United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, MONDAY, MARCH 4, 2013 No. 30

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 4, 2013.

I hereby appoint the Honorable LUKE MESSER 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 1:50 p.m.

UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, every year Washington imposes thousands of pages of rules and regulations on small businesses and local governments across this country. Hidden in those pages are costly mandates that make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets clean and parks safe.

Republicans and Democrats alike agree that each regulation the Federal Government dictates should be deliberative and economically defensible. That is why I've banded together with Democrats LORETTA SANCHEZ, MIKE MCINTYRE, and COLLIN PETERSON and Republican JAMES LANKFORD to introduce H.R. 899, the Unfunded Mandates Information and Transparency Act. This legislation will ensure a public and bureaucratic awareness about the cost, in dollars and in jobs, that Federal dictates pose to the economy and to local governments.

There is precedent for bipartisanship on this issue. In 1995, Members from both parties got behind, and President Clinton signed, the Unfunded Mandates Reform Act (UMRA), which sought to expose Washington's abuse of unfunded Federal mandates. By forcing the Federal Government to estimate how much its mandates would cost local governments and employers, regulation would necessarily become better and more efficient for everyone involved. And it has, to a certain extent.

But over the years, weaknesses in the original legislation have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited. The Unfunded Mandates Information and Transparency Act will correct these oversights and put some weight behind UMRA to ensure no government body, purposely or accidentally, skirts public scrutiny when jobs and scarce resources are at stake.

The spirit of the Unfunded Mandates Information and Transparency Act and its underlying principle, that the American people would be better served by a government that regulates only with the best information, is truly bipartisan.

Lawmakers and unelected regulators should know the price of their dictates. So, too, should the people, private enterprises, and governments, all of whom are being asked to foot the bill.

Funds are very tight for families across this country. Millions of Americans remain unemployed, and many more still rely on small businesses and local governments for jobs, health care, public safety, and education. Washington should think carefully before it decrees mandates that could siphon from the limited dollars governments and private sector job creators use to keep people employed and localities functioning. But as loopholes within the original UMRA legislation have revealed, Federal mandates are not universally preceded by thoughtfulness. The Unfunded Mandates Information and Transparency Act we have introduced will require that from government.

DOING OUR BUSINESS DIFFERENTLY

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

Mr. BLUMENAUER. What's so maddening about the sequester drama, just like the earlier fiscal cliff drama and the looming government shutdown drama, is that it is hopelessly beside the point.

The path to fiscal sustainability is not merely cutting budgets, raising tax rates, or closing a few loopholes. It is about fundamentally doing business differently.

Health care costs demand that we accelerate health care reform, which we're already working on in Oregon and in a number of other communities and health care systems across the country. These reforms, if put into effect nationally, would save more in health care costs over the next 10 years than the entire $1.2 trillion sequester.

Everybody is getting excited about across-the-board cuts in the Department of Defense, but no one is talking about how we fundamentally change

our philosophy of military compensation, benefits, and the size of the force to come to grips with the cost of an all-volunteer Army.

Of course, at a minimum, we should also dramatically reduce and shift resources away from the vast nuclear weapons stockpile and the three redundant delivery systems which we haven't used in 68 years and probably never will. We have 10 times more nuclear firepower than we need for deterrence. It is past time to scale down that archaic symbol of the Cold War and save hundreds of billions of dollars at no risk to American security.

It is time for Congress and the administration to work meaningfully for agriculture reform to give more support for America's farmers and ranchers at a fraction of the cost. We should reform the outrageous, inefficient, and unproductive crop insurance program. We should restore investments in nutrition, conservation, research, and marketing that will make a difference for most farmers and ranchers, improve long-term productivity, and support value-added agriculture. This saves money in the long run and doesn't distort our trade position or make Americans unhealthy.

By all means, we must reform our Tax Code, but reform is not likely to raise anything near what a growing and aging America is going to need.

Yes, close more of the egregious loopholes, but we need another broad-based source of revenue. A carbon tax would fit the bill, help reduce the deficit, and help us protect the planet from increasingly catastrophic weather events and the budget-busting disaster relief that inevitably follows.

We should, for the first time in 20 years, increase the gas tax, as recommended by the Simpson-Bowles report, a user fee that will help enable us to provide more support for transportation, put more people to work rebuilding and renewing America.

We might take a lesson from the history and our failed 14-year effort to prohibit alcohol, where the government spent a fortune in a fruitless effort to enforce prohibition, lost a fortune in revenue, and made a fortune for the Mafia, the underworld cartels of the 1920s, that haunts us to this day.

□ 1210

We ought to treat marijuana like we treat alcohol: the Federal Government regulates and taxes while the States decide what they want to do to legalize for medical or recreational use. Given what's already happened in 23 States and the District of Columbia, let's save money on enforcement, raise revenue from taxation, and invest in drug treatment and efforts to keep drugs out of the hands of children.

Let's take a break from the endless debates that are basically beside the point. Let's commit to doing business differently with health care, the military, enact broad-based taxes to both raise money and fix a broken Tax Code, stop cheating the majority of farmers and ranchers and the environment.

This is not rocket science. We could start now if people address the big issues in a thoughtful way. Even when some of the measures may be controversial or hard, it's a whole lot better than doing stupid things that alienate everybody.

THE PARADOX OF HUNGER AND OBESITY

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

Mr. MCGOVERN. Mr. Speaker, in our efforts to end hunger now, it is important to look at all aspects of hunger. Today, I want to talk about hunger and obesity and to highlight the unfortunate paradox between these two conditions.

How can an obese person also be food insecure? To put it bluntly, how can an overweight person be hungry? The question may be simple, but the answer is not. Unfortunately, this link is all too prevalent among millions of low- and middle-income people.

The simple truth is that hunger exists because people do not have enough money to buy enough healthy food, but obesity is more complex. Just because someone has enough money to buy food doesn't mean they have the resources to buy nutritious food. Ultimately, this is a problem of poverty in America.

The families who struggle with hunger not only struggle to put food on their tables, they struggle to make the food they can afford on a few dollars a day as nutritious as possible. For a variety of reasons, even well-to-do families are finding it more difficult today to prepare nutritious meals. A big part has to do with the amount of widely available, inexpensive, nonnutritious food—high-calorie, high-fat, low-nutrient food—and part of that has to do with the time constraints on families today.

But it is even more difficult for low-income, food-insecure families because they generally don't have access to full-service grocery stores. The local stores they do have access to, for the most part, do not sell fresh produce, and the fresh produce they do sell is expensive. So in order to stretch their food dollar, these families buy high-calorie, low-nutrient food that is more affordable.

Obesity, like hunger, is often a function of poverty, and low-income families are especially vulnerable to obesity because of the additional risk factors associated with poverty. When taken together, these risk factors make it easy to see how obesity and hunger are related.

There are at least four general risk factors for obesity that are associated with poverty:

First, low-income neighborhoods are underserved by full-service supermarkets. In inner cities, food is most readily available at small neighborhood convenience stores where fresh produce and lower-fat food items are most limited. In rural areas, full-service grocery stores are many miles away. This is commonly referred to as a food desert, something that can exist in both urban and rural areas;

Second, when healthy food is available, it is oftentimes more expensive than less healthy options. Low-income families must stretch their budgets in ways that make it difficult to purchase higher priced, more nutritious food items. This means that these families are forced to buy cheaper, high-calorie, high-fat, high-sodium food that lasts longer just so they can make their food budgets stretch through the month;

Third, there are fewer opportunities for physical activity in neighborhoods and schools. Safe open space can be difficult to find in many of our neighborhoods where lower income families live, sometimes because of lack of parks and other times because of higher crime rates;

Fourth, high levels of stress and limited access to health care can contribute to weight gain. Hunger is truly a health issue, and it is important to note that stress and lack of access to quality health care can trigger physiological responses that contribute to obesity.

Mr. Speaker, I remind people that food is medicine. My grandmother used to say ''an apple a day keeps the doctor away.'' It used to annoy me, but she was right. We missed an opportunity during the Affordable Care Act to address the issues of hunger and nutrition. We must do so now.

Adequate access to good, nutritious foods can help lower the instances of diabetes and heart disease. That will improve the quality of life for people, but it will also save us money from avoidable health care issues. Hunger costs us dearly, and the cost to fix and solve the problem is cheaper than the status quo.

So to all my colleagues who believe that the only problem we face is the budget deficit, I urge you to join us in this effort to end hunger now. It is fiscally the right thing to do, and it is our moral obligation.

Hunger and obesity are two sides of the same coin. Yes, we have excellent antihunger safety net programs like SNAP and the school meal programs that help reduce incidences of hunger in America; yes, the First Lady's Let's Move campaign is working to address obesity in America, primarily among children; but we must do more to address these two issues together. Because of all of these factors, it is clear that we simply cannot address hunger or obesity. We must address both of these issues at the same time if we are going to end hunger now. It is why I believe we need a White House conference on food and nutrition, a Presidential summit that brings all the stakeholders together, a forum where we can develop and agree on one strategy to reduce hunger and obesity together.

In addition, I would plead with my colleagues to not cut our antihunger safety net programs like SNAP and WIC, programs which provide a minimum food benefit. To do so would only worsen the problem of hunger and obesity in America. We must end hunger now, but we cannot do so just by increasing access to high-calorie, low-nutrient food. It is a real challenge, but it's one that we are capable of meeting. We just need to muster the political will to make it happen. End hunger now.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MEADOWS) at 2 p.m.

PRAYER

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

Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems.

May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day, and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MULLIN 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.

PRESIDENT'S SEQUESTER CREATES RISKS

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

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, our national security was placed at risk when the President's sequester began implementation. Sadly, this nearly $600 billion budget cut was the third attack on our Nation's military. In 2010, the Defense Department experienced a $100 billion budget cut. And again in January 2012, President Obama removed $487 billion from our military in the annual budget.

Maintaining a strong national defense is a primary function of the Federal Government. Removing these resources so drastically places American families and our allies, such as Israel, at risk of future attacks. In fact, nearly half of all of the reductions in spending are on the defense budget, which is only 18 percent of the entire Federal budget.

As a member of the House Armed Services Committee, I appreciate Chairman BUCK MCKEON's efforts that our national security not be sacrificed to fight our Nation's debt crisis. It is my hope that the President and Senate leadership will work with House Republicans to address our spending problem by reducing wasteful spending and not by holding our national security hostage.

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

PUT AMERICA FIRST

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

Mr. MULLIN. Mr. Speaker, I come to you today not as a Republican or a Democrat, but an American committed to the United States Constitution. I regularly hear from my constituents who are fed up with the bipartisan fighting. We pledge allegiance to the United States of America, not our political parties. In President George Washington's farewell address, he said:

> With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts of common dangers, sufferings, and successes.

Washington was right. We are all united by common bonds. Although we have our differences, we are more alike than we are different.

In his address, Washington was not speaking to one party, but to all people of the young Republic. If we don't start putting this country first and partisanship last, we are going to ruin the country our fathers founded.

It is no secret that we are facing difficult decisions, but I am committed to working with any Member of Congress regardless of party, as long as they're willing to put country first.

ENHANCING THE HEALTH OF OUR YOUTH

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

Mr. HULTGREN. Mr. Speaker, a report issued by the Centers for Disease Control on February 13 made headlines with the news that young adults account for 50 percent of all STD infections.

This caught my attention because, as a father with two of my four kids in their late teens, I want them to avoid such risks. I am not alone. A recent national survey revealed that most parents feel the same way, regardless of race or political affiliation. They want their children to have the best chance for optimal health and, so, support risk avoidance education, sometimes called ''abstinence education,'' for their kids.

However, currently there is a troubling 16 to 1 Federal funding disparity between contraception-centered education and risk-avoidance education. That is why I introduced H.R. 718, the Abstinence Education Reallocation Act. The bill brings some parity to programs that give our kids the facts about contraception and avoiding risky behavior.

Mr. Speaker, our teens deserve the best and most accurate information for their optimal health.

SEQUESTRATION

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

Ms. FOXX. Mr. Speaker, the President is wrong to suggest taking more money away from the American people would ease the effects of his sequester or correct the debt crisis his policies have exacerbated.

Despite high tax revenue, Washington has been overspending by at least $1 trillion each year of the Obama Presidency. When families run out of money, they do the smart thing—stop spending so much. Washington has to do the same, but arbitrarily cutting budgets through sequestration isn't the best way.

Twice since last summer, House Republicans passed legislation to achieve the same savings while completely removing the indiscriminate threat of sequestration. Our plans targeted waste and limited government growth. The President threatened to veto our proposals because they didn't include

taxes, and the Senate never agreed on a sequester alternative.

As the President's sequester begins to take effect, I will continue to advocate for common sense: replacing the arbitrary cuts with less wasteful spending and reforms to debt-driving programs.

SEQUESTER IN PERSPECTIVE

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

Mr. MESSER. Mr. Speaker, $85 billion is a lot of money, yet it represents just 2 percent of the $3.6 trillion this Nation spends every year.

I hold in my hand two pennies, two pennies to represent the 2 percent of budget reductions we are asking for in this $85 billion sequester. Does anybody in this country believe that our Federal Government is so efficient and so effective that we cannot afford to trim two pennies out of every dollar?

Over the last 4 years, too many parents have had to come home and tell their children they're out of work, and too many young people have had to come home and tell their parents they can't find a job. We need leaders in this Nation that will go to work for the people who live here and trim the two cents off every dollar we need to restore a healthy economy and put folks back to work.

□ 1410

MEDICARE ADVANTAGE AND THE AFFORDABLE CARE ACT

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

Mr. BURGESS. Mr. Speaker, the Affordable Care Act was passed now almost 3 years ago, and the Affordable Care Act was going to lower costs. And why wouldn't you like it? You get free stuff.

Well, how do you pay for that free stuff?

It turns out five new taxes were started on January of this year. What are they, and who do they affect?

Well, there's a big tax on medical devices. Now everyone talks about wanting to encourage American investment, encourage American manufacturing. But with this tax we're encouraging manufacturers to go offshore.

Flexible spending accounts are now limited. Who's affected by flexible spending accounts? Well, people with predictable recurrent medical expenses who might want to set some of those dollars aside and pay for them with pretax dollars. Those amounts are now limited, so people with chronic illnesses, families with special needs children are going to be affected.

There's a surtax on investment income. The economy's trying to recover. Why would we tax investment income?

Itemized deductions are now going to be limited for people who itemize their deductions. So who is affected by that? People with the highest medical expenses.

And then finally, the Medicare payroll tax hike. Might sound like a good idea. Medicare might need more money, but this money doesn't go to Medicare. This money goes to fund new programs.

Look, 3 years ago we were all told, if you like what you have, you can keep it. If you like your insurance, you can keep it. If you like your doctor, you can keep him or her.

Turns out, what we should have been hearing is, you're going to pay a lot more to get a lot less.

HONORING THE CENTENNIAL OF THE TOWN OF HAYESVILLE, NORTH CAROLINA

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

Mr. MEADOWS. Mr. Speaker, I rise today in honor of the centennial of Hayesville, a city nestled between the mountains and valleys of Clay County in western North Carolina.

Located along an old trading route at the site of the former Cherokee town of Quanasee, Hayesville became a resting place for many settlers in the early 1800s during their westward expansion.

As the population in the area grew, the need for local governance increased, and in 1861, State representative George Hayes introduced legislation establishing Clay County, and Hayesville was named to recognize his efforts.

As the county and community continued to grow, a county courthouse and village square were established in the town, and in March of 1913, Hayesville was officially recognized as an incorporated town and the county seat of Clay County.

Throughout the 1900s, Hayesville's importance to western North Carolina only grew as it became a center of commerce point between Franklin to the east, Murphy to the west, and communities in Georgia to the south.

Hayesville continues to be an important representative of the small-town family values and our mountain culture so important to all of us in the western part of the State.

I'm proud to represent such a strong community, and it is with great honor I recognize the centennial of Hayesville, North Carolina.

COMMUNICATION FROM THE DEMOCRATIC LEADER

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

HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), I am pleased to appoint former Rep. Ellen Tauscher of Washington, D.C. to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore (Mr. MEADOWS). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. POE, Texas, Vice Chair
Mr. SHIMKUS, Illinois
Mr. MILLER, Florida
Mr. GUTHRIE, Kentucky
Mr. MARINO, Pennsylvania
Mr. COTTON, Arkansas

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, March 1, 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, I have the honor to transmit a sealed envelope received from the White House on March 1, 2013, at 2:22 p.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to Zimbabwe.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–14)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides

for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2013.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *March 1, 2013.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, March 1, 2013:

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

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, March 4, 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 March 4, 2013 at 1:12 p.m.:

Appointments:

Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 5 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the 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.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

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.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, introduced by my colleague MIKE ROGERS from Michigan, would reauthorize programs designed to foster the development of medical countermeasures and strengthen the Nation's preparedness infrastructure. These programs are essential to helping our Nation prepare for public health emergencies, including those caused by terrorist attacks.

