavery petitions.

The great racial debates in the Senate between 1820 and 1850 involving John Calhoun, Daniel Webster and Henry Clay, and the resulting racial compromises that kept the Union together—but only delayed the American Civil War—took place only a few steps from here and impacted this body.

In this room Whig Congressman Abraham Lincoln of Illinois served one term in the 30th Congress (1847-to-1849) and on December 22, 1847 presented his ''Spot Resolutions'' in opposition to the war with Mexico. Of course, in 1861 he became the 16th and first Republican President of the United States, kept the Union together through a bloody war that cost 620,000 American lives, issued the Emancipation Proclamation in 1863, overcame the limitations of the 10th Amendment and steered the 13th Amendment ending slavery though Congress in 1865 and shortly thereafter was assassinated for advocating the ''right to vote'' for Negroes.

The Fugitive Slave Law of 1850 was passed in this room, which allowed the long arm of the federal government to reach out in the North and bring an escaped slave back to slavery in the South—ironically, unlike today, when we don't want the long arm of the federal government to reach out and bring someone health care or education or housing or the right to vote or a clean environment or equal protection under the law.

Guns and knives were brought into this chamber, fist fights broke out, and ''duels to the death'' over slavery were proposed in this room.

The 1854 Kansas-Nebraska Act, featuring the organizing principle of Illinois Senator Stephen A. Douglas—''popular sovereignty'' or ''states'' rights''—was passed in this chamber, triggering the founding of the Republican Party as an anti-slavery party in Ripon, Wisconsin in 1854, followed by ''Bleeding Kansas,'' John Brown's raid at Harper's Ferry in 1859, Lincoln's election in November, 1860 and the start of the American Civil War on April 12, 1861.

And it was on May 22, 1856, that South Carolina's Representative Preston Brooks left this chamber and nearly beat to death with a cane Abolitionist Senator Charles Sumner of Massachusetts, accusing him of insulting his uncle, South Carolina Senator Andrew P. Butler, for analogizing his embrace of a prostitute (i.e., slavery) as his mistress.

Statuary Hall is also where the Massachusetts militia was quartered during the Civil War.

III. ROSA PARKS AND THE LAW

Rosa Park's sit-down and arrest on December 1, 1955 triggered the Montgomery bus boycott and brought Dr. Martin Luther King, Jr. to national prominence. On February 1, 1956, two days after segregationists bombed Dr. King's house, Fred Gray and Charles D. Langford—aided by Thurgood Marshall and the NAACP—filed the lawsuit known as (Plaintiff) Browder vs. (Mayor) Gayle).

It made its way to the Supreme Court challenging Alabama's state statutes and Montgomery's city ordinances requiring segregation on Montgomery's buses. On June 5, 1956 a three-judge U.S. District Court ruled 2-to-1 that Alabama's segregated buses were unconstitutional based on the 1954 Brown decision.

An appeal by Alabama and Montgomery was rejected by the Supreme Court on December 17 and on December 20, 1956 the decision officially arrived in Montgomery. Dr. King and the community voted to end the 381-day bus boycott and the next morning

Dr. King and African Americans in Montgomery—for the first time—rode Montgomery's buses on a desegregated basis.

It reminds me of Supreme Court Justice Thurgood Marshall's speech at a bicentennial celebration of the Constitution in 1987. ''What is striking'' Justice Marshall said, ''is the role legal principles have played throughout America's history in determining the condition of Negroes. They were enslaved by law, emancipated by law, disenfranchised and segregated by law; and, finally, they have begun to win equality by law. Along the way, new constitutional principles have emerged to meet the challenges of a changing society. The progress has been dramatic, and it will continue.''

CONCLUSION

Rosa Parks was carrying a lot of historic weight on her shoulders emanating from this room. That's why she deserves to be here in Statuary Hall.

Rosa Parks challenged Alabama and the 10th Amendment (states' rights), Montgomery (local control), laissez-faire economics (a deregulated environment where transactions between private parties were free from government over-site) and volunteerism (just give us a little time, don't interfere and we'll work it out), and she took her case all the way to the Supreme Court—and prevailed—in order to form a more perfect Union!

Or, to put it another way paraphrasing a past popular song, Rosa Parks fought law (state and local law)—and the law (federal law) won—by affirming everyone's citizenship and providing equal protection under the law for all Americans.

Rosa Parks—rest in peace.

Rosa Parks statue—stand here among the mighty with dignity.

HONORING DAVID ENNIS

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor a distinguished resident of the City of Escalon, Mr. David Ennis.

David Ennis is a devoted civic leader, whose good deeds earn him the respect and admiration of his family, friends, colleagues, and community. He was elected to the Escalon City Council on March 7, 1978; and during his 24-year tenure, he diligently served the city in his roles as Councilmember, Mayor Pro Tempore, and Mayor.

During Mr. Ennis's tenure as Councilmember, he voted to pass the city's Growth Management Ordinance and helped head the project committee for the Walt Hogan Memorial Sports Complex.

Mr. Ennis currently serves as Board Trustee for Escalon Community Ambulance, in addition to serving as the Escalon Representative to the San Joaquin Commission on Aging. He is a dedicated advocate for senior rights and is a frequent volunteer at the Escalon Community Center's Senior Lunch Program.

Mr. Speaker, please join me in honoring and recognizing Mr. David Ennis for his unwavering leadership and many accomplishments and contributions. His dedication and commitment have made the City of Escalon a better place for all to live and work, and his life serves as an example of excellence to those in our community.

RECOGNIZING DR. RON DAVIS FOR BEING AWARDED THE PRESTIGIOUS JAVITS NEUROSCIENCE INVESTIGATOR AWARD

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to recognize and honor Dr. Ron Davis, who as chair of the Neuroscience Department of the Florida campus of The Scripps Research Institute (TSRI) has made exceptional contributions to the field of neuroscience and the treatment of neurological diseases. For his work on the complex biology of memory formation and the disorders that disrupt it, Dr. Davis has recently been awarded the prestigious $3.5 million Jacob K. Javits Neuroscience Investigator Award.