H.R. 307 reauthorizes programs for 5 years at the fiscal year 2012 appropriated level and does not create a new program, nor increase the authorization for appropriations for an existing program. According to the Congressional Budget Office, the bill does not increase spending.

Congress originally enacted the programs reauthorized in H.R. 307 through the Project Bioshield Act of 2004 and the Pandemic and All-Hazards Preparedness Act of 2006. Project Bioshield authorized funds for the purchase of medical countermeasures through the Special Reserve Fund and enabled the Secretary of Health and Human Services to authorize the emergency use of medical products.

The original PAHPA bill created the Biodefense Advanced Research and Development Authority within HHS to help with the development of medical countermeasures and increase communications between HHS and the developers of MCMs.

The House passed H.R. 307 back in January. The Senate made some minor changes to the bill and passed it by unanimous consent last week.

I would like to commend Chairman UPTON, Mr. ROGERS, Mr. WAXMAN, and Mr. PALLONE for their work on the bill. I also would like to thank Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR for their leadership.

I would urge all Members to support this critical piece of legislation, and I reserve the balance of my time.

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

I am pleased to rise in support of the Senate amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. And I want to recognize the work that Ms. ESHOO, my colleague on the committee, has been doing on this legislation for many years.

The legislation reauthorizes critical programs and activities first established as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the 2004 Project Bioshield Act, and the 2006 Pandemic and All-Hazards Preparedness Act.

□ 1720

H.R. 307 passed the Senate in late February with an amendment that makes some changes to the House version passed in January. The new language updates the authorization period of programs to the fiscal years 2014–2018 instead of the fiscal years 2013–2017. It also modifies the authority for a State, territory or tribal organization to temporarily reassign public health personnel to respond to a public health emergency. In addition, there were some minor technical corrections to the House-passed legislation.

Over the past decade, Mr. Speaker, these programs have represented comprehensive efforts to prepare for and respond to public health emergencies. As a result of the investments that followed, our Nation is better equipped to respond to public health emergencies, but there is still a lot of work to be done.

Our Nation continues to face threats that require an ongoing commitment to public health and emergency preparedness. Of course, I am thinking of my district and the State of New Jersey after we experienced a devastating storm that destroyed entire communities. The Federal Government's support, including programs authorized by PAHPA, were critical in the wake of this disaster.

So I am pleased that Congress is finally able to get this legislation across the finish line. It reflects a bipartisan, bicameral effort that has been ongoing for more than a year—start to finish—and Members and staff have worked hard to see it through. Together, we have resolved differences and have made compromises, which is the way legislating is supposed to be done; and I was proud to be part of the process.

I would like to thank many members of the Energy and Commerce Committee who contributed to this important bill: of course Ms. ESHOO, who will speak; Congressmen MIKE ROGERS and GENE GREEN; Chairman UPTON; Chairman PITTS; Ranking Member WAXMAN; Congressman MARKEY; and all of their staffs. Everyone should be commended for their work.

I urge Members to join me in supporting the passage of the Senate amendment to H.R. 307, and I look forward to finally getting this bill to the President's desk.

I reserve the balance of my time.

OFFICE OF THE SECRETARY AND LEGAL COUNSEL, ALLIANCE FOR BIOSECURITY,
Washington, DC, March 4, 2013.

Hon. MIKE ROGERS,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE ROGERS: On behalf of the Alliance for Biosecurity, I write in strong support of the Pandemic All-Hazards Preparedness Reauthorization Act of 2013 (H.R. 307). The Alliance for Biosecurity is a collaboration of pharmaceutical and biotechnology companies working to develop medical countermeasures (MCMs) to prevent and treat diseases associated with bioterrorism and emerging infectious diseases. We are extremely pleased that both the House and the Senate have taken this legislation up so expeditiously this Congress and hope for quick House passage of the amended bill.

As you know, the chemical, biological, radiological, and nuclear (CBRN) threat is real and growing. It is critical that the country continue ongoing efforts to develop, procure, and stockpile MCMs to both deter an attack and protect our citizens should a bioterrorism event occur. The Congressionally-established Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism 2008 report predicted that ''it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013.'' There is a limited commercial market for MCMs; consequently, without adequate advanced development and stockpiling funding, companies have neither the incentive nor the ability to invest in these life-saving therapies.

Reauthorization of PAHPA and Project BioShield is critical to ensuring the sustainability of the MCM enterprise. We urge you to pass the amended H.R. 307 without delay to ensure that our nation remains prepared to face such threats.

Respectfully submitted on behalf of the Alliance for Biosecurity,

THE ALLIANCE FOR BIOSECURITY,
Secretariat and Legal Counsel.

AMERICAN ACADEMY OF PEDIATRICS,
Elk Grove Village, IL, March 1, 2013.

Hon. MIKE ROGERS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN ROGERS: On behalf of the American Academy of Pediatrics (AAP), a professional organization of 60,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, I write to express our support for H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

Representing twenty-five percent of the U.S. population, children are not little adults. Their developing minds and bodies place them at disproportionate risk during a disaster situation. Children are particularly vulnerable to aerosolized biological or chemical agents because they breathe more times per minute than adults and they are more vulnerable to agents that act on or through the skin because their skin is thinner and they have a larger surface-to-mass ratio than adults. Children need different dosages of medicine than adults, not only because they are smaller, but also because certain drugs and biologics may have different or unanticipated effects on developing children. From needles and tubing, to oxygen masks and ventilators, to imaging and laboratory technology, children need medical equipment that has been specifically designed for their size and unique physiology.

Numerous expert bodies including the National Commission on Children and Disasters and the National Biodefense Science Board (NBSB) have found that, with respect to medical countermeasures (MCMs) for children, significant gaps remain in pediatric indications, dosages and formulations. H.R.307 includes several important provisions that will help advance the development of MCMs for children by maximizing existing pediatric drug testing laws, increasing pediatric expertise at federal agencies involved in MCM development and procurement, and prioritizing children within the existing Public Health Emergency Medical Countermeasures Enterprise. Additionally, the expansion of existing emergency use authorization authority will be critical to ensuring that countermeasures for children are stockpiled in advance of a disaster or emergency.

In particular, the Academy thanks you for including a provision that will require the Secretary of Health and Human Services to establish a National Advisory Committee on Children and Disasters. With the termination of the National Commission on Children and Disasters, which helped focus attention on gaps in disaster planning and delivered practical recommendations to the President and Congress, the National Advisory Committee on Children and Disasters will help ensure that important progress made at various federal agencies, state and local levels, and throughout the private sector continues. Importantly, the Advisory Committee will bring together federal and non-federal partners to provide guidance and recommendations on our nation's preparedness to meet the needs of children before, during and after all-hazards emergencies. It is our hope that the Advisory Committee will comprehensively assess progress toward fulfilling the recommendations of the National Commission on Children and Disasters. The Academy looks forward to working with you and the Department of Health and Human Services to establish the National Advisory Committee on Children and Disasters.

H.R. 307 maintains the important role of the National Disaster Medical System (NDMS) while ensuring that the NDMS takes into account pediatric populations. It also ensures that the requirements for the Hospital Preparedness Program and the Public Health Emergency Preparedness Cooperative Agreement Program have specific pediatric performance measures. The AAP applauds the requirement in the legislation that the NBSB include an individual with pediatric subject matter expertise.

Thank you for your continued commitment to improving the health and well-being of children. We look forward to working with you on passage of H.R. 307.

Sincerely,
THOMAS K. MCINERNY, MD, FAAP,
President.

BIOTECHNOLOGY INDUSTRY ORGANIZATION,
Washington, DC, March 1, 2013.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI:On behalf of the Biotechnology Industry Organization (BIO), I am writing with our strong support for the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness (PAHPA) Reauthorization Act of 2013, which will be considered on the floor of the House on March 4th.

BIO represents more than 1,100 biotechnology companies, academic institutions, state biotechnology centers and related organizations across the United States. BIO members are involved in the research and development of healthcare, agricultural, industrial and environmental biotechnology products. Our members play a central role in ensuring the effective development of medical countermeasures (MCMs) to protect our

nation's citizens against chemical, biological, radiological and nuclear threats, whether naturally occurring or man-made.

We strongly support the simultaneous reauthorization of Project BioShield and the Special Reserve Fund (SRF) with the reauthorization of PAHPA. Because the government represents the sole marketplace for the vast majority of MCMs, the funding available through the SRF is vital for private companies, considering the high cost and significant time commitment associated with the development and manufacture of these products.

We thank you for quickly moving the legislation forward in the House, and we look forward to this legislation passing, and then being signed into law in the near future. We wish to especially congratulate Reps. Mike Rogers (R–MI) and Gene Green (D–TX) for their leadership on this issue. Thank you.

Sincerely,

JAMES C. GREENWOOD,
President and CEO.

THE ROUNDTABLE ON
CRITICAL CARE POLICY,
Washington, DC, March 1, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI:The Roundtable on Critical Care Policy strongly supports the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act (PAHPRA) of 2013, and urges the House of Representatives to swiftly pass this vital legislation that will improve America's public health, medical preparedness and response capabilities, and enhance the nation's ability to care for the critically ill and injured in the aftermath of a public health emergency.

In particular, our organization strongly supports the Roundtable-endorsed provisions included in the current version of PAHPRA that would prioritize critical care within the National Health Security Strategy (NHSS). More specifically, these provisions would, for the first time, add care for critically ill patients in our nation's intensive care units (ICU) to the federal government's medical preparedness and surge capacity goals, thereby ensuring that critical care is included in federal, state and local planning efforts to increase preparedness for public health emergencies. This reauthorization would require the inclusion of medical surge capacity in the periodic evaluation of the nation's preparedness capabilities, enabling an efficient and effective medical response during an emergency.

The Roundtable also commends the inclusion of language in the NHSS that requires coordinated medical triage and evacuation to appropriate medical institutions during a public health emergency, which supports the Roundtable's past calls for increased planning for patient evacuation in hospitals—including ICUs.

When our nation is faced with a health emergency, the critical care delivery system is an integral component of our nation's medical response. Yet, despite the fact that Americans depend on this delivery system to care for our most critically ill and injured—a system whose capacity is truly put to the test and often stretched to its limits in the event of a widespread health emergency—critical care medicine has not been given sufficient consideration in our disaster preparedness efforts, until now.

The Roundtable believes that the inclusion of these provisions in the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 will go a long way towards strengthening the nation's critical care infrastructure, and addressing the needs of the critically ill and injured in the event of a major public health crisis.

We applaud the U.S. House of Representatives under your leadership for working to improve our federal disaster preparedness efforts, and ensuring the prioritization of critical care within PAHPRA.

Sincerely,

STEPHANIE SILVERMAN,
President.

MARCH 1, 2013.

Hon. FRED UPTON,
Chairman, House of Representatives, Washington, DC.
Hon. JOSEPH R. PITTS,
Chairman, House of Representatives, Washington, DC.
Hon. MIKE ROGERS,
House of Representatives, Washington, DC.
Hon. HENRY A. WAXMAN,
Ranking Member, House of Representatives, Washington, DC.
Hon. FRANK PALLONE, Jr.,
Ranking Member, House of Representatives, Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS, RANKING MEMBERS WAXMAN AND PALLONE, AND REP. ROGERS: On behalf of the undersigned organizations, dedicated to protecting the public health of our nation, we write to express our support for the Pandemic and All-Hazards Preparedness Reauthorization Act of 2012 (PAHPRA). We urge swift passage in the House as this legislation is critical to the safety of our nation. We thank you for your leadership on this legislation that is critical to the safety of our nation.

PAHPRA is vital to state and local health and other public health practitioners who are a critical part of any community's first response to disease outbreaks, emergencies, and acts of terrorism. The following provisions in particular are essential to keeping communities healthy and safe:

Temporary Reassignment of Federally Funded Personnel During a Public Health Emergency (Section 201): The provision allows states and tribes to request from the Department of Health and Human Services (HHS) the authority to temporarily reassign public health personnel from other HHS-funded grant programs to respond to a major emergency. The authority would allow state and local governments to meet the tremendous staffing needs required by a disaster.

Reauthorization of the Public Health and Emergency Preparedness Grants (PHEP) (Section 202): The PHEP cooperative agreement program provides funding to local and state public health departments to strengthen their capacity and capability to effectively respond to public health emergencies including terrorist threats, infectious disease outbreaks, natural disasters, and biological, chemical, nuclear, and radiological emergencies. State and local health departments work with federal government officials, law enforcement, emergency management, health care, business, education, and religious groups to plan, train, and prepare for emergencies so that when disaster strikes, communities are prepared.

Reauthorization of the Hospital Preparedness Program (HPP) (Section 203): HPP provides funding to state and local health departments to enhance hospital preparedness and improve overall surge capacity in the case of public health emergencies. The preparedness activities carried out under this program strengthen the capabilities of hospitals throughout the country to respond to floods, hurricanes, or wildfires, and also include training for a potential influenza pandemic or terrorist attack.

Carryover of Grant Use, Coordination (Section 202 and 203): The bill updates the preparedness grant programs at HHS giving grantees limited ability to carry over funds encouraging flexibility and efficiency. The provisions promote long-term planning currently impossible in an unpredictable fiscal environment.

Children's Preparedness (Sections 103, 307 and throughout): The bill establishes the National Advisory Committee on Children and Disasters to bring together federal and non-federal partners to provide guidance and recommendations on medical and public health preparedness for children before, during and after a disaster or public health emergency. The bill takes significant steps to consider the particular needs of pediatric populations in Medical Countermeasure (MCM) research and development. The bill also calls for consideration of the needs of children, as an at-risk population, in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, PHEP, HPP, and Medical Reserve Corps.

Enhancing Situational Awareness and Biosurveillance (Section 204): The bill calls for planning and integration of the current biosurveillance systems to strengthen the nation's bioterrorism and disease outbreak response capabilities. The bill also requires coordination with the National Biodefense Science Board. HHS is required to provide a report to Congress on their implementation plans and progress.

Individuals with Disabilities (Section 101): The bill calls for the consideration of the needs individuals with disabilities in the National Health Security Strategy.

Thank you again for your work to reauthorize this important legislation.

Sincerely,

GEORGES C. BENJAMIN, MD, FACP, FACEP (E),
Executive Director, American Public Health Association.
ROBERT M. PESTRONK, MPH,
Executive Director, National Association of County and City Health Officials.
PAUL E. JARRIS, MD, MBA,
Executive Director, Association of State and Territorial Health Officials.
JEFF LEVI, PhD,
Executive Director, Trust For America's Health.

Mr. PITTS. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Certainly, tonight I stand in support of this legislation, H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

This legislation is going to help our Nation's families, local communities, first responders, and innovators as we prepare for and respond to public health emergencies, including those caused by terrorist attacks. As the Nation recovers from a severe flu season, the need to pass this legislation is evermore apparent.

This bill is going to help families by requiring that the special needs of our Nation's children are taken into account as medical countermeasures move through the FDA process and are

purchased for the Strategic National Stockpile. The bill also would require the Department of Health and Human Services to improve public health emergency preparedness, response, outreach, and communication with respect to children.

H.R. 307 also would aid local communities and those on the front lines in disaster response, providing assistance to local law enforcement, emergency management and public health officials in planning, training and preparing for emergencies so that if disaster strikes their communities are ready. Last month, I had the opportunity to address the American Burn Association here in Washington. The bill's Hospital Preparedness Program is critical to them as it helps hospitals prepare for disasters that would result in a surge in the need for medical care.

In addition, this legislation is going to help innovators as they develop medical countermeasures that may be necessary in the event of a biological, nuclear, radiological, or chemical attack. The bill contains provisions to improve the predictability, consistency, and transparency of the FDA process. These improvements will assist innovators in getting their medical countermeasures across the finish line.

It is also important to note that H.R. 307 would reauthorize programs for 5 years at the fiscal year 2012 appropriated level. This bill would not create new programs; and according to the CBO, as Mr. PITTS said, it would not increase spending.

The House bill passed back in January, and the Senate passed a nearly identical version of the bill last week by unanimous consent. Upon House approval today, this critical legislation will, in fact, head to the President to be signed into law, ensuring that our Nation is preparing for the unthinkable.

I want to thank all of the Members who have worked on this issue, not only this year but last year—certainly Mr. ROGERS of Michigan, Chairman PITTS, Mr. WAXMAN, Mr. PALLONE, and Ms. ESHOO. I also want to thank our Senate colleagues—Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR—for their leadership on this issue as we got together and got this bill ready tonight.

I urge my colleagues to support the bill.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO), one of the key sponsors of this legislation.

Ms. ESHOO. I thank our ranking member, Mr. PALLONE, for his leadership on the committee and for yielding time to me.

Mr. Speaker, I rise today to support the Pandemic and All-Hazards Preparedness Reauthorization Act. This is legislation that I wrote, together with Congressman MIKE ROGERS, going back to when we first introduced it in 2006, in order to better help our country prepare for a chemical, biological, radiological, or nuclear attack—all of the things that are really unthinkable; but in a post-9/11 era, we had to be prepared, and we developed this legislation. So it pleases me enormously that we are now reauthorizing it.

Right now, the American people are left wondering what the heck the Congress is doing—why we can't come together, why we can't work in a bipartisan way and develop consensus. Do you know what? On this bill, we are, and I am very proud of that. Developing and stockpiling appropriate countermeasures is essential for the safety of the American people, and these programs encourage American companies to invest in areas of critical need.

The bill before us today includes new provisions, which I think really enhance what we did originally, provisions that highlight the important needs of our Nation's children. Children are not just little adults. They need special care and medical attention. They are especially vulnerable to biological or chemical agents because of their size, their limited capacity to flush out toxins, their underdeveloped motor skills, and their total reliance on their parents or other caregivers.

I know firsthand the importance of stockpiling vaccines critical to our public health. I recently visited a company in my district, Bavarian Nordic. It is a company which clearly demonstrates that technical expertise and investment in this area must be backed by the government's commitment to preparedness. Because medical countermeasures don't always have a natural commercial market, it is our responsibility—right here in the Congress—to encourage and incent private companies to develop them. When I was meeting with them, they told me that, when we were considering the original legislation and then passed it, they were immediately invested in it by the sum of some $80 million because there was confidence in that particular market.

This legislation is supported by many, but I think it's a real honor roll in terms of the groups and organizations: the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, the Trust for America's Health, and the American Academy of Pediatrics.

This legislation, the Pandemic and All-Hazards Preparedness Reauthorization Act, did pass the House last month; and with minor changes, it passed the Senate last week, as my colleagues have said on both sides of the aisle. Today, I, once again, urge my colleagues to vote ''yes'' on the Senate-amended bill so that it may swiftly be sent to the President for his signature. I think, together, we will have something to celebrate because this is not only important, but it can and will make a difference for the American people.

□ 1730

Mr. PITTS. Mr. Speaker, I have no other speakers, and I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I would just say at this point that I urge passage of this legislation. It is very important in terms of our ongoing commitment to public health and emergency preparedness; and, of course, once it passes today, it will go to the President for his signature, and so I urge passage.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I, too, urge all Members to support this critical legislation. It has strong bipartisan support. It is very important.

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

Mr. WAXMAN. Mr. Speaker, I rise in support of the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. H.R. 307 is the product of a lengthy, but extremely productive, process with our Senate colleagues and their staff to come together to bridge the differences between earlier House and Senate reauthorization efforts. In January, the House passed H.R. 307 by a vote of 395 to 29. Just last week, the Senate passed an amendment to H.R. 307 that makes further refinements to the legislation. Today, with House passage of the Senate Amendment, the Pandemic and All-Hazards Preparedness Reauthorization Act will finally head to the President's desk for his signature.

Toward that end, H.R. 307 reauthorizes and makes minor—but important—improvements to various programs and activities first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act; 2004 Project Bioshield Act; and the 2006 Pandemic and All-Hazards Preparedness Act, or as it is commonly referred to, ''PAHPA.'' These programs and activities are key in helping to ensure that our nation is well prepared to successfully manage the effects of natural disasters, infectious disease outbreaks, and acts of bioterrorism.

H.R. 307 includes dozens of changes to these underlying authorities. Let me highlight just four provisions that deserve special attention:

First, the bill will ensure that the Food and Drug Administration focuses on medical countermeasures of the highest importance. Medical countermeasures are products designed to combat chemical, biological, radiological, and nuclear agents.

H.R. 307 will facilitate communication between the FDA and product sponsors—particularly on high priority countermeasures for which sponsors have developed regulatory management plans—to resolve scientific and regulatory questions and help make these products available more quickly. Recently, FDA approved the first drug developed and procured under Project BioShield.

The FDA provisions in H.R. 307 will also facilitate the rapid provision of existing medicines to people in need during an emergency. Taken together, these FDA provisions—along with the renewed emphasis in our countermeasure enterprise through other parts of the legislation—will make it possible for a greater number of drugs and devices to move from early development to procurement.

Second, the legislation makes improvements to the nation's blueprint for public health preparedness and response activities that will enhance the ability of our diverse health care system to respond to mass casualty emergencies. Among such improvements are provisions to clarify the role of the Assistant Secretary of Preparedness and Response as the lead office within the Department of Health and Human Services for emergency preparedness and response.

H.R. 307 also establishes a new authority to permit the Secretary of the Department of Health and Human Services to approve a request of a state, territory, or an Indian tribe to reassign certain federally-supported public health personnel during the time of a national emergency to geographic areas where these public health workers are needed most.

Finally, H.R. 307 continues support for investments in state and local public health departments. Such investments are necessary to make certain that we have the requisite public health infrastructure in place to respond immediately and appropriately to any public health threat that may arise.

This legislation reflects the effort of a number of Members and Senators—Democrats and Republicans alike. I'd like to commend my House colleagues and their staff who have been deeply involved in this process—Chairman UPTON, Chairman PITTS, Congressman ROGERS, Congressman GREEN, Congresswoman ESHOO, Congressman MARKEY, and our Health Subcommittee Ranking Member, Congressman PALLONE. I particularly want to thank Mr. PALLONE's staff member Tiffany Guarascio, as well as Chairman UPTON and Chairman PITTS' staff, Clay Alspach and Carly McWilliams. I would also like to express my appreciation to House Legislative Counsel Warren Burke and Jessica Shapiro for their efforts. I'd also like to recognize my Senate colleagues, Chairman HARKIN and Ranking Member ALEXANDER, and their staff for their contributions to this legislation. And finally, I'd like to thank my own staff for the incredibly hard work they have put into this legislation—Karen Nelson, Ruth Katz, Anne Morris Reid, Rachel Sher, and Eric Flamm.

I urge my colleagues to vote in favor of the Senate Amendment to H.R. 307.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of the Pandemic and All-Hazards Preparedness Reauthorization Act which will reauthorize certain provisions of the Project Bioshield Act of 2004 and Pandemic and All-Hazards Preparedness Act of 2006.

This legislation was initially passed by Congress to help the U.S. develop medical countermeasures against chemical, biological, radiological, and nuclear terrorism agents and to provide a mechanism for federal acquisition of those newly developed countermeasures.

Since the first part of the last session of Congress, we have been working with Senators to perfect the language. We have passed it several times in the House and after many months, the Senate has sent it back for our approval. I am pleased that we finally have a bill that can be sent to the President and I am proud to support it.

This bill is important because our nation remains vulnerable to these threats because many of the vaccines and medicines that are needed to protect our citizens do not exist.

Developing and stockpiling these medical countermeasures requires time, resources, and research. All of which will be provided under the legislation before us today. I am pleased that language I supported during the committee process aimed at increasing emphasis on regionalized trauma care systems was included in this final version.

This bill is also very important to me because the University of Texas Medical Branch's Galveston National Laboratory is in my backyard.

The Galveston National Lab is the only BSL–4 lab located on a university campus. At the lab, scientists conduct research to develop therapies, vaccines, and diagnostic tests for naturally occurring emerging diseases such as SARS and avian influenza—as well as for microbes that might be employed by terrorists.

This is exactly the type of research we hope to encourage under the Pandemic and All-Hazards Preparedness Reauthorization Act.

As an original cosponsor of this bill with Mr. ROGERS, I am very pleased at how quickly we have moved this rare bipartisan piece of legislation.

I want to thank Mr. ROGERS, Chairman UPTON, Ranking Member WAXMAN, Ranking Member PALLONE, Ms. Myrick, Ms. ESHOO, and Mr. MARKEY for their work on this important legislation.

I strongly urge my colleagues to vote ''yes'' on this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, as amended by the Senate. This legislation will reauthorize programs first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act, the 2004 Project Bioshield Act, and the 2006 Pandemic and All-Hazards Preparedness Act. These programs are crucial to ensuring that our Nation is prepared to respond to public health emergencies, including those caused by natural disasters, disease outbreaks, and bioterrorism.

The Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 will reauthorize programs such as the Public Health Emergency Preparedness Cooperative Agreement, which provides grants to state and local health departments, the National Disaster Medical System, which helps manage the government's medical response in emergencies, and bio-surveillance programs, which help states coordinate with the Centers for Disease Control and Prevention to track and detect disease outbreaks. The legislation also allows the Food and Drug Administration to collect and analyze data about the safety and efficacy of products used in emergencies.

Mr. Speaker, in our changing world, public health emergencies can be created by sources as various as disasters due to climate change, global epidemics from an increasingly interconnected planet, and terrorists who target us. As we face these threats, it is our responsibility to remain vigilant and prepared for the sake of our children and our communities. The programs covered under the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 serve as essential tools in our endeavor to protect the health of all Americans.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 307.

The question was taken.

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

Mr. PITTS. 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 motion will be postponed.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to 44 U.S.C. 2702, I am pleased to appoint Mr. John A. Lawrence of Washington, D.C. to the Advisory Committee on the Records of Congress .

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the 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, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr.

PITTS) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 370, nays 28, not voting 33, as follows:

[Roll No. 56]

YEAS—370

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bonamici
Bonner
Boustany
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
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
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gowdy
Granger
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Horsford
Hoyer
Huelskamp
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 (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Moore
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Negrete McLeod
Neugebauer
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perry
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pitts
Pocan
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
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
Yoder
Yoho
Young (IN)

NAYS—28

Amash
Bishop (UT)
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Carter
Chaffetz
Duncan (SC)
Duncan (TN)
Foxx
Gohmert
Goodlatte
Graves (GA)
Hudson
Jones
Labrador
Marchant
Massie
Miller (FL)
Mullin
Petri
Poe (TX)
Radel
Sensenbrenner
Southerland
Stockman
Woodall

NOT VOTING—33

Blumenauer
Brady (PA)
Coble
Collins (GA)
Culberson
Engel
Gosar
Graves (MO)
Grijalva
Gutierrez
Honda
Loebsack
Lynch
Markey
McDermott
McIntyre
Moran
Nadler
Noem
Palazzo
Perlmutter
Polis
Rohrabacher
Rush
Sanchez, Loretta
Sires
Smith (WA)
Stutzman
Veasey
Vela
Yarmuth
Young (AK)
Young (FL)

□ 1853

Messrs. RICHMOND, WESTMORELAND, LEVIN, WEBER, DANNY K. DAVIS of Illinois, RAHALL, and SALMON changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

Mar 04 2013 6:59PM HP LASERJET FAX p.1

MAR - 4 2013 APPROPS

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

March 4, 2013

The Honorable John Boehner
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on February 28, 2013. Pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 16 lease prospectuses included in the General Services Administration's FY2012 and FY2013 Capital Investment and Leasing Programs and 2 resolutions to authorize alteration projects for space consolidations and exigent needs.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer $27.6 million annually or $357 million over the terms of the leases. These resolutions ensure savings through lower rents, shrinking the space requirements of agencies, and efficiencies created through consolidation. In addition, the Committee has included space utilization requirements in each of the resolutions to ensure agencies are held to appropriate utilization rates.

Sincerely,

Bill Shuster

Bill Shuster
Chairman

Enclosures

cc: The Honorable Nick J. Rahall, II, Ranking Member

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA
PVA-07-WA12

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 106,000 rentable square feet of space, including eight parking spaces, for the Department of Agriculture, Forest Service, currently located at 1601 and 1621 N. Kent Street, Arlington, Virginia, at a proposed total annual cost of $4,134,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 182 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 182 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA12
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 106,000 rentable square feet for the U.S. Department of Agriculture, Forest Service (USDA-FS), currently located in adjacent buildings at 1601 and 1621 N. Kent Street in Arlington, VA under three leases. USDA-FS elements housed in these buildings have mission requirements that result in regular interaction with FS headquarters operations housed in the Sidney Yates Building in Washington, DC.

The proposed increase in the annual cost of leasing space to meet USDA-FS requirements reflects the adjustment to current market rent of expiring leases that have been in effect since the 1998 to 2000 time frame. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 87,192 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on December 31, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA12
Congressional District: 8

Description

Occupants:	USDA-FS
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	101,234 (Current RSF/USF=1.15)
Proposed Maximum RSF:	106,000 (Market RSF/USF=1.2)
Expansion Space[1]:	None
Current Usable Square Feet/Person:	182
Proposed Usable Square Feet/Person:	182
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Leases:	December 31, 2013
Proposed Delineated Area:	Northern, VA
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate[2]:	$39.00
Proposed Total Annual Cost[3]:	$4,134,000
Current Total Annual Cost:	$3,568,095 (leases effective 1998 and 2000)

Background

The Rosslyn Plaza C and Rosslyn Plaza E Buildings, located at 1601 and 1621 N. Kent Street in Arlington, VA, were constructed in 1965 and originally occupied by USDA-FS under leases with effective dates between September 1998 and December 2000.

Justification

USDA-FS must vacate the space it occupies at 1601 and 1621 N. Kent Street by the December 31, 2013, expiration of the current leases and requires continued housing to carry out its long-term mission requirements.

[1] The RSF/USF at the current location is approximately 1.15.
[2] This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.
[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA12
Congressional District: 8

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA **PBS**

PROSPECTUS – LEASE
U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA12
Congressional District: 8

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Martha Johnson
Administrator, General Services Administration

August 2011

Housing Plan
Department of Agriculture
Forest Service

Northern, VA
PVA-07-WA12

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1601 N Kent Street	286	286	37,234	500	5,000	42,734						
1621 N Kent Street	197	197	39,678	500	5,000	45,178						
Proposed Lease							483	483	76,912	1,000	10,000	87,912
Total	483	483	76,912	1,000	10,000	87,912	483	483	76,912	1,000	10,000	87,912

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	124	124

* UR = average amount of office space per person
Current UR excludes 16,920 usf of office support space
Proposed UR excludes 16,920 usf of office support space

USF/Person **		
	Current	Proposed
Rate	182	182

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	87,912	1.15	101,234
Proposed	87,912	1.2 ***	106,000

*** Market R/U Factor for Competitive Procurement

Special Space	USF
Information Center	3,000
Telecom	1,500
Café/Kitchen	3,500
Conference	2,000
Total	10,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND
PMD-05-WA12

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 327,000 rentable square feet of space, including 30 parking spaces, for the Department of the Treasury, Financial Management Service, currently located at Metro II, 3700 East West Highway, Hyattsville, Maryland, at a proposed total annual cost of $8,502,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 249 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 249 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND

Prospectus Number: PMD-05-WA12
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 327,000 rentable square feet (rsf) for the Department of the Treasury, Financial Management Service (FMS) currently located at Metro II, 3700 East West Highway, Hyattsville, MD. The current lease at Metro II expires September 30, 2012, and GSA is seeking a five year lease extension to allow FMS sufficient time to develop and budget for their long-term space requirements. The government will have termination rights after the third year of the extension period.

Description

Occupants:	Financial Management Service/Treasury
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	393,000 (Current RSF/USF=1.1)
Proposed Maximum RSF:	327,000 (Proposed RSF/USF=1.1)
Expansion Space:	Reduction of 66,000 rsf
Current Usable Square Feet/Person:	299
Proposed Usable Square Feet/Person:	249
Proposed Maximum Leasing Authority:	5 Years
Expiration Date of Current Lease:	September 30, 2012
Delineated Area:	3700 East West Highway Hyattsville, Maryland
Number of Official Parking Spaces:	30
Scoring:	Operating Lease
Maximum Proposed Rental Rate:[1]	$26.00
Proposed Total Annual Cost:[2]	$8,502,000
Current Total Annual Cost:	$8,168,218 (lease effective 1992)

[1] This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND

Prospectus Number: PMD-05-WA12
Congressional District: 8

Background

FMS provides central payment services to Federal Program Agencies and operates the federal government's collections and deposit systems. FMS provides government-wide accounting and reporting services, and manages the collection of delinquent debt owed to the government.

Justification

FMS has asked to extend its current leasehold tenancy in order to plan for its longer term space requirements. To that end, it has commissioned a study which will serve as the basis for developing a prospectus to be submitted in a future fiscal year program. The lease extension proposed in this current prospectus will give FMS time to work out the details of its housing requirements and budget for associated costs. In the interim, FMS will reduce their square footage within the building by 66,000 RSF, consisting of two floors they currently occupy, at the expiration of the current lease.