This award was first mandated by an act of Congress in 1983. The National Institute of Neurological Disorders and Stroke (NINDS), an agency within the National Institutes of Health (NIH), awards this special merit grant to persons with a history of outstanding talent, imagination and distinguished scientific achievement within the field of neurological science. This is the second grant Dr. Davis has received from NINDS, showing his dedication to neuroscience research for over 30 years. Currently, Dr. Davis is an affiliate professor at the Department of Biological Sciences of Florida Atlantic University in Boca Raton, Florida. He received his Ph.D. from the University of California, Davis in 1979.

I am extremely proud of the research conducted by Dr. Davis and Scripps Florida, which Florida's 18th district is proud to be home to. TSRI is one of the world's largest independent, not-for-profit organizations focusing on research in the biomedical sciences. Over the past decades, TSRI has developed a lengthy track record of major contributions to science and health, including laying the foundation for new treatments for cancer, rheumatoid arthritis, hemophilia, and other diseases. This new study by Dr. Davis will focus on an area of memory formation that has remained relatively enigmatic—the role that active forgetting plays in learning and memory. I look forward to the advancements gained through this new research in the next four years and beyond.

Mr. Speaker, the work of Dr. Davis is truly admirable and I am honored to recognize his accomplishments here today. I thank him for his lifetime of contributions to the field of neuroscience and offer my support of his continued research in the field.

IN RECOGNITION OF TEMPLE SHALOM'S 50TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Temple Shalom in Aberdeen, NJ as members gather to celebrate its 50th Anniversary. Since its founding in 1963, Temple Shalom has grown in both construction and in membership, while continuing to provide spiritual guidance to the Reform Jewish Community of northern Monmouth and southeastern Middlesex counties.

Built in 1967, the Temple has expanded over the years as the congregation continues to grow. Serving nearly 500 families today, Temple Shalom provides a welcoming place for the Jewish community to learn, pray and connect with others. Committed to Jewish education, Temple Shalom has a religious school for kindergarten to grade 12 students and in 1991 they expanded to include a nursery school. In addition to cultivating the minds of its young congregants, Temple Shalom maintains a responsibility to on-going learning and life-long study of the Torah for all its members.

Temple Shalom also dedicates itself to social action, advocating for issues important to its community and providing aid to those in need. Likewise, Temple Shalom offers various social and cultural activities to its members, encouraging an active congregation.

Rabbi Laurence Malinger was elected Temple Shalom's senior rabbi in 1999. Previously, the Temple was led by Rabbi Henry Weiner for 32 years. Rabbi Malinger continues to provide spiritual leadership and guidance to the congregation. The clergy, staff and members of Temple Shalom endeavor to carry on its mission and ensure a viable future.

Mr. Speaker, once again, please join me in celebrating Temple Shalom's 50th Anniversary. Its service and dedication is highly deserving of this body's recognition.

HONORING RILEY MILLER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Riley Miller. Riley 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 249, and earning the most prestigious award of Eagle Scout.

Riley has been very active with his troop, participating in many scout activities. Over the many years Riley has been involved with scouting, he has not only earned 39 merit badges, but also the respect of his family, peers, and community. Most notably, Riley has led his troop as the assistant patrol leader, librarian and patrol leader. Riley has also contributed to his community through his Eagle Scout project. Riley designed and constructed landscaping around the base of Holy Trinity Catholic Church in Weston, Missouri, including the placement of river stones around the base, building a cover of an unused heating duct and constructing three small containment walls.

Mr. Speaker, I proudly ask you to join me in commending Riley Miller for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TEXAS NAVY SERVING THE REPUBLIC OF TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. POE of Texas. Mr. Speaker, on March 2, 1836, Texas declared her independence from Mexico, and on April 21, 1836 at the Battle of San Jacinto—the most important military victory in Texas history—Texas actually became a Republic all unto herself and remained so for nine glorious years.

On the marshy plains of San Jacinto, the victory over Santa Anna and the Mexican Army under General Sam Houston and the Boys can be credited not only to the Texas Army on land but also to the forces patrolling the Gulf of Mexico—the first Texas Navy.

The Texas Navy was established on November 25, 1835 to protect supply lines between Texas and New Orleans from Mexican naval ships. A tiny fleet of four schooners, named the Independence, Brutus, Invincible and Liberty, were purchased to protect and supply the new Republic. The Navy had its own Commodore, Captain Charles Hawkins, appointed by the Republic's own president, David G. Burnet.

Commodore Hawkins was born in New York in 1802. At the age of 16, Hawkins enlisted in the United States Navy as a midshipman and began his military career in the Atlantic before transferring to the West Indies. On board a ship in the West Indies, Hawkins met Commodore David Porter, a hero of the War of 1812. Commodore Porter got himself into some mischief after invading a town in Puerto Rico in 1825 and was court-martialed. He resigned, chose to go command the Mexican Navy fleet and recruited the feisty, young sailor Hawkins to join him in the Mexican Navy.

Hawkins spent the next several years as a Mexican naval commander, fighting against Spaniard ships opposing Mexico's Independence in the Gulf of Mexico. The Mexican Navy soon began to have doubts about American officers serving aboard their ships; these worries caused Hawkins to resign and move to Texas in 1828. Once in Texas, Hawkins worked as a river captain on the Chattahoochee.

Hawkins' path to the Texas Navy started when he met General Sam Houston in San Felipe. Houston was impressed with Hawkins' experience and his desire to serve as navy captain to the new Texas Republic. Houston referred Hawkins to Governor Henry Smith, who then sent Hawkins to New Orleans to begin command over the Independence. At the age of 34, as Commander of the Texas Navy, Hawkins sailed the Independence to the Gulf of Mexico to patrol the coast between Galveston and New Orleans.

Meanwhile, General Sam Houston was busy building the Texas Army to defeat Santa Anna near the San Jacinto River and Buffalo Bayou at Lynch's Ferry. On the afternoon of April 21st, General Sam and the Boys, 700 Texas Freedom fighters, marched double time, in a single line of independence—taking on a professional army over twice their size.

Santa Anna's army, caught napping, was routed. Most of the enemy was killed or wounded. The rest were captured or disappeared. The victory was stunning. The rest, as they say, is Texas history. But one of the most important factors in that Texas victory, mentioned briefly by some historians, was the maritime activity and success of the first Texas Navy.

Commodore Hawkins and his brave crew of gutsy, scrappy sailors changed the course of Texas history on April 21, 1836. The Texas Navy helped win Texas independence by preventing Mexican ships from supplying Santa Anna, seizing gunpowder on Mexican ships and delivering aid to General Sam Houston's army. The heroic acts of the first Texas Navy resulted in one of the largest land transfers in world history and gave way to a new independent nation—the Republic of Texas.

Texas still has an ''Honorary'' Texas Navy. In the 1980s, the Governor of Texas appointed me as an Admiral in the Texas Navy. (Everyone in the Navy is an Admiral.) During my tenure as a judge, I ordered offenders to be ''enlisted'' in the ''Texas Navy.'' The probationers were skilled welders, painters, plumbers and electricians. They were required to help in the restoration efforts of the Battleship Texas. This became another effective tool that both served the public and the probationer—a few went on to be hired by the Texas Parks and Wildlife Department. The probationers became a part of the history of the great ship ''Texas''. After being dry docked in Galveston in the 80's, many much needed repairs were made by different organizations and thousands of volunteers—all to help preserve the Battleship Texas.

The Texas Navy is one of the unique historical traditions of our great State.

And that's just the way it is.

HONORING COLONEL ROBERT S. CRANSTON

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. HURT. Mr. Speaker, I rise today to honor the life of World War II veteran and military broadcaster, and a dear friend, Colonel Robert S. Cranston, of Bedford County, Virginia.

In November of 1942, Colonel Cranston signed up to serve. At 22, he was promoted to sergeant major of the 51st Signal Battalion and by 1943 he was named a second lieutenant in the Army Signal Corps. He bravely fought in Normandy following the D-Day invasion and was later wounded at the Battle of the Bulge. And he served side by side with General Eisenhower as he commanded the North Atlantic Treaty Organization.

Col. Cranston dedicated his life to serving our nation and to keeping our troops and all Americans informed through broadcast media. Our community has suffered a great loss and I ask that my colleagues join me today in honoring the life of Col. Cranston for his selflessness, courage, and sacrifice and for his important role in history as a source of information to our men and women in uniform fighting abroad to defend our freedoms at home.

REINTRODUCTION OF THE HUMPHREY HAWKINS FULL EMPLOYMENT AND TRAINING ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. CONYERS. Mr. Speaker, I rise today to announce that I have reintroduced the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013. It is my hope that with the reintroduction of this bill, Congress will begin to examine the idea that the federal government has a significant role to play in putting America back to work, especially during our current economic downturn. Noted economists have shown that the private sector alone will not be able to create a full employment economy in the foreseeable future.

The Federal Government must use its full authority and powers to put Americans back to work. In our nation, we have far too many people desperately seeking a full-time job. These people are veterans, construction workers, young men and women, and those who have lost their jobs to unfair foreign competition. We know the financial pressures and personal hardships that result from being unemployed for long periods of time: the loss of one's dignity, housing and food insecurity, loss of health insurance, homelessness, marital problems, and the inability to care for one's self or family.

During the Great Depression, President Roosevelt struck a New Deal that put millions of Americans back to work building roads, schools, community centers, dams, bridges, parks, and electrification systems. In this program, many women were employed constructing blankets for our nation's hospitals, and our troops who fought in World War II.

President Roosevelt was resolute in the idea that every American who wanted a job should be able to have one. I also share this view. Help provide an unemployed man or woman with a job, and their lives come together, and they regain their dignity and sense of self-worth. People just do better when they are working. It is just that simple.

There is no reason why America cannot have a 21st Century New Deal, where unemployed Americans become gainfully employed restoring our communities, assisting people in need, and repairing our crumbling infrastructure. This is what the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013 seeks to accomplish.

Under the Act, the Department of Labor would work collaboratively with local and state governments, non-profits, and the private-sector to fund community-based ''fast track'' jobs. This work could include renovating housing and schools, weatherizing homes, fixing our aging infrastructure, expanding access to broadband and wireless Internet, neighborhood beautification projects, or other community initiatives in the health and education sectors.

It is apparent to me that the next wave of significant job growth will be in the green jobs and clean energy sectors. The Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013 would help pay for the training of workers to install solar panels in houses and buildings, or manufacture wind turbines, electric batteries, and electric cars.

Funds could be used to train workers to build roads, bridges, levees, and clean mass transit systems such as electric bus and metro rail cars.

The bill would provide cities and states with the needed funding to pay unemployed inner city youth and adults to rebuild our nation's crumbling and dilapidated schools, housing, and neighborhoods.

There are so many youth whose lives are needlessly ruined, because they cannot envision a future that includes dignified work. I truly believe young people could be steered away from costly lives of crime if they believe they will be able to have a meaningful career. We need more jobs, not jails.

Think about all the unemployed people in America who could be employed in the field of child care, working as preschool teachers, or assisting our nation's seniors and disabled in their own homes.

Under the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013, there would be a significant increase in funding for job training programs funded under the Workforce Investment Act. Funds would go towards successful programs like the Job Corps, which would be expanded to provide additional job training and job placement opportunities.

Funds would automatically continue to be disbursed from the Act's Full Employment and Training Trust Fund to cities and states, until every American worker who wants a job can find one. Additionally, the act will be fully funded by a tax on Wall Street speculation, and will not add a dime to the federal debt.

I respectfully urge my fellow colleagues on both sides of the isle to consider supporting the Humphrey-Hawkins 21st Century Full Employment and Training Act of 2013. The American people need jobs now.

HONORING LOIS M. SAHYOUN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor San Joaquin County Clerk to the Board of Supervisors Ms. Lois M. Sahyoun, who is retiring after more than 33 years of outstanding service to our county.

Ms. Sahyoun graduated from Edison High School and San Joaquin Delta College. She continued her education at the University of the Pacific, earning a Certificate of Completion for Public Management in Changing Environment. She also completed the San Joaquin County Human Resources Leadership Academy.