GSA will attempt to negotiate termination rights into the lease agreement to provide a flexible transition to FMS' long-term housing solution.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
SUBURBAN MARYLAND

Prospectus Number: PMD-05-WA12
Congressional District: 8

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Martha Johnson
Administrator, General Services Administration

March 2011

DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
HOUSING PLAN

PMT WA12

Building Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Current	Proposed	Office	Storage	Special	Total	Current	Proposed	Office	Storage	Special	Total
Metro II	1,194	1,194	271,803	19,500	65,586	356,889						
Proposed Lease							1,194	1,194	226,794	18,033	52,062	296,889
TOTALS	1,194	1,194	271,803	19,500	65,586	356,889	1,194	1,194	226,794	18,033	52,062	296,889

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	178	148

*UR=average amount of space per person
Current UR excludes 59,797 usf of office support space
Proposed UR excludes 49,895 usf of office support space

USF/Person **		
	Current	Proposed
Rate	299	249

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	356,889	1.1	393,000
Proposed	296,889	1.1	327,000

Special Space	USF
Conference	17,200
File Rooms	14,800
Health Unit	1,500
Credit Union	400
Break Rooms	3,274
Fitness Rooms	1,600
Toilet/Showers	3,838
Training	5,505
Security	1,900
Copy Rooms	2,045
Total	52,062

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars).
Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

ALTERATION
CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS
PCO-0001-VA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to the Daniel Patrick Moynihan U.S. Courthouse in New York, NY and the Peachtree Summit Federal Building in Atlanta, GA to allow for the consolidation of various government agencies from existing lease locations into federally owned space, at a proposed cost of $16,100,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS

Prospectus Number: PCO-0001-VA13
Congressional Districts: Multiple

Prospectus Summary:

The General Services Administration (GSA) proposes interior space alterations to the Daniel Patrick Moynihan U.S. Courthouse, New York, NY and the Peachtree Summit Federal Building, Atlanta, GA, to allow for the consolidation of various government agencies from existing lease locations into federally owned space. The proposed projects will recapture vacant Government-owned space, resulting in the avoidance of costly future year lease obligations and improved utilization of owned assets.

Proposed Buildings:

Daniel Patrick Moynihan U.S. Courthouse.....$13,800,000
New York, NY

Peachtree Summit Federal Building $2,300,000
Atlanta, GA

Authorization Requested $16,100,000

Schedule

FY 2013	Construction Start
FY 2014	Project Completion

Summary of Energy Compliance
This project will integrate and implement sustainable design principles and energy efficiency effort as seamlessly as possible into all aspects of both the design and construction process.

Alternatives Considered (30-year, present value cost analysis)
There are no feasible alternatives to these projects.

Recommendation
ALTERATION and CONSOLIDATION INTO FEDERALLY OWNED SPACE

GSA PBS

PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE VARIOUS LOCATIONS

Prospectus Number: PCO-0001-VA13
Congressional Districts: Multiple

Proposed Projects:

Daniel Patrick Moynihan U.S. Courthouse.....$13,800,000
500 Pearl Street
New York, NY
Tenant agencies: Judiciary and GSA

In support of the building-wide modernization project currently underway at the Thurgood Marshall U.S. Courthouse, New York, NY, it was necessary to relocate Probation and Pretrial Services from the Moynihan Courthouse to leased space in order to provide temporary chambers for the District judges displaced from the Thurgood Marshall Courthouse. When the District judges move back into the Thurgood Marshall Courthouse in 2012, approximately 138,000 rentable square feet (rsf), will become vacant in the Moynihan Courthouse. This project proposes alterations to restore and re-align the space currently configured as judge's chamber to space that will allow for the relocation of Probation, Pretrial Services and other Judiciary functions into the Moynihan Courthouse. The reconsolidation of these Judiciary functions will allow the Government to release costly leased space reducing the Government's rental payment by $7,100,000 annually.

Peachtree Summit Federal Building.....$2,300,000
401 W. Peachtree Street
Atlanta, GA
Tenant agencies: Multiple tenants. This project will relocate the Department of Housing and Urban Development into the Federal building.

The Peachtree Summit FB currently has 115,000 rsf of vacant space providing for an opportunity to consolidate Government operations within Federally owned space. HUD operations within Atlanta are currently housed in multiple locations – in both leased space and federally-owned space. By consolidating HUD operations into the vacant space in the Peachtree Summit FB, HUD will reduce their overall footprint space by 18,970 rentable square feet and reduce their annual lease costs by $1.8 million by eliminating their leased space in Atlanta. In addition to the cost savings, occupancy in Federally owned space will address poor configuration, security issues, and other concerns that HUD has experienced in their current leased location. Relocating HUD to the Peachtree Summit FB will also make more efficient use of vacant federally-owned space, accommodate HUD's requirements allowing for in-house conference and training space, reduce HUD's costs, and address agency security concerns.

GSA PBS

PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE
VARIOUS LOCATIONS

Prospectus Number: PCO-0001-VA13
Congressional Districts: Multiple

Certification of Need

The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22, 2012

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Martha Johnson
Administrator, General Services Administration

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS
PEX-00001

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for critical needs projects to improve building safety systems, abate hazardous materials, and repair structural deficiencies within Government-owned buildings during fiscal year 2013, at a proposed cost of $122,936,000, a prospectus for which is attached to and included in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Description:

This prospectus is submitted to seek authorization to undertake critical need projects during fiscal year 2013.

Justification:

GSA is seeking authority to undertake critical needs projects improving building and safety systems, including elevators, fire and life safety, electrical and heating and ventilation systems; abating hazardous materials; and repairing structural deficiencies.

Alternatives:

STATUS QUO - Continued operation of systems and facilities that are antiquated, unsafe and unreliable as well as the underutilization of owned space which results in costly lease space obligations is not an acceptable alternative.

ALTERATION – Reliable and safe building systems and fully utilized government owned space is essential to the management and operation of these facilities.

Recommendation:

Authorize construction funding in the amount of $122,936,000 for the projects described below.

Authority Requested in this Prospectus.....$122,936,000

GSA **PBS**

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number: PEX-00001
Congressional Districts Multiple

Certification of Need

The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22,2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

FISCAL YEAR 2013 EXIGENT NEEDS PROJECTS

Baltimore, MD	
G. H Fallon Federal Building	$ 5,158,000
New York, NY	
Ted Weiss Federal Building	$11,700,000
New York, NY	
Conrad B. Duberstein U.S. Bankruptcy Courthouse	$ 5,000,000
Chamblee, GA	
Chamblee IRS Annex	$ 3,400,000
Denver, CO	
U.S. Customs House	$ 3,200,000
Missoula, MT	
Missoula Federal Building Post Office and U.S. Courthouse	$ 5,000,000
San Francisco, CA	
Phillip Burton Federal Building and U.S. Courthouse	$ 5,500,000
Portland, OR	
BPA Building	$ 8,500,000
Portland, OR	
911 Federal Building	$ 7,000,000
Multiple Buildings	
Anderson, SC - G. Ross Anderson Jr. Federal Building Courthouse	
Dublin, GA - Roy Rowland Federal Courthouse	
Charleston, SC – U.S. Customs House	
Owensboro, KY - Federal Building	$3,000,000
Washington, DC	
Sidney Yates Building	$ 11,000,000
Washington, DC	
GSA Headquarters Building	$ 3,200,000
Washington, DC	
Frances Perkins Building	$ 15,000,000
Washington, DC	
Robert C. Weaver Building	$ 12,000,000
Washington, DC	
Harry S. Truman (Main State) Building	$ 9,000,000
Reston, VA	
John W. Powell Federal Building	$ 10,265,000
Battle Creek, MI	
Battle Creek Federal Complex	$ 5,013,000

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Project Descriptions

Baltimore, MD
G. H. Fallon Federal Building $5,158,000

The project would replace aging and original bus ducts at the Fallon Federal Building. The bus ducts are in poor operating condition, deteriorated, unreliable, and unsafe, posing a potentially severe danger to the building tenants if they fail. The insulation is worn and peeling, exposing live conductors that frequently malfunction. The bus ducts are critical primary electrical distribution devices that supply high voltage electrical power throughout the building. The severe and continued deterioration of the ducts' insulation increases the likelihood of catastrophic electrical failures, leading to building shutdowns.

New York, NY
Ted Weiss Federal Building $11,700,000

The project would modernize the elevators in the 34 story Ted Weiss Federal Building. The elevators have reached the end of their useful life with interrupted service being a constant problem. Necessary repairs to the elevators will improve safety and ensure reliability.

New York, NY
Conrad B. Duberstein U.S. Bankruptcy Courthouse..... $5,000,000

The project would stabilize the terra cotta vaulted ceiling above the drop ceiling and remediate the lead paint covered plaster at the Conrad B. Duberstein Bankruptcy Courthouse which was constructed in 1892. The plaster ceiling has fallen through the drop ceiling on several occasions, which poses safety concerns. A temporary measure has been put in place to protect building occupants, however the falling debris needs to be addressed in a permanent manner.

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Chamblee, GA
Chamblee IRS Annex..... $3,400,000

The Internal Revenue Service Annex parking deck is experiencing excessive slab deflections, cracking and distress at both elevated slabs and multiple other serviceability and strength issues. This project will complete repair of all strength and serviceability issues including strengthening the existing elevated slabs and their supporting columns, repairing all concrete/CMU cracks and spalls, adding additional lateral force resisting shearwalls with supporting foundations, and adding a steel support frame with supporting foundation along the length of the cantilever portion of the slabs. These repairs will allow for the utilization of all of the structure's 778 parking spaces, including the approximately 115 which have been shut down due to these deficiencies.

Denver, CO
U.S. Customs House..... $3,200,000

The project includes repairs to the HVAC system, mold remediation, asbestos abatement and incidental preservation of historic features for the Customs House in affected areas. Mold remediation activities include repair of the subfloor from leaking induction units, and asbestos abatement of floor tile and floor replacement Renovations to the restrooms will be undertaken to comply with ADA compliance and to remedy existing health and safety hazards.

Missoula, MT
Missoula Federal Building Post Office and U.S. Courthouse..... $5,000,000

The project for the Missoula, MT Federal Building-Post Office and U.S. Courthouse would install a new ADA compliant elevator, replace the electrical panels and switches, install an emergency power generator; upgrade restrooms to ADA compliance, upgrade the HVAC system, repair exterior masonry and replace the hot water distribution system. The current cooling towers have passed their useful life and are in need of replacement. An EMS system will control the entire building conditioning system to provide energy savings and improve tenant comfort. A new elevator will meet ADA standards and provide access to every floor. The electrical system will be brought up to current standards. Repairs to the exterior masonry will stop water penetration and further damage to interior paint and plaster and prevent the possibility of mold growth.

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

San Francisco, CA
Phillip Burton Federal Building & Courthouse..... $5,500,000

The project includes raising existing air intakes to the third floor level from the current ground level location, reducing the level of ground contaminants entering into the ventilation system.

Portland, OR
Bonneville Power Administration Building..... $8,500,000

The building requires upgrading of elevator controls and the relocation of HVAC outside air intakes from the street level to the third floor. Elevators are experiencing reliability issues. New elevator controls will use more energy efficient equipment. The existing air intakes, which are at street level will be raised to reduce the amount of ground contaminant particles entering the ventilation system. .

Portland, OR
911 Federal Building..... $7,000,000

The project includes the replacement of the electrical service and distribution equipment and the addition of a lightning protection system to the 911 Federal Building. Nearly all of the electrical equipment is original to the 1953 office building. The electrical system is beyond its useful life and has serviceability issues as a result of parts for repair and maintenance becoming more difficult to obtain. The building does not have a lightning protection system and a facility condition assessment indicated that the building has a moderate to high risk per National Fire Protection Association (NFPA) standards.

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Anderson, SC
G. Ross Anderson Jr. Federal Building Courthouse
Dublin, GA
Roy Rowland Federal Courthouse
Charleston, SC
U.S. Customs House
Owensboro, KY
Federal Building $3,000,000

The fire alarm systems in the G. Ross Anderson Jr. Federal Building Courthouse, the Roy Rowland Federal Courthouse, the U.S. Customs House and the Federal Building are outdated and need to be replaced. The manufacturers can no longer maintain the systems because spare parts are not available. The buildings have only a single open stair for egress from the upper floors. To increase the life safety of the building and the occupants, a sprinkler system will be installed with a booster fire pump to accommodate the low water pressure and new underline water systems will be installed. The new alarm systems will include voice evacuation systems to comply with the current requirements of the NFPA 72, National Fire Alarm Code.

Washington, DC
Sidney Yates Building $11,000,000

The exterior envelope of the historic Sidney Yates Building requires repairs to ensure pedestrian safety due to the hazard of falling masonry and to combat the effects of water infiltration. The project includes re-pointing of exterior masonry walls and projecting bands, repairing damaged stone and masonry in the moat retaining walls, repairing railings around the building, caulking of exterior facing windows, repair/replace of built-in gutter lines, replace counter flashing above the gutter lines and installation of drain bodies in all rain leaders.

Washington, DC
GSA Headquarters Building $3,200,000

The elevators at the General Services Administration Headquarters Building are in need of upgrades to ensure reliability These elevators are not a part of the first phase of the current modernization project and have passed their useful life and need to be replaced. Numerous problems have been and continue to be reported, and expensive and sustained outages are common due to difficulty finding parts.

GSA PBS

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Washington, DC
Frances Perkins Building $15,000,000

The fire alarm system in the Frances Perkins Building is outdated and needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code and current GSA requirements. The manufacturer is no longer maintaining this type of system and spare parts are not available and must be fabricated at significant cost to Government. If the system fails, the building and occupants will be without a centralized way to be notified in the event of a fire emergency. In addition, the system does not have a voice component which would permit its use for other types of non-fire emergencies.

Washington, DC
Robert C. Weaver Building $12,000,000

The existing fire alarm system in the Robert C. Weaver Building, has failed several times over the past few years leaving the building without an alarm and vulnerable on multiple occasions. The system does not provide reliable service or voice communication to the building and needs to be upgraded. While there have been minor modifications and additions to the system, the antiquated hardwired system is no longer supported by manufacturers. Any failure of a major component will result in inoperable conditions since replacement parts are no longer available. In addition, the current system does not comply with the National Fire Alarm Code or GSA requirements.

Washington, DC
Harry S. Truman (Main State) Building $9,000,000

Approximately 22 elevators in the Harry S. Truman (Main State) Building need to be renovated. Since 1988, approximately one-half of the building has been part of an ongoing modernization project. However, the proposed elevator renovation is not part of the current project. The elevators are susceptible to reliability problems as the operational life of the equipment is unknown and continued availability of the parts is uncertain.

PROSPECTUS – ALTERATION
EXIGENT NEED PROJECTS
VARIOUS BUILDINGS

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

Reston, VA
John W. Powell Federal Building $10,265,000

The fire alarm system in the John W. Powell Federal Building needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code, and current GSA requirements.

Battle Creek, MI
Battle Creek Federal Center $5,013,000

The Battle Creek Federal Center, also known as the Hart-Dole-Inouye Federal Center consists of 21 buildings which contain approximately 800,000 rentable square feet of space. The buildings are located on 25 acres of land, northwest of the Battle Creek CBD. This asset is currently used by the Defense Logistics Agency and operates 24/7. The fire and life safety system does not comply with current codes and will be replaced for the entire complex. The upgraded system would include strobes, and notification devices.

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA
PVA-09-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 183,000 rentable square feet of space, including 15 parking spaces, for the Department of the Interior Fish and Wildlife Service, currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, Virginia, at a proposed total annual cost of $7,137,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 189 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 189 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 223,000 rentable square feet for the Department of the Interior (DOI) Fish & Wildlife Service (FWS) currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, VA.

Replacement of the current leases at multiple locations will enable DOI-FWS to provide continued housing for current personnel and also to accommodate projected increases in staffing needed to launch a new initiative to track the effects of climate change on wildlife. In meeting both its current and proposed mission requirements, DOI-FWS will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 164 USF to 129 USF per person and its overall utilization rate from 243 USF to 190 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new hires in 35,000 RSF less space than the total of current occupancies.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases in 2013 and 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the Department of Interior, Fish and Wildlife elements, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part.

PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Description

Occupant:	FWS
Lease Type	Replacement
Current Rentable Square Feet (RSF)	258,373 (Current RSF/USF = 1.2)
Proposed Maximum RSF:	223,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 35,373 RSF
Current Usable Square Feet/Person:	243
Proposed Usable Square Feet/Person:	190
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	1/2/2013, 9/11/2013, 9/30/2013 and 4/14/2014
Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	15
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$39.00
Proposed Total Annual Cost[2]:	$8,697,000
Current Total Annual Cost:	$8,942,741 (leases effective 1/3/03, 8/12/02, 10/1/08, 4/15/04)

Background

The FWS headquarters was established on North Fairfax Drive approximately 24 years ago. Currently, staff occupies all or portions of three adjacent buildings. Due to this adjacency, FWS has installed a secure, underground fiber optic network connecting the buildings. The existing housing solution for FWS indicates that multiple adjacent buildings as well as a single building can meet the agency's requirements for an integrated headquarters operation. This is reflected in the acquisition strategy indicated above.

[1]This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[2]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Justification

FWS is currently housed in multiple building under multiple leases that will expire in 2013 and 2014. In addition, FWS has established a new initiative to track the effects of climate change on wildlife and their habitats. New hires coming on board between 2010 and 2013 will support this new initiative. The leasing strategy proposed in this prospectus will provide housing for all current FWS personnel as well as new hires to ensure continuing performance of the FWS mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Proposals and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTHERN VIRGINIA

Prospectus Number: PVA-09-WA13
Congressional District: 8, 10, 11

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 22, 2012

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Martha Johnson
Administrator, General Services Administration

November 2011

Housing Plan
Department of Interior
Fish and Wildlife Service

PVA-09-WA13
Northern, VA

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
4501 N Fairfax Drive	293	293	57,805		7,317	65,122						
4301 N Fairfax Drive	135	135	25,997		4,174	30,171						
4401 N Fairfax Drive	459	459	102,697	5,821	11,500	120,018						
Proposed Lease(s)							979	979	162,527		23,107	185,634
Total	887	887	186,499	5,821	22,991	215,311	979	979	162,527		23,107	185,634

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	164	129

* UR = average amount of office space per person
Current UR excludes 41,030 usf of office support space
Proposed UR excludes 35,756 usf of office support space

USF/Person **		
	Current	Proposed
Rate	243	190

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	215,311	1.2	258,373
Proposed	185,634	1.2	223,000

Special Space	USF
IT Data Center	2,635
Conference/Training	3,800
Kitchenettes	3,500
Library/Map	5,872
Evidence/Weapons Storage	2,800
Secure Loading/Receiving	2,000
FPS Entry Screening	1,500
Health/Wellness Area	1,000
Total	23,107

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building
Usable square footage does not include space devoted to building operations and maintenance

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC
PDC-05-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 155,000 rentable square feet of space, including 11 parking spaces, for the National Labor Relations Board, currently located at 1099 14th Street, NW, Washington, DC, at a proposed total annual cost of $7,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC

Prospectus Number: PDC-05-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 155,000 rentable square feet of space for the National Labor Relations Board (NLRB) in Washington, DC. NLRB is currently located in the Franklin Court Building at 1099 14th St., NW, Washington, DC.

NLRB will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 179 USF to 130 USF per person and its overall utilization rate from 307 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house NLRB personnel in approximately 92,000 RSF less space than the current occupancy.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Description

Occupant:	NLRB
Lease Type	Replacement
Current Rentable Square Feet (RSF)	247,219 (Current RSF/USF =1.25)
Proposed Maximum RSF:	155,000 (Proposed RSF/USF=1.2)
Expansion Space RSF:	Reduction of 92,219 RSF
Current Usable Square Feet/Person:	307
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	June 24, 2013
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	11
Scoring:	Operating Lease

PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC

Prospectus Number: PDC-05-WA13

Maximum Proposed Rental Rate[1]:	$50.00
Proposed Total Annual Cost[2]:	$7,750,000
Current Total Annual Cost:	$11,264,352 (lease effective 6/25/08)

Background

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.

Justification

The current lease at 1099 14th Street, NW, Washington, DC expires on June 24, 2013. NLRB has been housed at this location since 1993. NLRB requires continued housing to carry out their mission and plans to do so in a more efficient real estate footprint. NLRB will be transitioning from a traditional workplace environment to one which is more flexible and conducive to a mobile work environment. Innovative approaches to space management and alternative workplace arrangements such as telework are under consideration. These strategies will increase NLRB's space efficiencies, reduce their footprint, and generate increased real estate cost savings long term.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

---

[1] This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
NATIONAL LABOR RELATIONS BOARD
WASHINGTON, DC

Prospectus Number: PDC-05-WA13

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on JUL 5 2012

Recommended: _____
Acting Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

October 2011

Housing Plan
NLRB

PDC-05-WA13
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1099 14th Street NW, Washington, DC	645	645	147,950	8,854	40,966	197,770						
Proposed Lease		-					645	645	107,500	2,817	18,683	129,000
Total	645	645	147,950	8,854	40,966	197,770	645	645	107,500	2,817	18,683	129,000

Office Utilization Rate (UR) *		
	Current	Proposed
Utilization Rate	179	130

* UR = average amount of office space per person
Current UR excludes 32,549 USF of office support space
Proposed UR excludes 23,650 USF of office support space

USF/Person **		
	Current	Proposed
Rate	307	200

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	197,770	1.25	247,219
Proposed	129,000	1.2	155,000

Special Space	USF
Computer Room	1,476
Conference Room	3,612
Copy Room	838
Health Unit	680
Kitchen/Break Rooms	2,142
Libraries	2,738
Mail Room	880
Court Rooms	2,059
Credit Union	836
Training Rooms	1,218
Cases File Room	2,208
Total	18,683

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building
Usable square footage does not include space devoted to building operations and maintenance

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC
PDC-12-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 135,000 rentable square feet of space, for the Department of Commerce, Bureau of Economic Analysis, currently located at 1441 L Street, NW, Washington, DC, at a proposed total annual cost of $6,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 197 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 197 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC

Prospectus Number: PDC-12-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 135,000 rentable square feet for the Department of Commerce (DOC), Bureau of Economic Analysis (BEA) currently located at 1441 L Street, NW, in Washington, DC. BEA has occupied space in this building under the current lease since 1993.

In meeting its mission requirements, BEA will improve its office utilization rate from 132 USF to 124 USF per person and its overall utilization rate from 226 USF to 197 USF per person. This will result in a 12,960 RSF space reduction in relation to its current occupancy.

Description

Occupants:	DOC-BEA
Lease Type:	Replacement
Current Rentable Square Feet (RSF)	147,960 (Current RSF/USF=1.13)
Proposed Maximum RSF[1]:	135,000 (Proposed RSF/USF=1.2)
Expansion Space:	Reduction of 12,960 RSF
Current Usable Square Feet/Person	226
Proposed Usable Square Feet/Person	197
Proposed Maximum Leasing Authority:[2]	15 years
Expiration Date of Current Lease:	June 12, 2013
Proposed Delineated Area:	Washington, DC Central Employment Area,
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate[3]:	$50.00 per rentable square foot
Proposed Total Annual Cost[4]:	$6,750,000
Current Total Annual Cost:	$4,378,732 (lease effective 6/13/1993)

[1] The RSF/USF at the current location is approximately 1.13; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

[2] In order to provide flexibility for BEA to consolidate into federally owned space, the procurement of space will be for a 10-year term and 5-year option.

[3] This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC

Prospectus Number: PDC-12-WA13

Background

Some of the widely used statistical measures produced by BEA include gross domestic product (GDP), personal income and outlays, corporate profits, GDP by state and by metropolitan area, balance of payments, and GDP by industry. These statistics are used by Federal, state, and local governments for budget development and projections; by the Federal Reserve for monetary policy; and by the business sector for planning and investment.

Justification

The current lease at 1441 L Street, NW, Washington, DC expires on June 12, 2013, and BEA requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

PROSPECTUS – LEASE
DEPARTMENT OF COMMERCE
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, DC

Prospectus Number: PDC-12-WA13

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

January 2012

Housing Plan
Bureau of Economic Analysis

Washington, DC
PDC-12-WA13

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1441 L Street NW	566	566	95,520	-	32,272	127,792				-		-
Proposed Lease							570	570	90,424	-	22,091	112,515
Total	566	566	95,520	-	32,272	127,792	570	570	90,424	-	22,091	112,515

Special Space	USF
Kitchen	1,836
Conf/Training	7,219
File Rooms	5,345
Fitness Center	1,985
Bike Storage	253
Library	581
Health Unit	756
Break Room	700
IT Space	2,449
Mail Room	479
Copy Rooms	488
Total	22,091

Office Utilization Rate*		
	Current	Proposed
Rate	132	124

* UR = average amount of office space per person
Current UR excludes 21,014 USF of office support space
Proposed UR excludes 19,915 USF of office support space

USF/Person **		
	Current	Proposed
Rate	226	197

**USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	127,792	1.13	147,960
Proposed	112,515	1.20	135,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units, and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms, and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC
PDC-11-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 214,000 rentable square feet of space, including three parking spaces, for the Department of Health and Human Services, Administration for Children and Families, currently located at 901 D Street, SW and at 1250 Maryland Avenue, SW, Washington, DC, at a proposed total annual cost of $10,700,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 170 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 170 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC

Prospectus Number: PDC-11-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 214,000 rentable square feet (RSF) for the Department of Health and Human Services (HHS) Administration for Children and Families (ACF). ACF is currently located at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington DC.

Replacement of the current leases will enable HHS ACF to provide continued housing for current personnel and future staff members. In meeting its current mission requirements, HHS ACF will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 150 USF to 118 USF and its overall utilization rate from 209 USF to 170 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new personnel in 27,980 RSF less than the total of current occupancies.

Acquisition Strategy

Although ACF has expressed a preference to be located in one building, that preference must be evaluated in the context of a competitive procurement that may result in one or more locations. GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Description

Occupant:	HHS-ACF
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	241,980 (current RSF/USF = 1.16)
Proposed Maximum RSF[1]:	214,000 (market RSF/USF = 1.2)
Expansion Space RSF:	Reduction of 27,980 RSF
Current Usable Square Feet/Person:	209
Proposed Usable Square Feet/Person:	170
Proposed Maximum Leasing Authority:	15 years

[1]The average RSF/USF at the current locations is approximately 1.16, however to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC

Prospectus Number: PDC-11-WA13

Expiration Date(s) of Current Lease(s):	11/30/14, 12/31/14
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	3
Scoring:	Operating lease
Maximum Proposed Rental Rate[2]:	$50.00
Proposed Total Annual Cost[3]:	$10,700,000
Current Total Annual Cost:	$11,299,045 (leases effective 12/1/09 and 1/1/10)

Backround

ACF is responsible for federal programs that promote the economic and social well-being of families, children, individuals, and communities. Actual services are provided by state, county, city and tribal governments, and public and private local agencies. ACF assists these organizations through funding, policy direction, and information services.

Justification

ACF is currently housed at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington, DC, under leases that expire December 31, 2014, and November 30, 2014, respectively. ACF requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on November 30 and December 31, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] This estimate is for fiscal year 2015 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC

Prospectus Number: PDC-11-WA13

Energy Performance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
WASHINGTON, DC

Prospectus Number: PDC-11-WA13

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

February 2012

Housing Plan
HHS-ACF

PDC-11-WA13
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
		-				-						
901 D Street, SW. Washington DC	785	785	147,261	-	12,954	160,215						
1250 Maryland Avenue, SW, Washington DC	218	218	45,843		3,327	49,170						
Proposed Lease		-					1,049	1,049	159,094	-	19,236	178,330
Total	1,003	1,003	193,104	-	16,281	209,385	1,049	1,049	159,094	-	19,236	178,330

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	150	118

* UR = average amount of office space per person
Current UR excludes 42,483 USF of office support space
Proposed UR excludes 35,001 USF of office support space

Special Space	USF
Conference/Training	9,506
LAN/Data	3,287
Mail Room	1,256
Food Service/Cafeteria	5,085
Private Toilet	102
Total	19,236

USF/Person **		
	Current	Proposed
Rate	209	170

** USF/Person = housing plan total USF divided by total personnel

	Total USF	USF/RSF	Maximum RSF
Current	209,385	1.16	241,980
Proposed	178,330	1.20	214,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC
PDC-02-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 110,000 rentable square feet of space, for the Department of Homeland Security, Office of the Inspector General, currently located at 1120 Vermont Avenue, NW, Washington, DC, at a proposed total annual cost of $5,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 211 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 211 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC

Prospectus Number: PDC-02-WA13

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 110,000 rentable square feet (RSF) of space for the Department of Homeland Security (DHS), Office of the Inspector General (OIG), currently located under multiple leases at 1120 Vermont Avenue, NW, Washington, DC.

In meeting its mission requirements, DHS-OIG will improve its office utilization rate from 143 usable square feet (USF) to 114 USF per person and its overall utilization rate from 256 USF to 211 USF per person. This will result in a 13,976 RSF space reduction in relation to its current occupancy of 123,976 RSF.

Description

Occupant:	DHS / OIG
Lease Type:	Replacement
Current RSF:	123,976 (Current RSF/USF = 1.12)
Proposed Maximum RSF[1]:	110,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 13,976 RSF
Current USF/Person:	256
Proposed USF/Person:	211
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	09/15/13, 01/21/14 and 03/31/14
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate:	$50.00 per RSF
Proposed Total Annual Cost[2]:	$5,500,000
Current Total Annual Cost[3]:	$5,403,856 (lease effective dates 9/16/03, 1/22/98, and 4/1/04)

[1] The RSF/USF at the current location is approximately 1.12; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

[2] This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[3] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC

Prospectus Number: PDC-02-WA13

Justification

The current leases are expiring as noted above, and DHS OIG requires continued housing to carry out its mission. A replacement lease will provide the opportunity to improve the agency's utilization of space and reduce the overall rsf leased.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases from September 2013 to March 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy

GSA **PBS**

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON, DC

Prospectus Number: PDC-02-WA13

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

May 2012

Housing Plan
DHS-OIG

Washington, DC
PDC-02-WA13

Location(s)	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1120 Vermont Avenue, NW	433	433	79,328	3,795	27,514	110,637						
Proposed Lease							433	433	63,250	-	28,204	91,454
TOTALS	433	433	79,328	3,795	27,514	110,637	433	433	63,250	-	28,204	91,454

Special Space	
ADP	2,606
Conference /Training	7,983
Food Service / Break	1,594
Equipment Rooms	5,910
Library	800
Public Reception Areas	500
File Rooms	5,363
Supply / Distribution	2,468
SCIF	980
Total	28,204

Office Utilization Rate*		
	Current	Proposed
Rate	143	114

* UR = average amount of office space per person
Current Office UR excludes 17,452 usf of office support space
Proposed Office UR excludes 13,915 usf of office support space

Overall Utilization Rate**		
	Current	Proposed
Rate	256	211

**USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	110,637	1.12	123,976
Proposed	91,454	1.20	110,000

Usable square footage means the portion of the building available for use by the tenant's personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units, and snack bars).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC
PDC-01-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 77,000 rentable square feet of space, including three parking spaces, for the Department of Justice Civil Division, currently located at 20 Massachusetts Avenue, NW, Washington, DC, at a proposed total annual cost of $3,850,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 323 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 323 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC

Prospectus Number: PDC-01-WA13

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 77,000 rentable square feet (rsf) for the Department of Justice (DOJ) Civil Division. DOJ is currently located at 20 Massachusetts Avenue, NW, Washington, DC under a lease that expires September 23, 2012.

DOJ requires continued housing at this location while undertaking a full scale re-evaluation of its current space allocation standards. This review will provide DOJ with a strategy to significantly improve their space utilization while reducing their office space requirement. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location.

In addition, space realignment and utilization rate improvement would be highly disruptive to DOJ's continuing performance of its mission. This location houses DOJ's Civil Division, Federal Programs Branch. The Federal Programs Branch represents virtually the entire Executive Branch in sensitive and high-profile civil litigation matters. Some Federal Program Branch attorneys and paralegals must work in special space secured for the processing of large volumes of classified information. As some of this specialized litigation winds down, it is anticipated that 9,500 usable square foot of secure space will be released from the DOJ inventory at this location. The Federal Programs Branch must remain in the space at 20 Massachusetts Ave as currently configured. DOJ Civil Division Federal Programs will also accommodate all general growth within this footprint for the extension period.

Description

Occupant:	DOJ Civil Division
Lease Type:	Extension
Current Rentable Square Feet (RSF):	121,300 (Current RSF/USF = 1.15)
Proposed Maximum RSF:	77,000 (Proposed RSF/USF = 1.15)
Expansion Space RSF:	Reduction of 44,300
Current Usable Square Feet/Person:	344
Proposed Usable Square Feet/Person:	323
Proposed Maximum Leasing Authority:	5 years
Expiration Dates of Current Lease(s):	9/23/2012
Delineated Area:	20 Massachusetts Ave, NW, Washington, DC
Number of Official Parking Spaces:	3
Scoring:	Operating Lease

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC

Prospectus Number: PDC-01-WA13

Maximum Proposed Rental Rate[1]:	$50.00
Proposed Total Annual Cost[2]:	$3,850,000
Current Total Annual Cost:	$6,186,334(lease effective 9/24/02)

Justification

The mission of the DOJ Civil Division is to litigate on behalf of the U.S. Government; attorneys constitute 90 percent of the staff. The current leases for DOJ at 20 Massachusetts Avenue, NW, in Washington, DC expired on September 23, 2012 and DOJ Civil Division requires continued housing to carry out its mission.