In 1966, she began her career in county service as a Clerk Typist with the Department of Public Assistance, where she was promoted to Clerk Stenographer in Administration and worked for the Assistant Director. Lois was then hired by the Board of Supervisors and promoted to Board Secretary/Office Manager.

In 1979, Lois took a job with Representative Norman D. Shumway and worked as his District Coordinator for nine years. She returned to the Board of Supervisors in 1991 as an Administrative Manager. In 1993, she was appointed by the Board of Supervisors as Clerk of the Board.

The San Joaquin County Committees on which Ms. Sahyoun has served include the San Joaquin County-Wide Internet Security Committee, San Joaquin County Equal Employment Opportunity Coordinator, Department Head Retreat Committee, Diversity Luncheon Committee, San Joaquin County Mentor-Mentee Partnership Program, County Content Management System Committee, and the San Joaquin County Green Committee. Ms. Sahyoun is also currently in her fourth four-year term as a Commissioner with the San Joaquin County Parks and Recreation Commission.

Additionally, Lois served on the City of Stockton Planning Commission, the Board of Directors of the Central Valley Asian-American Chamber of Commerce, and was the former President and District Commissioner of the Little League and Babe Ruth Sports Programs in Stockton, California. On the Statewide California Clerk of the Board of Supervisors Association, she served as Treasurer, Secretary, Vice President, and President. She has dedicated her time as Editor of the Capstone Publication and her efforts to the Education Committee, Nomination Committee, Mentor Committee, New Clerks Institute, and the New Supervisors Institute.

Mr. Speaker, please join me in honoring and commending Ms. Lois M. Sahyoun for her numerous years of selfless service to the betterment of our community.

THE INTRODUCTION OF THE UNIVERSAL PREKINDERGARTEN AND EARLY CHILDHOOD EDUCATION ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Ms. NORTON. Mr. Speaker, today, I am reintroducing a bill similar to a bill I have introduced since the 109th Congress, the Universal Prekindergarten and Early Childhood Education Act of 2013 (Universal Pre-K), to begin the process of providing universal public prekindergarten education in public and public charter schools. Although I have consistently introduced a bill in the past, this year it is particularly ripe in light of President Obama's call for early education for all children in his recent State of the Union speech. My bill is meant to fill a hole in the ''No Child Left Behind Act,'' which addresses elementary and secondary education but ignores the prekindergarten years, perhaps the most critical years for children's brain development. The President's proposal has not been committed to legislation yet, but his cost-sharing model is similar to my bill. My bill seeks a breakthrough in public elementary school education by providing the initial funding for states to encourage local school districts to add prekindergarten for children four years of age, as kindergarten programs were for five-year-olds that are now routinely available in public schools. The bill would eliminate some of the major shortcomings of unevenly available commercial daycare and, importantly, would ensure access to qualified teachers and the safe facilities of public schools. Unless early education becomes a necessary part of a child's education, I believe that it will continue to be unavailable to the majority of families with children.

My bill provides federal funds to states, which must be matched by at least 20 percent of state funds, to create universal, voluntary prekindergarten in public and public charter schools for four-year-olds, regardless of income. The classes, which would be full-day and run throughout the entire school year, must be taught by teachers who possess equivalent or similar qualifications to those in other grades in the school. The funds would supplement, not supplant, other federal funds for early childhood education. The unique aspect of my bill is that it uses the existing public school infrastructure and trained teachers to make early childhood education available to all.

The success of Head Start and other prekindergarten programs, combined with new scientific evidence concerning the importance of brain development in early childhood, virtually mandate the expansion of early childhood education to all children today. However, early learning programs have been available only to the affluent, who can afford them, and to low-income families in programs such as Head Start, which would be unaffected by my bill. My bill provides a practical way to gradually move to universal public preschool education. The goal of the bill is to afford the great majority of the American working poor, lower-middle-class, and middle-class families, most of whom have been left out, the benefits of early childhood education.

We cannot afford to continue to allow the most fertile years for childhood development to pass, only to later wonder why we cannot teach Johnny to read. The bill responds both to the great needs of parents who seek early childhood education, as well as today's brain science, which shows that a child's brain development begins much earlier than previously understood. However, many parents are unable to afford the stimulating education necessary to ensure optimal brain development.

Considering the staggering cost of daycare, the inaccessibility of early childhood education, and the opportunity that early education offers to improve a child's chances of success, schooling for four-year-olds is overdue. The absence of viable options for working families demands our immediate attention.

My bill reflects what jurisdictions increasingly are trying to accomplish. The District of Columbia, for example, has achieved an extensive integration of early childhood education as part of a larger effort to improve the D.C. public schools. A recent report highlighted the economic benefits of early childhood education, emphasizing its role in expanding job opportunities and in decreasing the amount of money spent on programs to address teen pregnancy, crime, and the like.

I strongly urge my colleagues to support the legislation.

COMMENDING TIME WARNER CABLE FOR THEIR CONNECT A MILLION MINDS PROGRAM

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MEEKS. Mr. Speaker, I rise to commend Time Warner Cable for its Connect a

Million Minds (CAMM) initiative 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.

Time Warner Cable's campaign includes original public service announcements and programming, millions of dollars in grants to support non-profit organizations that introduce students to STEM in fun and informal settings 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 backyard. CAMM also encourages Time Warner Cable employees to volunteer at science fairs, robotics competitions and local Connect a Million Minds events.

In this time of increased global competition and rapid technological change, STEM fields have become increasingly important for the development and maintenance of America's high standard of living. Unfortunately U.S. students' performance in STEM subjects has fallen behind their international peers. As of 2009, the average math literacy score for a 15-year old in the United States is lower than 17 other Organization for Economic Cooperation and Development (OECD) member countries, and is lower than 12 other OECD countries on science literacy. Perhaps most troubling, data found that only one out of every five households had access to STEM extracurricular activities. Meanwhile, even in school, students today spend less time studying science than they did just 15–20 years ago.

Today, employers report that they are having a difficult time finding qualified applicants for STEM jobs, which, on average, pay $77,880, versus an average of only $43,460 for non-STEM jobs. This is a problem which will only worsen without serious effort and focus, as it is estimated that jobs in STEM fields will grow 17 percent by 2018, almost double the rate of non-STEM jobs. Given these figures, it is difficult to understate the importance of STEM education for both our nation's collective economic future and the future our nation's students.