This prospectus seeks authority to house the continued need of the Civil Division of DOJ at 20 Massachusetts Ave. The U.S. Trustees Division, which currently occupies a portion of the space in 20 Massachusetts Avenue, NW, will be relocating to another federally owned property in January 2013.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

[1] This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.
[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
WASHINGTON, DC

Prospectus Number: PDC-01-WA13

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

September 2012

Housing Plan
Department of Justice

PDC-01-WA13
Washington, DC

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
20 Massachusetts Avenue		-				-						
Civil Division	207	207	51,416	3,877	11,614	66,907						
U.S. Trustees	100	100	26,921	3,421	8,229	38,571						
Proposed Lease (Civil Division)							207	207	51,416	3,877	11,614	66,907
Total	307	307	78,337	7,298	19,843	105,478	207	207	51,416	3,877	11,614	66,907

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	184	179

* UR = average amount of office space per person
Current UR excludes 21,949 usf of office support space
Proposed UR excludes 14,337 usf of office support space

USF/Person **		
	Current	Proposed
Rate	344	323

** USF/Person = housing plan total USF divided by total personnel

Special Space (USF)	
Type	Proposed
IT	1,015
Conference	2,970
Copy	744
Kitchen/Break	895
Trial Prep	1,441
SCIF	430
Fitness Room	1,349
Supply/Mail	761
Library	2,009
Total	11,614

The 100 personnel in the U.S. Trustees office will be relocating to federally owned space under the custody and control of the Government Accountability Office in early 2013.

	Total USF	RSF/USF	Maximum RSF
Current	105,478	1.15	121,300
Proposed	66,907	1.15	77,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC
PDC-08-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 170,868 rentable square feet of space, including one parking space, for the Department of Veterans Affairs, Veterans Benefits Administration and Office of Information Technology, currently located at 1800 G Street, NW, Washington, DC, at a proposed total annual cost of $8,543,400 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 135 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 135 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC

Prospectus Number: PDC-08-WA13

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 170,868 rentable square feet (RSF) of space for Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) and Office of Information Technology (OIT) currently located at 1800 G Street NW, Washington, DC. Currently, VA has two leases expiring on April 30, 2014, and GSA is seeking a five-year lease extension to meet VA's space needs until their planned move to the federally owned Lafayette Building, currently undergoing modernization.

Description

Occupants:	VA (VBA and OIT)
Lease Type:	Lease Extension
Current Rentable Square Feet:	170,868 RSF (Current RSF/USF = 1.2)
Proposed Maximum RSF:	170,868 RSF (Market RSF/USF = 1.2)
Expansion Space:	None
Current Usable Square Feet/Person:	135
Proposed Usable Square Feet/Person:	135
Proposed Maximum Leasing Authority:	5 years
Expiration Date of Current Leases:	April 30, 2014
Delineated Area:	1800 G Street, NW, Washington, DC
Number of Official Parking Spaces:	1
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$50.00
Proposed Total Annual Cost[2]:	$8,543,400
Current Total Annual Cost:	$6,233,879 (leases effective May 1, 1994)

Background

VA operates the nation's largest integrated health care system with more than 1,400 sites of care, including hospitals, community clinics, community living centers, domiciliary, readjustment counseling centers, and various other facilities. In addition, VA provides a variety of benefits

[1] This estimate is for fiscal year 2014 to and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC

Prospectus Number: PDC-08-WA13

including education and training, life insurance, dependent and survivor benefits, vocational rehabilitation, and burial services.

Justification

VA has asked to extend its current leasehold tenancy at 1800 G Street NW for five years to be positioned to move to the Lafayette Building for its longer term space requirements. The multi-phase Lafayette modernization is currently underway. VA still has a need for space to complete its mission; however, GSA and VA currently plan to consolidate all VA leases currently at 1800 G Street NW into Lafayette as part of the housing strategy for the building's renovation project.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF VETERANS AFFAIRS
1800 G STREET, NW
WASHINGTON, DC

Prospectus Number: PDC-08-WA13

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

October 2011

Housing Plan
Department of Veterans Affairs

PDC-08-WA13
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total *	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1800 G Street NW	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390
Total	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390

Office Utilization Rate (UR) **		
	Current	Proposed
Rate	98	98

** UR = average amount of office space per person
Current UR excludes 23,948 USF of Office for support space
Proposed UR excludes 23,948 USF of office for support space

USF/Person ***		
	Current	Proposed
Rate	135	135

*** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	142,390	1.2	170,868
Proposed	142,390	1.2	170,868

Special Space	USF
Reception	2,200
Conference	15,200
Copy/Supply	1,660
Computer Room	2,681
Health Unit	2,766
Training	1,447
Operations War Room	4,917
Kitchen	408
File Room	674
Credit Union	257
Total	32,210

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

** Delta between Office and Total Personnel represents "surge" contractors who do not come into the office full time and are associated with funded T21 (Transformational Issues for the 21st century) initiatives.*

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PATROL
QUEENS, NY
PNY-02-QU13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 146,000 rentable square feet of space, including 217 parking spaces, for the Department of Homeland Security U.S. Customs and Border Protection, currently located at JFK Airport, Building 77, Queens, NY, at a proposed total annual cost of $6,716,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY

Prospectus Number:	PNY-02-QU13
Congressional District:	06

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 146,000 rentable square feet (RSF) for the Department of Homeland Security (DHS) U.S. Customs and Border Protection (CBP) in support of their operations at JFK Airport. DHS-CBP's current leased location, Building 77, has been occupied since June, 1992. The lease expired on June 18, 2012.

This proposed replacement lease will provide DHS-CBP with the opportunity to improve space utilization efficiency while accommodating 98 additional personnel in field operations, internal affairs, and the regulatory office.

Description

Occupant:	DHS – CBP
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	146,000 (Current RSF/USF=1.15)
Proposed Maximum RSF:	146,000 (Proposed RSF/USF=1.15)
Expansion Space:	None
Current Usable Square Feet/Person:	236
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	6/18/12
Proposed Delineated Area:	North: Intersection of Lefferts Blvd. and S. Conduit Rd. heading east to Rockaway Blvd. then heading east to Brookville Blvd; West: Lefferts Blvd; East: Head of Bay; South: Jamaica Bay
Number of Official Parking Spaces:	217
Scoring:	Operating Lease
Maximum Proposed Rental Rate[1]:	$46.00 per rsf
Proposed Total Annual Cost[2]:	$6,716,000
Current Total Annual Cost:	$8,500,685(lease effective 6/19/92)

[1] This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses, whether paid by the lessor or directly by the Government.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. Parking is included in the proposed rent.

GSA PBS

PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY

Prospectus Number:	PNY-02-QU13
Congressional District:	06

Background

DHS-CBP currently occupies approximately 146,000 rsf of space in Building 77 at JFK Airport, Queens, NY. The DHS-CBP operation at JFK Airport monitors half the cargo imported into the United States as well as 10.2 million passengers a year. JFK Airport consists of six passenger processing facilities, a mail facility, 39 airline warehouses, 82 container stations, 15 bonded warehouses and 2 Foreign Trade Zones located on or around the airport. The current lease at Building 77 expired on 6/18/2012. GSA will execute an interim leasing action necessary to ensure continued housing until the effective date of the new lease.

Justification

A location on or near the JFK Airport property is essential to CBP's mission of servicing the broker community in a timely manner on the airport premises. Close access to the airport tarmac is essential to the agency's law enforcement mission.

CBP will improve its utilization of space, resulting in the improvement of its office utilization rate from 134 usable square feet (USF) to 113 USF per person and its overall utilization rate from 236 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house an additional 98 personnel in the same amount of space as the current occupancy.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rate of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA PBS

PROSPECTUS - LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
QUEENS, NY

Prospectus Number: PNY-02-QU13
Congressional District: 06

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency until the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

May 2012

Housing Plan
Department of Homeland Security
U.S. Customs and Border Protection

Queens, NY
PNY-02-QU13

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
JFK Airport Building 77	537	537	92,376	3,272	31,233	126,881						
Replacement Lease							635	635	92,376	3,272	31,233	126,881
Total:	537	537	92,376	3,272	31,233	126,881	635	635	92,376	3,272	31,233	126,881

Office Utilization Rate*		
	Current	Proposed
Rate	134	113

*UR=average amount of office space per person.
Current UR excludes 20,323 of usf office support space
Prosposed UR excludes 20,323 of usf office support space

USF/Person **		
	Current	Proposed
Rate	236	200

**USF/Person = housing plan total USF divided by total personnel

Special Space	
Conference Rooms	4,802
Training Rooms	1,830
Fitness Center	3,000
Locker Rooms	2,000
Kitchenettes	2,500
ADP	1,840
Evidence Rooms	1,425
Holding Cells	225
Interview Rooms	1,100
Securing Processing	2,608
Private Toilets	145
Kennel Support	2,758
Firing Range	7,000
Total:	31,233

	Total USF	RSF/USF	Maximum RSF
Current	126,881	1.15	146,000
Proposed	126,881	1.15	146,000

Usable square footage means the portion of the building available for use by tenants' personnel, furnishings and space. available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance (i.e. restroom, lobbies, building supply rooms).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA
PVA-04-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 585,000 rentable square feet of space, including 10 parking spaces, for the Department of Defense, currently located at 2530 Crystal Drive, Arlington, Virginia, at a proposed total annual cost of $22,815,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 163 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 163 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 585,000 rentable square feet (RSF) for the Department of Defense (DOD), currently located at the Zachary Taylor Building, 2530 Crystal Drive, Arlington, Virginia. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. It will continue to maintain a highly efficient office space utilization rate of 108 and an overall space utilization of 163 usable square feet per person.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the DOD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Description

Occupant:	Department of Defense
Lease Type	Replacement
Current Rentable Square Feet (RSF)	549,317 (Current RSF/USF = 1.13)
Proposed Maximum RSF[1]:	585,000 (Market RSF/USF = 1.2)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	163
Proposed Usable Square Feet/Person:	163
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/30/13, 12/9/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces[2]:	10
Scoring:	Operating Lease

[1] The RSF/USF at the current location is approximately 1.13. The proposed maximum RSF does not represent expansion space but the amount needed to provide 487,019 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.20 in order to maximize competition.

[2] DOD security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Maximum Proposed Rental Rate[3]:	$39.00
Proposed Total Annual Cost[4]:	$22,815,000
Current Total Annual Cost:	$20,020,180 (leases effective 5/1/03 and 12/1004)

Justification

The leases at 2530 Crystal Drive, Arlington, VA expire on April 30, 2013 (524,867 RSF) and December 9, 2014 (24,450 RSF), and DOD requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2013 and December 9, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[3] This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
ZACHARY TAYLOR BUILDING
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA13
Congressional District: 8,10,11

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

November 2011

Housing Plan
Department of Defense

PVA-04-WA13
Northern VA

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Zachary Taylor Building	2,997	2,997	415,934		71,085	487,019						
Proposed Lease							2,997	2,997	415,934		71,085	487,019
Total	2,997	2,997	415,934		71,085	487,019	2,997	2,997	415,934		71,085	487,019

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	108	108

* UR = average amount of office space per person
Current UR excludes 91,505 USF of Office for support space
Proposed UR excludes 91,505 USF of office for support space

USF/Person **		
	Current	Proposed
Rate	163	163

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	487,019	1.13	549,317
Proposed	487,019	1.20	585,000

Special Space	USF
Conference	35,357
Spec Workrooms	3,059
File Room	350
Break Rooms	2,500
Fitness Rooms	7,300
Library	2,200
Training	2,454
SCIFs	3,885
Hearing/Board Rm	3,230
Labs	10,750
Total	71,085

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA
PVA-06-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 448,000 rentable square feet of space, including 11 parking spaces, for the Department of Defense, Department of the Army, currently located at 200 Stovall Street, Alexandria, Virginia, at a proposed total annual cost of $17,472,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 176 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 176 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 448,000 rentable square feet (RSF) of space for the Department of Defense (DoD) Department of the Army, located at Hoffman II, 200 Stovall St, Alexandria, VA. The two leases for DoD, effective in 2000 and 2004 expire April 19, 2014.

DoD will improve its utilization of space, resulting in the improvement of its office utilization rate from 178 usable square feet (USF) to 111 USF per person and its overall utilization rate from 261 USF to 176 USF per person. As a result, this prospectus proposes to house DoD personnel in approximately 158,000 RSF less space than their current occupancy of 606,575 RSF.

Description

Occupants:	DoD
Lease Type:	Replacement
Current RSF:	606,575 (Current RSF/USF = 1.09)
Proposed Maximum (RSF):	448,000 (Proposed RSF/USF = 1.20)
Expansion Space: [1]:	Reduction of 158,575 RSF
Current USF/Person:	261
Proposed USF/Person:	176
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases	4/19/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces[2]:	11
Scoring:	Operating lease
Maximum Proposed Rental Rate[3]:	$39.00
Proposed Total Annual Cost[4]:	$17,472,000

[1] The RSF/USF at the current location is approximately 1.09, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

[3] This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Current Total Annual Cost: $17,660,326 (leases effective 3/3/00 and 4/20/04

Justification

The current leases at Hoffman II, 200 Stovall St in Alexandria, VA, expire on April 19, 2014, and DoD requires continued housing to carry out its mission. The proposed replacement lease(s) will significantly improve the utilization of space to house this DoD requirement.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 19, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Acquisition Strategy

In order to maximize the flexibility in acquiring space to house the DoD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
HOFFMAN II
NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA13
Congressional District: 8,10,11

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

April 2012

Housing Plan
Department of Defense

Northern Virginia
PVA-06-WA13

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Hoffman II Building	2,124	2,124	484,513		70,481	554,994						
Proposed Lease							2,124	2,124	303,217		70,481	373,698
Total	2,124	2,124	484,513	-	70,481	554,994	2,124	2,124	303,217	-	70,481	373,698

Office Utilization Rate (UR) *		
	Current	Proposed
Utilization Rate	178	111

* UR = average amount of office space per person
Current UR excludes 106,593 USF of Office for support space
Proposed UR excludes 66,708 USF of office for support space

USF/Person **		
	Current	Proposed
Rate	261	176

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	554,994	1.09	606,575
Proposed	373,698	1.2	448,000

Special Space	USF
Library	39,974
LAN/Telecom/Servers	2,836
Conference/Training	21,684
Lab/Test Lab/Demo Rms	1,617
Controlled Storage	2,206
Interview Rooms	200
Audit Support	157
Grand Jury/Secured Room	720
Training/Work Area	590
Equipment & Processing Area	345
Concession	152
Total	70,481

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA
PVA-07-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a consolidation and expansion lease of up to 169,000 rentable square feet of space, including 33 parking spaces, for the Department of Homeland Security, U.S. Customs and Border Protection, National Targeting Centers, currently located at 12825 Worldgate Plaza, Reston, Virginia and 12379 Sunrise Valley Drive, Herndon, Virginia, at a proposed total annual cost of $6,591,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 207 square feet or less per person as detailed in the prospectus.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 207 square feet or higher per person as detailed in the prospectus.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a consolidation and expansion lease of 169,000 rentable square feet (RSF) for the U.S. Customs and Border Protection (CBP), National Targeting Centers (NTC) currently housed at 12825 Worldgate Plaza, Reston, VA and 12379 Sunrise Valley Drive, Herndon, VA. The new lease will provide a facility that accommodates NTC's programmatic and personnel growth and functionally integrates NTC's two operational units – NTC Passenger and NTC Cargo.

Description

Occupant:	DHS / CBP / NTC
Lease Type:	Consolidation
Current RSF	90,574 (Current RSF/USF=1.11)
Proposed Maximum RSF	169,000 (Proposed RSF/USF=1.2)
Expansion Space: [1]	78,426 RSF
Current USF/ Person:	166
Proposed USF/ Person:	207
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/9/13 and 3/11/17
Delineated Area:	Northern Virginia / Dulles Corridor, (Rte 7 to the North / Rte 267 to the East / Rte 50 to the south / Rte 28 to the West)
Number of Official Parking Spaces: [2]	33
Scoring:	Operating lease
Maximum Proposed Rental Rate: [3]	$39.00
Proposed Total Annual Cost: [4]	$6,591,000
Current Total Annual Cost:	$2,683,842 (leases effective 12/26/02 and 3/12/07)

[1] Expansion space is required to accommodate additional seats and special space detailed in the housing plan.

[2] Security requirements may necessitate control of available parking at the location leased. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

[3] This estimate is for fiscal year 2016 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation.

[4] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Background

NTC is currently housed in two locations along the Dulles Corridor of Northern Virginia. NTC's mission is to screen inbound and outbound airline passengers and shipping cargo to protect the United States from terrorist threats.

NTC-Passenger unit (NTC-P) was established in November 2001 and has been in its current Reston location since 2003. Its primary function is to support CBP's priority mission to prevent terrorists and terrorist weapons from entering or exiting the United States, while simultaneously facilitating legitimate trade and travel. Working relationships include the Coast Guard, U.S. Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA) including the Federal Air Marshal Service, Federal Bureau of Investigation, the Department of State, and international organizations such as Interpol, the Canadian National Risk Assessment Centre, and the Joint Border Operations Centre – United Kingdom.