In one program in New York, beginning in early February of this year, students will have a chance to see professionals at the BluePearl Veterinary Partners working in the field and help them using real equipment. Through their many programs they give students from low income families the chance to learn science through scuba diving, receiving tutoring, and going on field trips with STEM professionals. I am looking forward to working with them on programs in my Congressional District.

The CAMM program has not only focused resources in New York City, but also in cities, towns and states. With increased attention and support from community figures and leaders in the industries that will someday hire students in STEM fields, CAMM looks to be a tremendous success. In closing, I congratulate Time Warner Cable for its CAMM initiative; and I hope my colleagues understand the importance of such initiatives for all of our communities.

RECOGNIZING RANDAL MESSER AS THE 2012–2013 WALTON COUNTY, FLORIDA, EDUCATIONAL SUPPORT PROFESSIONAL OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mr. Randal Messer as the 2012–2013 Walton County Educational Support Professional of the Year. I am honored to recognize his achievements and dedication to the students and teachers of Northwest Florida.

Mr. Messer has spent more than 25 years working to help better the lives of Northwest Florida school children, including 22 years at West DeFuniak Elementary, where he currently serves as the School Plant Manager and Technical Contact. In his role at West DeFuniak, Mr. Messer is responsible for ensuring that the students, faculty and staff of the school have a comfortable, clean and safe environment to pursue their work. He is also responsible for maintaining the facilities and technological equipment.

Mr. Messer has an unwavering commitment to carrying out his responsibilities, and he has voluntarily pursued various certifications and additional training to improve the facilities of West DeFuniak Elementary. He has completed comprehensive plant manager training through the Walton County School District, as well as additional training in energy conservation. Mr. Messer also understands the need for proper safety training. He is both CPR and AED certified, has undergone training as part of the Crisis Intervention Team at West DeFuniak, and received FEMA certification for his completion of coursework on Incident Command Systems.

Outside of his work responsibilities, Mr. Messer is also a committed and integral community leader. In 2012, he was recognized by a local radio station, WZEP, and earned the Good Neighbor Award. Mr. Mercer also has a firm commitment to serving the Lord, and he has served as a Deacon at the Community Holiness Church of DeFuniak Springs since 2008.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Randal Messer as the Walton County Educational Support Professional of the Year. His passion for the students of Walton County is laudable and his dedication to his profession is exemplary. My wife Vicki joins me in congratulating Mr. Messer, and we wish him all the best.

HONORING HEIDI McNALLY-DIAL

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 27, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Ms. Heidi McNally-Dial, Economic Development/Redevelopment Manager for the City of Turlock, who has retired after many years of outstanding service.

Heidi started with the City of Turlock in December of 2006. As part of a Council-approved reorganization to make economic development and redevelopment more visible and active in the community, she had numerous responsibilities. Those responsibilities included implementation of the Westside Industrial Specific Plan (WISP), management of the redevelopment agency, implementation and management of the Turlock Enterprise Zone in cooperation with the Alliance, and acting as the business liaison to assist with expansions, attraction, and retention. In addition, she was asked to represent Turlock on a variety of city and county-wide boards and organizations related to economic development.

Mrs. McNally-Dial has almost 30 years of experience working in local, regional, and state governmental agencies—primarily in the fields of planning, redevelopment, and economic development. Heidi previously worked for Stanislaus County, the City of Modesto, the City of Ceres, and Cal Trans.

Her family moved to Turlock in 1973, when her father chose Castle Air Force Base as his last duty station before retirement. Heidi stayed local and received a Bachelor of Arts in Business Administration in 1980 and a Master's of Public Administration in 1983 from California State University, Stanislaus (CSUS).

Heidi has been married for 33 years to Gary Dial, a retired CPA. Together, they have a 25-year-old son, and they enjoy traveling, reading, cooking and brewing beer. Heidi and Gary are also Giants season-ticket holders and sports fans.

Mr. Speaker, please join me in honoring and commending Mrs. Heidi McNally-Dial for her numerous years of selfless service to the betterment of our community.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 28, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 5

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the nominations of General James N. Mattis, USMC, Commander, U.S. Central Command, and Admiral William H. McRaven, USN, Commander, U.S. Special Operations Command; with the possibility of a closed session in SVC–217 following the open session.
SH–216

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Veterans of Foreign Wars (VFW).
SD–G50

10:30 a.m.
Committee on the Budget
To hold hearings to examine reducing the deficit by eliminating wasteful spending in the tax code.
SD–608

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

MARCH 6

9:30 a.m.
Committee on the Judiciary
To hold an oversight hearing to examine the Department of Justice.
SD–226

10 a.m.
Committee on Veterans' Affairs
To hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of the Paralyzed Veterans of American, Vietnam Veterans of America, National Association of State Directors of Veterans Affairs, Fleet Reserve Association, Gold Star Wives, Air Force Sergeants Association, and AMVETS.
CHOB–345

10 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management.
SD–342

MARCH 7

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the U.S. Africa Command and U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–106

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior.
SD–366

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

MARCH 12

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the U.S. Strategic Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–G50

MARCH 13

10 a.m.
Committee on the Judiciary
To hold hearings to examine fulfilling the promise of open government five years after the ''OPEN Government Act''.
SD–226

Committee on Veterans' Affairs
To hold hearings to examine Veterans' Affairs (VA) claims process, focusing on a review of Veterans' Affairs transformation efforts.
SR–418

MARCH 19

10 a.m.
Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold hearings to examine the American Airlines/US Airways merger, focusing on consolidation, competition, and consumers.
SD–226

APRIL 11

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–G50

APRIL 25

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the Department of the Navy in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SD–106

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury.

Senate

Chamber Action

Routine Proceedings, pages S881–S958

Measures Introduced: Fourteen bills and six resolutions were introduced, as follows: S. 16–20, 390–398, S.J. Res. 8, and S. Res. 58–62.

Pages S943–44

Measures Reported:

S. Res. 59, authorizing expenditures by the Committee on Finance. **Page S943**

Measures Passed:

Committee Funding Resolutions Reporting: Senate agreed to S. Res. 58, authorizing the reporting of committee funding resolutions for the period March 1, 2013 through September 30, 2013.

Pages S888–89

Pandemic and All-Hazards Preparedness Reauthorization Act: Senate passed 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, after agreeing to the committee amendment in the nature of a substitute. **Pages S948–57**

Read Across America Day: Senate agreed to S. Res. 61, designating March 1, 2013, as "Read Across America Day". **Page S957**

Authorizing Production of Records: Senate agreed to S. Res. 62, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs. **Page S957**

Measures Considered:

Sequester Replacement—Agreement: Senate began consideration of the motion to proceed to consideration of S. 16, to provide for a sequester replacement. **Page S927**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of February 27, 2013, a vote on cloture will occur on Thursday, February 28, 2013. **Page S927**

A unanimous-consent agreement was reached providing that on Thursday, February 28, 2013, at a time to be determined by the Majority Leader, after consultation with the Republican Leader, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of S. 16, to provide for a sequester replacement; that if cloture is not invoked, the motion to proceed be withdrawn, and Senate then vote on the motion to invoke cloture on the motion to proceed to consideration of S. 388, to appropriately limit sequestration, to eliminate tax loopholes; that if cloture is invoked on the motion to proceed to consideration of S. 16, the motion to proceed be agreed to and Senate resume consideration of the motion to proceed to consideration of S. 388, and vote on the motion to invoke cloture on the motion to proceed to consideration of S. 388; that if cloture is invoked on the motion to proceed to consideration of S. 388, the motion to proceed be agreed to; that if the motion to proceed to consideration of S. 16, was previously agreed to, Senate then resume consideration of S. 16, and upon disposition of S. 16, the Senate resume consideration of S. 388, if the motion to proceed was previously agreed to. **Page S927**

American Family Economic Protection Act—Agreement: A unanimous-consent agreement was reached providing that at approximately 11:00 a.m., on Thursday, February 28, 2013, Senate resume consideration of the motion to proceed to consideration of S. 388, to appropriately limit sequestration, to eliminate tax loopholes. **Page S957**

Nomination Confirmed: Senate confirmed the following nomination:

By 71 yeas to 26 nays (Vote No. EX. 25), Jacob J. Lew, of New York, to be Secretary of the Treasury. **Pages S892–S923, S958**

Nominations Received: Senate received the following nominations:

Jannette Lake Dates, of Maryland, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2016.

Bruce M. Ramer, of California, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2018.

Stephen J. Hadley, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine.

3 Air Force nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps. **Pages S957–58**

Measures Placed on the Calendar: **Page S941**

Executive Communications: **Pages S941–43**

Additional Cosponsors: **Page S944**

Statements on Introduced Bills/Resolutions: **Pages S944–47**

Additional Statements: **Pages S940–41**

Authorities for Committees to Meet: **Pages S947–48**

Privileges of the Floor: **Page S948**

Record Votes: One record vote was taken today. (Total—25) **Page S923**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:59 p.m., until 10:00 a.m. on Thursday, February 28, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S957.)

Committee Meetings

(Committees not listed did not meet)

COMMODITY FUTURES TRADING COMMISSION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded an oversight hearing to examine the Commodity Futures Trading Commission, after receiving testimony from Gary Gensler, Chairman, Commodity Futures Trading Commission.

POWER OF TRANSPARENCY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the power of transparency, focusing on giving consumers the information they need to make smart choices in the health insurance market, after receiving testimony from Margaret O'Kane, National Committee for Quality Assurance, Lynn Quincy, Consumers Union, and E. Neil Trautwein, National Retail Federation, all of Washington, DC; and Michael A. Livermore, New York University School of Law Institute for Policy Integrity, New York, New York.

ANIMAL DRUG USER FEE AGREEMENTS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine animal drug user fee agreements, focusing on advancing animal health for the public health, after receiving testimony from Bernadette M. Dunham, Director, Center for Veterinary Medicine, Food and Drug Administration, Department of Health and Human Services; Richard Carnevale, Animal Health Institute, Washington, DC; and Jennifer Johansson, Generic Animal Drug Alliance, Bel Air, Maryland.

ASSAULT WEAPONS BAN

Committee on the Judiciary: Committee concluded a hearing to examine the assault weapons ban of 2013, including S. 150, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, after receiving testimony from former Representative Sandy Adams; John F. Walsh, United States Attorney for the District of Colorado, Department of Justice; Mayor Michael A. Nutter, Philadelphia, Pennsylvania, on behalf of The United States Conference of Mayors; Edward A. Flynn, Milwaukee Chief of Police, Milwaukee, Wisconsin; William Begg, Danbury Hospital, and Neil Heslin, both of Newtown, Connecticut; Nicholas J. Johnson, Fordham University School of Law, New York, New York; and David T. Hardy, Law Offices of David Hardy, Tucson, Arizona.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Jane Kelly, of Iowa, to be United States Circuit Judge for the Eighth Circuit, after the nominee, who was introduced by Senator Harkin, testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Veterans' Affairs: On Friday, February 8, 2013, Committee adopted its rules of procedure for the 113th Congress.

BUSINESS MEETING

Special Committee on Aging: Committee adopted its rules of procedure for the 113th Congress.

Also, on Tuesday, February 26, 2013, Committee ordered favorably reported an original resolution authorizing expenditures by the committee.