NTC-Cargo unit (NTC-C) was created to target high risk cargo shipments that may pose a threat to the internal security of the United States. Its primary function is similar to NTC-P in support of CBP's mission. The unit partners internationally with customs units in other countries around the world as well as many other federal agencies such as the TSA, the Food and Drug Administration and ICE.

The NTC operational mission supports the White House initiative on Travel and Tourism in its work with Visa Application vetting. The NTC consolidation also supports the White House initiative on Global Supply Chain Security to promote the efficient and secure movement of goods, protecting the supply chain from exploitation and reducing its vulnerabilities to disruption.

Justification

This proposed lease action will house the expanded and consolidated NTC consisting of NTC-P and NTC-C. It will accommodate NTC's expected personnel growth as a result of programmatic expansion and growth in special space that is required for the increased programs.

The consolidation of these two units into a single location is intended to provide greater efficiencies for each group and provide additional space to accommodate programmatic growth. The special space currently occupied by the centers is insufficient for NTC to effectively fulfill its mission. NTC-C does not currently have immediate access to certain types of space located

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

within NTC-P; this inhibits the sharing of data between the two organizations. Also, the NTC-P has grown from its initial complement of 20 personnel in 2001 to the current level of 307; NTC-C has also grown from approximately 40 personnel in 2007 when it was established to the current level of 407. From FY2011 through FY2013, both units of the NTC are expected to grow to a total of 1,132 employees, 680 of whom will be on shift work at any given time as noted in the Housing Plan. The additional personnel require increased special space for certain operations, security areas, fitness center and locker rooms for law enforcement personnel, and LAN (Local Area Network) rooms for both classified and unclassified material. All of these are in direct support of the time sensitive nature of operations at the NTC. Both units have been given increasingly greater responsibility during the past two years in response to incidents such as the Northwest Airlines passenger with explosive materials in his clothing in December 2009, the attempted bombing of Times Square in May 2010, and the explosives shipped in printer cartridges in October 2010, but thwarted in the United Kingdom and the UAE due to international partnerships established by the NTC.

Housing NTC-P and NTC-C in separate facilities increases the risk that a passenger or cargo related terrorist threat will not be discovered in time enough to protect our national security. Interdicting terrorist travelers or cargo requires time sensitive operations. A passenger threat often leads to a cargo threat that must immediately be evaluated. Consolidating NTC-P and NTC-C will enable NTC to more quickly pursue potential links between passenger and cargo cases. In its current state NTC-C has to travel to NTC-P when it needs to use certain space not currently available to it. For emergent events minutes can be critical.

The proposed Dulles Corridor delineated area allows the NTC to remain in proximity to other intelligence and targeting groups of the Federal government and maintain proximity to telecommunications trunk lines in the Dulles Corridor, and Dulles Airport.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date of the proposed new lease. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
U.S. CUSTOMS AND BORDER PROTECTION
NATIONAL TARGETING CENTERS
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13
Congressional Districts: 8, 10, 11

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2012

PVA-07-WA13
Northern VA

Housing Plan
Department of Homeland Security
Customs and Border Protection
National Targeting Centers

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)*				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
12379 Sunrise Valley Drive, Reston, VA	307	307	14,244	5,179	8,914	28,337						
12825 Worldgate Plaza, Herndon, VA	407	407	34,847	0	18,187	53,034						
Proposed Lease							1,132	1,132	66,597	7,550	66,903	141,050
TOTAL:	714	714	49,091	5,179	27,101	81,371	1,132	1,132	66,597	7,550	66,903	141,050

Note: Current total employees housed in the separate NTC locations are 714 working on rotating shifts with a maximum of 490 per shift.
Proposed total employees housed in the consolidated NTC are 1,132 working on rotating shifts with a maximum of 680 per shift.

Office Utilization Rate (UR)* Maximum Shift		
	Current	Proposed
Employees	490	680
Rate	78	76

*UR = average amount of office space per person
Current UR excludes 10,800 usf of office support
Proposed UR excludes 14,651 usf of office support

USF/Person**		
	Current	Proposed
Employees	490	680
Rate	166	207

**USF/Person=housing plan total USF divided by total personnel
Proposed UR excludes 14,651 usf of office support

	Total USF	RSF/USF	Maximum RSF
Current	81,371	1.11	90,574
Proposed	141,050	1.20	169,000

Special Space	USF
Conference/Training	18,676
Kitchenette/Break	3,804
Fitness Center	2,059
Locker Rooms	2,059
Bunk Room	515
LAN Rooms/Closets	4,404
Health / Lactation	172
File Rooms	8,065
Mail Processing	7,379
Watchroom / HSDN*	15,823
Security	2,231
COMSEC Room**	1,716
Total:	66,903

*HSDN is Homeland Secure Data Network
**COMSEC is Communications Security

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building
Usable square footage does not include space devoted to building operations and maintenance

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND
PMD-04-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 133,895 rentable square feet of space, including seven parking spaces, for the Department of Health and Human Services, Agency for Healthcare Research and Quality, currently located at 540 Gaither Road, Rockville, Maryland, at a proposed total annual cost of $4,686,325 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 268 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 268 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA13
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension for 133,895 rentable square feet of space the Department of Health and Human Services (HHS), Agency for Healthcare Research and Quality (AHRQ). AHRQ is currently located at 540 Gaither Road, Rockville, Maryland, under a lease that expires March 22, 2013. AHRQ is planning to move to the Parklawn Building, located at 5600 Fishers Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. AHRQ is scheduled to move to the Parklawn Building between January and March 2017. GSA is seeking a five-year lease extension to allow AHRQ to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 540 Gaither Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to AHRQ's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

Description

Occupant:	HHS-AHRQ
Lease Type:	Extension
Current Rentable Square Feet (RSF):	133,895 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	133,895 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	278
Proposed Usable Square Feet/Person:	268
Proposed Maximum Leasing Authority:	5 years
Expiration Date(s) of Current Lease(s):	3/22/13
Delineated Area:	540 Gaither Road, Rockville, MD
Number of Official Parking Spaces:	7
Scoring:	Operating lease

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA13
Congressional District: 8

Maximum Proposed Rental Rate[1]:	$35.00
Proposed Total Annual Cost[2]:	$4,686,325
Current Total Annual Cost:	$3,762,143 (Lease effective 3/23/2003)

Background

AHRQ's mission is to improve the quality, safety, efficiency, and effectiveness of health care for all Americans. As one of 12 agencies within the Department of Health and Human Services, AHRQ supports research that helps people make more informed decisions and improves the quality of health care services. AHRQ was formerly known as the Agency for Health Care Policy and Research.

Justification

The current AHRQ lease at 540 Gaither Road, Rockville, Maryland expires on March 22, 2013. AHRQ plans to move to the Parklawn Building which is currently under renovation. AHRQ will require continued housing to carry out its mission prior to this move. GSA will extend AHRQ's current leasehold tenancy and attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in March 2013. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[1] This estimate is for fiscal year 2013 and may be escalated by 1.65 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA13
Congressional District: 8

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

July 2012

Housing Plan
HHS-AHRQ

Suburban, MD
PMD-04-WA13

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
540 Gaither Road	451	451	111,310	1,166	12,746	125,222						
Proposed Lease							468	468	111,310	1,166	12,746	125,222
Total	451	451	111,310	1,166	12,746	125,222	468	468	111,310	1,166	12,746	125,222

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	193	186

* UR = average amount of office space per person
Current UR excludes 24,488 usf of office support space
Proposed UR excludes 24,488 usf of office support space

USF/Person **		
	Current	Proposed
Rate	278	268

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	125,222	1.07	133,895
Proposed	125,222	1.07	133,895

Special Space	USF
Wellness Center/Vending	893
Copy Center	462
Libraries	3,157
Training Room	400
ADP	795
Mail Room	192
Data Center	526
Conference Center	4,696
Printing/Reproduction Room	1,404
Kitchen	221
Total	12,746

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Washington, DC 20515
COMMITTEE RESOLUTION

Nick J. Rahall, II
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND
PMD-03-WA13

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 228,020 rentable square feet of space, including eight parking spaces, for the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, currently located at 1 Choke Cherry Road, Rockville, Maryland, at a proposed total annual cost of $7,980,700 for a lease term of up to two years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 242 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 242 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND

Prospectus Number: PMD-03-WA13
Congressional District: 8

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 228,020 rentable square feet for the Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA is currently located at 1 Choke Cherry Road, Rockville, Maryland under a lease that expires August 26, 2014. SAMHSA is planning to move to the Parklawn Building, located at 5600 Fisher's Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. SAMHSA is scheduled to move to the Parklawn Building between July and September 2015. GSA is seeking a two-year lease extension to allow SAMSHA to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 1 Choke Cherry Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to SAMHSA's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

Description

Occupant:	SAMHSA
Lease Type:	Extension
Current Rentable Square Feet (RSF):	228,020 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	228,020 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	275
Proposed Usable Square Feet/Person:	242
Proposed Maximum Leasing Authority:	2 years
Expiration Date(s) of Current Lease(s):	8/26/14
Delineated Area:	1 Choke Cherry Road, Rockville MD
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate[1]:	$35.00

[1] This estimate is for fiscal year 2014 and may be escalated by 1.6 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND

Prospectus Number: PMD-03-WA13
Congressional District: 8

Proposed Total Annual Cost[2]:	$7,980,700
Current Total Annual Cost:	$5,329,954 (Lease effective 8/27/2004)

Background

SAMHSA is responsible for improving the delivery and effectiveness of substance abuse and mental health services to the American public. SAMHSA is a national leader in advancing effective services to persons with addictive and mental disorders and has stewardship over important interventions affecting personal, community, institutional, and social values.

Justification

The current lease at 1 Choke Cherry Road, Rockville, Maryland expires on August 26, 2014. SAMHSA plans to move to the Parklawn Building which is currently under renovation. SAMHSA will require continued housing to carry out its mission prior to the Parklawn move. GSA will attempt to negotiate termination rights into a lease agreement to provide a flexible transition for SAMHSA's long-term housing solution.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in August 2014. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[2] Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
SUBURBAN MARYLAND

Prospectus Number: PMD-03-WA13
Congressional District: 8

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

July 2012

Housing Plan
HHS-SAMHSA

PMD-03-WA13
Suburban Maryland

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1 Choke Cherry Road	777	777	167,368	2,448	44,116	213,932						
Proposed Lease							884	884	167,368	2,448	44,116	213,932
Total	777	777	167,368	2,448	44,116	213,932	884	884	167,368	2,448	44,116	213,932

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	168	148

* UR = average amount of office space per person
Current UR excludes 36,821 USF of office support space
Proposed UR excludes 36,821 USF of office support space

USF/Person **		
	Current	Proposed
Rate	275	242

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	213,932	1.07	228,020
Proposed	213,932	1.07	228,020

Special Space	USF
Conference Rooms	12,524
Video Telecon Center	680
Mail Room	7,379
Library	2,632
Reception	1,612
Server Room	832
Nurse Area	696
Training Room	950
Fitness Center	2,895
Pantries	5,186
File Rooms	8,730
Total	44,116

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

Committee on Transportation and Infrastructure
U.S. House of Representatives

Bill Shuster
Chairman

Christopher P. Bertram, Staff Director

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

James H. Zoia, Democrat Staff Director

COMMITTEE RESOLUTION

LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA
PVA-04-WA12

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 281,000 rentable square feet of space, including 51 parking spaces, for the Department of Defense, currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, Virginia, at a proposed total annual cost of $10,959,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

Bill Shuster

Bill Shuster, M.C.
Chairman

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA12
Congressional District: 8,10,11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 281,000 rentable square feet for the Department of Defense (DOD), currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, VA. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. Notwithstanding a highly efficient office space utilization rate of 114 usable square feet per person, DOD requires a significant amount of critical special space, resulting in the overall space utilization of 264 usable square feet per person. The space is required due to the unique needs of DOD including 48,000 usf of Sensitive Compartmented Information Facility (SCIF) space.

The proposed total annual cost indicated below reflects the adjustment to current market conditions of a lease that will be almost 10 years old at expiration. GSA anticipates that a competitive procurement will result in a lower actual total annual cost. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 233,925 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on June 30, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

Description

Occupants:	DOD
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	258,248 (Current RSF/USF=1.1)
Proposed Maximum RSF:	281,000 (Market RSF/USF=1.2)
Expansion Space[1]:	None
Current Usable Square Feet/Person:	264
Proposed Usable Square Feet/Person[2]:	264
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	06/30/13
Proposed Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	51

[1] The RSF/USF at the current location is approximately 1.10.

[2] The proposed usable square feet/person metric is consistent with recent DOD prospectus-level requirements in GSA's Fiscal Year 2011 program.

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA12
Congressional District: 8,10,11

Scoring:	Operating Lease
Maximum Proposed Rental Rate[3]:	$39.00
Proposed Total Annual Cost[4]:	$10,959,000
Current Total Annual Cost:	$7,006,091 (lease effective 2003)

Background

The Suffolk Building, was constructed in 1964 and renovated in 2003. DOD has occupied space in this building under the current lease since December 16, 2003.

Justification

The current lease for space in the Suffolk Building expires June 30, 2013, and DOD requires continued housing to carry out its mission.

Summary Of Energy Compliance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[3]This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. Operating rate would include a standard one shift operation, minimum 10 hours.

[4]Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. The proposed total annual cost is based on the Northern Virginia program rental rate of $39/RSF multiplied by the proposed maximum 281,000 RSF, as discussed in footnote 1, above.

GSA PBS

PROSPECTUS – LEASE
DEPARTMENT OF DEFENSE
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA12
Congressional District: 8,10,11

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: Robert A. Peck
Commissioner, Public Buildings Service

Approved: Martha Johnson
Administrator, General Services Administration

August 2011

Housing Plan
Department of Defense

Northern, VA
PVA-04-WA12

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Suffolk Building	885	885	129,595	17,404	86,926	233,925						
Proposed Lease												
Total	885	885	129,595	17,404	86,926	233,925	885	885	129,595	17,404	86,926	233,925
							885	885	129,595	17,404	86,926	233,925

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	114	114

* UR = average amount of office space per person
Current UR excludes 28,510 USF of office support space
Proposed UR excludes 28,510 USF of office support space

Special Space	USF
Break Room	1,997
Conference Room	10,598
Holding Cell	108
IT/Telecom Rm	23,158
SCIF	47,858
Security	3,207
Total	86,926

USF/Person **		
	Current	Proposed
Rate	264	264

** USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	233,925	1.1	258,248
Proposed	233,925	1.2 ***	281,000

*** Market R/U Factor for Competitive Procurement

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g.,auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

There was no objection.

PRESERVING THE RIGHT TO BEAR ARMS

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

Mr. WILLIAMS. Mr. Speaker, I am a proud supporter of the right to keep and bear arms. I am appalled by the President's attempts to erode our constitutional freedoms and impress his will by executive order. Our Founding Fathers would not have imagined that the right they listed second in the Bill of Rights, the right to bear arms, would be systematically attacked.

My opposition to what the President has proposed is based on the fact that his plan is not only unconstitutional, it is not effective. The Federal Government has tried a ban on these weapons before, and it did not work.

The National Institute of Justice states that ''there has been no discernible reduction in the lethality and injuriousness of gun violence'' due to the 1994 assault weapons ban. Gun control laws do not make our communities safer. They do not take firearms from criminals but, rather, from law-abiding citizens.

Second, the phrase ''assault weapons ban'' is a term of art. These are semi-automatic guns that essentially shoot the same kind of bullets as small-game hunting rifles. Simply put, these are hunting rifles made to look like a military gun. Banning it for cosmetic reasons doesn't make sense and won't save any more lives.

Third, banning large capacity magazines will do little to stop criminals. Any gun that uses a magazine can use a magazine of any size. That's true of rifles and handguns. So-called ''assault weapons'' are not any different.

In the end, if the President wants to begin a national dialogue about stopping violence, he shouldn't start by taking away our rights as citizens. I am willing to work with the President and my colleagues on both sides of the aisle to find a real solution to the challenges we face, but that solution will have to look at all the issues involved. But perhaps the most important part of the solution is restoring a culture of life in this country again.

May God bless America.

□ 1900

THE ACHIEVEMENTS OF WOMEN

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

Ms. FUDGE. Mr. Speaker, on Sunday, March 3, 2013, the women of Delta Sigma Theta Sorority, Incorporated, and other women's organizations led the reenactment of the historic Women's Suffrage march down Pennsylvania Avenue. In March 1913, Delta Sigma Theta's 22 founders engaged in their first public act by joining other women in a ''spirit of protest against the political organization of society from which women were excluded.''