MEDICARE

Special Committee on Aging: Committee concluded a hearing to examine strengthening Medicare for today and the future, after receiving testimony from Juliette Cubanski, The Henry J. Kaiser Family Foundation, and David Blumenthal, The Commonwealth Fund, both of Washington, DC; David C. Goodman, Dartmouth Institute for Health Policy and Clinical Practice, Lebanon, New Hampshire; and Kenneth E. Thorpe, Emory University, Marietta, Georgia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 33 public bills, H.R. 845–877; 1 private bill, H.R. 878; and 3 resolutions, H. Res. 86–88 were introduced. **Pages H700–03**

Additional Cosponsors: **Page H703**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Ros-Lehtinen to act as Speaker pro tempore for today. **Page H663**

Recess: The House recessed at 11:19 p.m. and reconvened at 12 noon. **Page H672**

Chaplain: The prayer was offered by the guest chaplain, Reverend Ronald Derrick, American Legion National Chaplain, Rigby, Idaho. **Page H672**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 293 yeas to 119 nays with 1 answering "present", Roll No. 53. **Page H684**

Violence Against Women Reauthorization Act of 2013—Rule for Consideration: The House agreed to H. Res. 83, the rule that is providing for consideration of S. 47, to reauthorize the Violence Against Women Act of 1994, by a yea-and-nay vote of 414 yeas to 9 nays, Roll No. 52, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 196 nays, Roll No. 51. **Pages H677–84**

Recess: The House recessed at 1:28 p.m. and reconvened at 3:14 p.m. **Page H682**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, February 28th. **Page H682**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H697.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H683, H683–84 and H684. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:30 p.m.

Committee Meetings

APPROPRIATIONS—LIBRARY OF CONGRESS FY 2014 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on the Library of Congress FY 2014 Budget. Testimony was heard from James H. Billington, Librarian of Congress.

APPROPRIATIONS—TRANSPORTATION SECURITY ADMINISTRATION BUDGET

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Resources for Risk-Based Security, Transportation Security Administration Budget. Testimony was heard from John Pistole, Administrator, Transportation Security Administration.

APPROPRIATIONS—ARMY CORPS OF ENGINEERS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Oversight of the United States Army Corps of Engineers. Testimony was heard from Jo-Ellen Darcy, Assistant Secretary, Army for Civil Works; and Lt. General Thomas P. Bostick, Chief of Engineers.

APPROPRIATIONS—INDIAN EDUCATION

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Indian Education. Kevin Washburn, Assistant Secretary of Indian Affairs, Department of the Interior; George A. Scott, Director, Education,

Workforce and Income Security Issues, Government Accountability Office; and a public witness.

APPROPRIATIONS—CONGRESSIONAL BUDGET OFFICE FY 2014 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Congressional Budget Office FY 2014 Budget. Testimony was heard from Doug Elmendorf, Director, Congressional Budget Office.

TRANSITION IN AFGHANISTAN

Committee on Armed Services: Full Committee held a hearing on the transition in Afghanistan: Views of Outside Experts. Testimony was heard from Catherine Dale, Specialist in International Security, Congressional Research Service; and public witnesses.

IMPACT TO MILITARY END STRENGTH IN A BUDGET CONSTRAINED ENVIRONMENT

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the impact to military end strength in a budget constrained environment. Testimony was heard from Jessica L. Wright, Acting Under Secretary of Defense for Personnel and Readiness, Department of Defense; Lieutenant General Howard B. Bromberg, USA, Deputy Chief of Staff G–1, U.S. Army; Vice Admiral Scott R. Van Buskirk, USN, Deputy Chief of Naval Operations, Manpower, Personnel, Training, and Education, U.S. Navy; Lieutenant General Robert E. Milstead, Jr., USMC, Deputy Commandant, Manpower and Reserve Affairs, U.S. Marine Corps; and Lieutenant General Darrell D. Jones, USAF, Deputy Chief of Staff for Manpower, Personnel and Services, U.S. Air Force.

THE ROLE OF INTELLIGENCE IN THE DEPARTMENT OF DEFENSE

Committee on Armed Services: Subcommittee on Intelligence, Emerging Threats and Capabilities held a hearing on the role of intelligence in the Department of Defense. Testimony was heard from Michael G. Vickers, Undersecretary of Defense for Intelligence, Department of Defense; and Lieutenant General Michael T. Flynn, USA, Director, Defense Intelligence Agency.

PROTECTING STUDENTS AND TEACHERS: A DISCUSSION ON SCHOOL SAFETY

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Protecting Students and Teachers: A Discussion on School Safety''. Testimony was heard from public witnesses.

BROADBAND STIMULUS

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled ''Is the Broadband Stimulus Working?''. Testimony was heard from Lawrence E. Strickling, Assistant Secretary for Communications and Information and Administrator, National Telecommunications and Information Administration, Department of Commerce; John Padalino, Acting Administrator, Rural Utilities Service, Department of Agriculture; Ann Eilers, Principal Assistant Inspector General for Audit and Evaluation, Office of Inspector General, Department of Commerce; and public witnesses.

FOSTERING INNOVATION TO FIGHT WASTE, FRAUD AND ABUSE IN HEALTH CARE

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Fostering Innovation to Fight Waste, Fraud and Abuse in Health Care''. Testimony was heard from Peter Budetti, Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services; Kathleen M. King, Director, Health Care, Government Accountability Office; Carolyn L. Yocom, Director, Health Care, Government Accountability Office; and public witnesses.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Full Committee held a hearing entitled ''Monetary Policy and the State of the Economy''. Testimony was heard from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

ANTI-SEMITISM: A GROWING THREAT TO ALL FAITHS

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a joint hearing entitled ''Anti-Semitism: A Growing Threat to All Faiths''. Testimony was heard from Katrina Lantos Swett, Commission on International Religious Freedom; and public witnesses.

ISLAMIST MILITANT THREATS TO EURASIA

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia and Emerging Threats; and Subcommittee on Terrorism, Nonproliferation and Trade held a joint hearing entitled ''Islamist Militant Threats to Eurasia''. Testimony was heard from Robert O. Blake, Assistant Secretary, Bureau of South and Central Asian Affairs, Department of State; Stephen J. Blank, Ph.D., Research Professor of National Security Affairs, U.S. Army War College; and public witnesses.

WAR ON TERROR: WHEN CAN THE U.S. TARGET ALLEGED AMERICAN TERRORISTS OVERSEAS

Committee on the Judiciary: Full Committee held a hearing entitled ''Drones and the War On Terror: When Can the U.S. Target Alleged American Terrorists Overseas?''. Testimony was heard from public witnesses.

HOW E-VERIFY WORKS AND HOW IT BENEFITS AMERICAN EMPLOYERS AND WORKERS

Committee on the Judiciary: Subcommittee on Immigration and Border Protection held a hearing entitled ''How E-Verify Works and How it Benefits American Employers and Workers''. Testimony was heard from public witnesses.

TIME TO REFORM INFORMATION TECHNOLOGY ACQUISITION: THE FEDERAL IT ACQUISITION REFORM ACT

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Time to Reform Information Technology Acquisition: The Federal IT Acquisition Reform Act''. Testimony was heard from Richard Spires, Chief Information Officer, Department of Homeland Security; Cristina Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office; and public witnesses.

REDUCING FEDERAL TRAVEL AND CONFERENCE SPENDING

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, U.S. Postal Service and the Census held a hearing entitled ''The Road Less Traveled: Reducing Federal Travel and Conference Spending''. Testimony was heard from Representative Rush Holt; Danny Werfel, Controller, Office of Management and Budget; and Cynthia Metzler, Chief Administrative Officer, General Services Administration.

FAILURES IN MANAGING FEDERAL REAL PROPERTY: BILLIONS IN LOSSES

Committee on Oversight and Government Reform: Subcommittee on Government Operations held a hearing entitled ''Failures in Managing Federal Real Property: Billions in Losses''. Testimony was heard from David Wise, Director, Physical Infrastructure Team, Government Accountability Office; Dorothy Robyn, Commissioner, Public Buildings Service, General Services Administration; and a public witness.

SPACE LEADERSHIP PRESERVATION ACT

Committee on Science, Space, and Technology: Subcommittee on Space held a hearing entitled ''A Review of The Space Leadership Preservation Act''. Testimony was heard from Representative Frank R. Wolf; Representative John Culberson; and public witnesses.

BUDGET VIEWS AND ESTIMATES

Committee on Small Business: Full Committee held a meeting on Committee's Views and Estimates on the Small Business Administration FY 2014 Budget. The Budget Views and Estimates of the Committee were approved.

IMPLEMENTATION OF THE FAA REAUTHORIZATION AND REFORM ACT: ONE YEAR LATER

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''Implementation of the FAA Reauthorization and Reform Act: One Year Later''. Testimony was heard from Michael Huerta, Administrator, Federal Aviation Administration.

ELECTRONIC HEALTH RECORDS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Electronic Health Record U-turn: Are VA and DoD Headed in the Wrong Direction?''. Testimony was heard from Roger W. Baker, Assistant Secretary for Information and Technology and Chief Information Office, Department of Veterans Affairs; Jonathan A. Woodson, Assistant Secretary of Defense for Health Affairs Director, TRICARE Management Activity, Department of Defense;

Valerie C. Melvin, Director, Information Management and Technology Resources Issues, Government Accountability Office; and a public witness.

INCREASING ADOPTIONS FROM FOSTER CARE

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''Increasing Adoptions from Foster Care''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 28, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the U.S. Central Command and U.S. Special Operations Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense

Program; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine addressing the Federal Housing Administration's (FHA), financial condition and program challenges, part II, 10 a.m., SD–538.

Committee on Finance: to hold hearings to examine delivery system reform, focusing on a progress report from the Centers for Medicare and Medicaid Services (CMS), 10:30 a.m., SD–215.

Committee on the Judiciary: business meeting to consider S. 150, to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, S. 54, to increase public safety by punishing and deterring firearms trafficking, S. 374, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, S. 146, to enhance the safety of America's schools, and the nominations of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick III, of the District of Columbia, to be United States District Judge for the Northern District of California, Nelson Stephen Roman, to be United States District Judge for the Southern District of New York, Sheri Polster Chappell, to be United States District Judge for the Middle District of Florida, Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, Michael J. McShane, to be United States District Judge for the District of Oregon, and Nitza I. Quinones Alejandro, Luis Felipe Restrepo, and Jeffrey L. Schmehl, all to be a United States District Judge for the Eastern District of Pennsylvania, 10 a.m., SD–216.

Committee on Rules and Administration: business meeting to markup the Omnibus Budget for Senate committees, Time to be announced, Room to be announced.

Committee on Veterans' Affairs: to hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Military Officer Association of America, Retired Enlisted Association, Non Commissioned Officers Association, Blinded Veterans Association, Military Order of the Purple Heart, Wounded Warrior Project, Iraq and Afghanistan Veterans of America, and American Ex-Prisoners of War, 10 a.m., SD–G50.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Readiness, hearing on assuring viability of the sustainment industrial base, 8 a.m., 2212 Rayburn.

Committee on Armed Services, Subcommittee on Strategic Forces, hearing on Nuclear Security: Actions, Accountability and Reform, 10:30 a.m., 2212 Rayburn.

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, hearing on impacts of a continuing resolution and sequestration on acquisition, programming, and the industrial base, 9 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Raising the Bar: How are Schools Measuring Teacher Performance?'', 9 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power; and Subcommittee on Environment and the Economy, joint hearing entitled ''The Nuclear Regulatory Commission: Policy and Governance Challenges'', 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Western Hemisphere, hearing entitled ''Overview of U.S. Interests in the Western Hemisphere: Opportunities and Challenges'', 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing entitled ''Obama Administration's Regulatory War on Jobs, the Economy, and America's Global Competitiveness'', 9 a.m., 2141 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Oversight, hearing entitled ''Top Challenges for Science Agencies: Reports from the Inspectors General—Part 1'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Agriculture, Energy and Trade, hearing entitled ''Small Business Trade Agenda: Opportunities in the 113th Congress'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, meeting on the Fiscal Year 2014 Budget Views and Estimates of the Committee; General Services Administration Capital Investment and Leasing Program Resolutions; and other matters, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled ''The Proposed Waiver of Work Requirements in the Temporary Assistance for Needy Families (TANF) Program'', 9 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the state of the United States economy, focusing on economic growth and job creation, and what Congress can do to boost them, 10 a.m., SH–216.

Next Meeting of the SENATE

10 a.m., Thursday, February 28

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will resume consideration of the motion to proceed to consideration of S. 388, American Family Economic Protection Act. At a time to be determined, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 16, Sequester Replacement, and vote on the motion to invoke cloture on the motion to proceed to consideration of S. 388, American Family Economic Protection Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, February 28

House Chamber

Program for Thursday: Complete consideration of S. 47—The Violence Against Women Reauthorization Act of 2013.

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