While we have achieved a great deal in the last 100 years, it is quite evident that our journey is not complete. Women still deserve equal pay for equal work. Women deserve to control their own reproductive rights.

We still have to fight for the rights of all Americans to participate in the electoral process. The struggle continues.

MS. MORGAN—THE TEACHER; KARA ALEXANDER—THE STUDENT

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

Mr. POE of Texas. ''Thank a Teacher.'' Mr. Speaker, we have all seen that bumper sticker.

I come from a family of teachers. My mother, mother-in-law, wife, and three of my four kids are teachers by profession.

When a special little girl, Kara, was in the third grade, she and her parents noticed her difficulty in processing words. Her speech pattern affected her self-esteem, her self-worth, and even her weight. Some kids made fun of her. Mrs. Morgan, the third grade teacher, was determined to help the little girl speak better.

With hard work, the little girl and teacher overcame the word problem. The student graduated as high school valedictorian. She obtained her bachelor's and master's degrees. She also obtained a Ph.D.

There is more. Today, that little girl received notice that she is tenured as an associate professor at Baylor University in the department of, yes, English. For you see, Kara Poe Alexander, our daughter, the little girl that had trouble talking, has a Ph.D. in English rhetoric, the study of words.

Congratulations, Kara, on being tenured faculty. And thank you, Mrs. Morgan, a teacher.

And that's just the way it is.

RECOGNIZING FRANCES PERKINS

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

Ms. SCHAKOWSKY. Mr. Speaker, 80 years ago today, Frances Perkins was sworn in as Secretary of Labor. This is Women's History Month, and Frances Perkins certainly made history.

She was the first woman member in the history of the United States to be part of the Cabinet, and still holds the record as the longest serving Secretary of Labor. She brought us the Fair Labor Standards Act, giving working women and men fair wages, limits on overtime, and the right to organize. She was the architect of the Social Security Act.

Frances Perkins helped bring us out of the Great Depression. And as we come out of the Great Recession, we need to ask what Frances Perkins would do today.

She would fight to raise the minimum wage. Almost two-thirds of all minimum-wage workers are women. Many are the sole breadwinners for their families. She would defend Social Security against those who want to cut its very modest benefits.

So today, we take time to remember Frances Perkins. Her message is still relevant today. Our Nation is stronger if we give working women—and men—fair opportunities and treatment.

PASSING THE SAFE SCHOOLS ACT

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

Mr. STOCKMAN. Mr. Speaker, the first high-profile school shooting in modern memory occurred in Stockton, California, where a gunman took the lives of five innocent children and injured 29 others.

Robert Young, just 7 years old at that time, was one of the injured. He came up here last week to talk about gun control. This is part of his testimony:

> I remember what it sounded like, as the bullets flew past my body. I remember the feeling of my feet literally being swept out from under me as a round traveled through my right foot. I remember the slap of the round that hit the pavement an inch or so in front of me, prior to lodging itself in the left side of my chest.

Today, Rob is a sworn law enforcement officer in the State of California. He came to Washington, not to urge Congress to pass more gun control, but to exhort this body to protect the Second Amendment.

In the 22 years prior to the 1990 enactment of federally dictated ''gun-free school zones,'' there were only two mass shootings on school or university campuses. In the 22 years since, there have been 10, a five-fold increase. Not only have so-called ''gun-free school zones'' proven not to be ''gun free,'' they appear to have placed our children in even greater danger.

The time has come to end this very deadly experiment of disarming peaceable, law-abiding citizens near schools. That's why I introduced H.R. 35, the Safe Schools Act, to repeal these deadly, so-called ''gun-free school zones.''

Law-abiding adults, including parents, teachers, and administrators who are allowed in their States to carry a firearm, should not be required to be disarmed. Our children are too precious to be turned into unprotected, soft targets for dangerous people. Passing the Safe Schools Act is the first step toward protecting our children.

COMMEMORATING THE LEGACY OF JEANNETTE RANKIN

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

Ms. EDWARDS. Mr. Speaker, I rise today in recognition of March as Women's History Month and to commemorate the legacy of Jeannette Rankin, the first elected woman to serve in the House of Representatives on this day, March 4, 1917.

Jeannette Rankin furthered women's rights, ensuring universal suffrage and protecting the poor. She began her career as a community organizer, working in low-income neighborhoods in San Francisco, New York, and Washington State, and she witnessed the troubles of women and single mothers living in these communities. Jeannette Rankin became a strong, natural advocate for giving women a national voice through the right to vote.

Remarkably, Jeannette Rankin was elected to Congress when women still did not have the right to vote. The 19th Amendment was passed 3 months after she left Congress. As Rankin herself put it, ''We're half the people; we should be half the Congress.''

Today, we must continue to honor her work and legacy. With the ongoing budget crisis in mind, it is imperative that we redouble our efforts, as she would have, to come to a solution and to take the lesson of Jeannette Rankin, to fight for women and the poor who are disproportionately affected by sequestration, and to fight for them as Jeannette Rankin fought for them so hard.

CLEAN ENERGY AND EXTREME WEATHER

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

Mr. GARAMENDI. Mr. Speaker, the climate is changing. Climate change is very, very real. You only have to look at the superstorms we have had, Sandy and others, and the $180 billion of destruction that has been wrought upon us from the environment just over the last 2 years.

The climate is changing, and there's something we can do about it. In fact, there's something this House of Representatives must do about it, and that is to move forcefully, directly, and aggressively to clean energy policies. We ought to be subsidizing those clean energy systems that are out there—solar and wind.

In my own district in Solano County, we have one of the biggest wind farms. My own history goes back to 1978, when I authored legislation for State tax credits. We can and we must deal with climate change, and we can do it with clean energy policies.

SPORTSMANSHIP ON DISPLAY IN EL PASO HIGH SCHOOL BASKETBALL RIVALRY

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

Mr. O'ROURKE. Mr. Speaker, I rise today to pay tribute to Mitchell Marcus, Jonathon Montanez, and the Franklin and Coronado High School basketball teams in El Paso, Texas.

Few teams have a more contentious rivalry than these two schools, who compete to claim the title: Pride of the Westside. So it was a hometown sports miracle when these rivals came together last month to support Mitchell Marcus, a special-needs student who was the Coronado basketball team manager.

With 90 seconds left in the season's final game, Coach Peter Morales put Mitchell in the game to fulfill his dream of making a basket. However, after a few missed shots, Mitchell's opportunity seemed lost. But with seconds left in the game, rival Franklin player Jonathon Montanez passed the ball to Mitchell, and he scored the final basket as the clock hit zero. Fans stormed the court to carry Mitchell on their shoulders, chanting his name.

It is a moment now famous in El Paso and around the world because it shows that character and compassion can transcend even the bitterest rivalries.

□ 1910

HONORING THE LIFE AND LEGACY OF SERGEANT GARY MORALES

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

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life and legacy of Sergeant Gary Morales, who was laid to rest today after being killed in the line of duty at the age of 35 last Thursday in Fort Pierce, Florida. Sergeant Morales was a 12-year veteran with the St. Lucie County Sheriff's Office and also proudly served our country as a member of the United States Air Force.

There has been an outpouring of support in the wake of the shooting, with the community coming together to support his wife, Holly, and their two young daughters, Brooklyn and Jordan. The community has also come together to share fond memories of a man that everyone remembers as being an outstanding officer with a bright future and someone who always went above and beyond to help others. It is clear that Sergeant Morales not only dedicated his life to service, but was a true leader and a selfless hero.

Mr. Speaker, Sergeant Gary Morales dedicated his life to serving his community and his country. I extend my most heartfelt condolences to the Morales family and his extended family at the sheriff's office during these most difficult times. I am humbled to recognize him here today.

GOP FRESHMAN CLASS HOUR: THE SECOND AMENDMENT

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

GENERAL LEAVE

Mr. MESSER. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

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

There was no objection.

Mr. MESSER. Mr. Speaker, I rise today as part of the second in a series of Special Orders put on by the newly elected freshman Republican caucus. Our first was on spending; today we rise to speak on the Second Amendment.

I have participated, in the first 50 days of my service here in this Chamber, in 19 public events throughout the Sixth District of Indiana—coffees, meetings with constituents, the public, folks who vote to send us here—and I can tell you in every one of those events people have two topics top of mind: they're focused on spending; they're focused on the sequester. They're tired of the Federal Government that continues to spend money that we don't have, and they want the government to follow the principle that every American family does, which is, you don't spend money unless you have money to spend. But the second topic that I hear everywhere that I go is the Second Amendment and the importance of making sure that that bedrock principle of American liberty is protected.

We all know of the tragic events that have occurred in recent months here in America—obviously the Connecticut tragedy being foremost on top of the mind. I want to make clear in my comments, as I do all throughout my district, that as a Nation we are heartbroken by tragedies like that when they occur. As a Nation, we mourn and weep with the families that had to deal with those tragedies. But as sad and tragic as those circumstances are, we cannot allow those events to be an excuse to undercut the Second Amendment and all that it means for liberty in this Nation.

There are opportunities to make a difference for public safety in this debate. It is time for a national conversation about mental health because the common denominator in every one of these crimes is that the perpetrator is someone who is mentally ill.

There are opportunities to do more on school security, and I'm hopeful that we will be able to work through those as we move forward. But this much must be made clear: gun bans don't work. They are only effective at preventing law-abiding citizens from having guns because the criminals and mentally deranged that commit these crimes don't care about the fact that there is a law that would have them not have a gun. To blame a gun for a

crime is to blame a pen for a misspelled word. I look forward to the opportunity to dialogue with my colleagues today on this important topic.

I appreciate Congressman STOCKMAN and Congressman WILLIAMS for their comments just a few minutes ago.

I yield to the gentleman from Utah to step forward and give comments on this important topic.

Mr. STEWART. I thank the gentleman from Indiana for yielding his time.

I had the great blessing of growing up on a family farm. I know what it's like as a kid to be so excited to go hunting with my brothers and with my father that you can't sleep the night before. I also had the great privilege of serving for 14 years as a pilot and an officer in the United States Air Force. There I learned a little bit about defending our Nation through an adequate show of force. I also, by the way, qualified as an expert marksman in small arms.

Recent and saddening events of violence have brought conversations about guns to the national stage. These acts of violence, as terrible as they are, should not be used by the White House as justification to revoke the rights outlined in our Constitution.

The Second Amendment clearly states that the right of the people to keep and bear arms shall not be infringed. Our Founding Fathers created this amendment to protect the citizens from government tyranny. In 2008, the Supreme Court emphatically stated that the right to bear arms is an individual right. Today, it continues to ensure Americans' right to defend themselves against the evil in the world.

Based on a survey as recently as 2000, U.S. civilians do use guns to protect themselves and others from crime at least 990,000 times a year—almost 1 million times a year. It's critical that we continue to protect this personal and absolute right.

While gun-related violence is indeed tragic—and we all know that it is; as my friend, the gentleman from Indiana, has so eloquently stated, we bleed for those who suffer from this—it's important to note that it only accounts for a small portion of the violent crimes that are committed in the United States.

As an example, the U.S. Department of Justice has said that of the roughly 5 million violent crimes committed in the United States during 2008, only 8 percent were committed by offenders who visibly were armed with a gun. Most of those crimes were committed with guns that were already illegal. Even the U.S. Justice Department conducted a survey in the 1990s and found that approximately 79 percent of the State prison inmates that carried a firearm during an offense that sent them to jail received their gun either through an illegal source or from one of their friends or family.

Stricter laws to ban guns will not solve any of these problems. We already have many laws in place; but instead of creating new and harsher laws, we need to do a better job of enforcing the gun laws that we currently have.

Finally, let me say this: I believe that the timing of this proposal and these bills, it just isn't right. At a time when sequestration just went into effect and our country is on a path towards bankruptcy, it's unacceptable that the White House continues to push its gun control agenda.

We need to be focusing on getting our country back on a path of fiscal sanity. We need the President and his administration to show leadership. We need to ensure that America maintains its leadership role in the world. To do that, we need to budget and to spend responsibly. We need to replace President Obama's sequester—and it is this President's sequester—with commonsense spending cuts and reforms.

Most importantly, we need the President to demonstrate an understanding of the Nation's need to balance our budget and get us back on a path towards fiscal sanity. That is the great fight of our day. That is the great challenge that we are facing.

My heart bleeds for the victims of gun violence—whether they're in Newtown or in New York or in my home district—but the President's proposals will not help.

□ 1920

They aren't designed to address the core problems of mental health or a culture that is steeped in violence, violence that is thrust upon our children through media that are bent upon making more money through the violence that they propagate. Mr. Speaker, let's concentrate our attention on the greatest challenge of our day, not on a Band-Aid of additional laws that are designed to do nothing but to make some liberals feel better.

To the gentleman from Indiana, I yield back and thank you for this opportunity to address the House.

Mr. MESSER. I appreciate the comments of the gentleman from Utah.

As we consider the tragedy that occurred in Newtown, Connecticut, it is natural to want to do something to prevent that from ever happening again. The victims of such unthinkable crimes deserve our solemn prayers for their loss and our deepest sympathy for their pain. The perpetrators of such evil deserve justice for their crimes.

The problem, however, is that the President and other opponents of the Second Amendment are seeking to limit our constitutional rights by pitching Americans a false sense of security: that by taking away rights, somehow those who intend to do harm will not do so. History shows that gun bans only keep guns away from law-abiding citizens, not criminals. Those who want to build, modify, or acquire weapons for violence will do so.

I recognize the gentleman from Florida on this important topic.

Mr. YOHO. I'd like to thank the gentleman from Indiana for his time. Mr. Speaker, I'd like to thank you for allowing me to rise here today.

Mr. Speaker, I rise to address this body tonight about a subject that weighs heavy on the minds of many of my constituents and many Americans. It is a subject and a right that has been granted to us by our country's founding principles, the Constitution, not by government. It is the birthright of any law-abiding citizen of the United States of America, and it is their choice to exercise that right. It is the role and duty of government to protect those rights.

In my 2 months as their Representative, more people in the Third Congressional District of Florida have reached out to me with their concerns over how Congress will address our Second Amendment after the much-publicized, tragic event at Newtown, Connecticut.

This, indeed, I think we all agree was a senseless act of violence. This is not a time to make a knee-jerk reaction and challenge our Second Amendment and restrict our rights as law-abiding citizens. This is not a time to play partisan politics. This is a time to come together.

This is a time to go after the cause of this despicable act, the individual and the cause of gun violence. I stand 100 percent with President Obama and all others that want to curb gun violence so long as it does not interfere with our Second Amendment. The Second Amendment states:

> A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

This is necessary to protect the Third Amendment:

> No soldier shall in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Those who commit the unspeakable crime we've witnessed a few months ago should not be able to hide behind any amendment or law in this country. But the real issue is gun violence, not the gun. We must be vigilant in using the laws already available to the fullest extent possible and look at why people are doing these crimes. Before we punish or infringe upon the rights of the law-abiding individual, we should look more at causes of mental health issues that lead to these crimes.

This point is illustrated by the Department of Justice's own internal memo that we're discussing tonight, which notes that the greatest number of guns used in crime comes from straw purchases, those being purchased by someone for someone else or by theft of a gun, not by the person that abides by the law.

Laws that place even more restrictions on law-abiding citizens who only want the right to own a gun for any legal activity they determine will not deter the person intent on doing harm. People with bad habits tend to do bad things.

The first week of this Congress, I joined many of my colleagues here on

the House floor in the reading of our Constitution. We took an oath at that swearing-in ceremony to uphold the Constitution. I carry a copy of our Constitution with me everywhere I go. Any and all we do in this body, and our colleagues in the Senate, should be done to uphold, to protect, and to strengthen this document; and by doing this, we strengthen America. Our Constitution has set America apart from every other country in the world, and I aim to keep it that way.

Mr. MESSER. Thanks again to the gentleman from Florida. I appreciate your comments today. I thank my colleague from Utah and my colleagues from Texas who had the opportunity to speak earlier, and I appreciate your leadership on this important topic.

Obviously, we face many challenges as a Nation. The Second Amendment is one of them, but an important one. Clearly, we all want to prevent horrible tragedies similar to the loss of those young lives in Newtown, Connecticut; but gun bans and many of the other proposals from this President are not the answer.

For example, an internal memo from the Justice Department said that the universal background checks proposed by this President will only be effective if paired with required gun registration—a list of law-abiding citizens who simply exercise their constitutional right to own a firearm. This is a blatant intrusion of privacy, and it cannot be allowed.

We need real solutions that aim to identify, treat or limit access to the evil few who perpetrate these horrible acts. I am unwilling to turn my back on the Constitution and sacrifice the liberty of the people I represent for a false sense of security. We need real solutions; and despite our disagreements, there are opportunities to work together.

As I mentioned earlier, blaming a gun for violence is to blame a pen for a misspelled word. If we can come together and focus on the real causes of this violence, then there are opportunities to work together, and I stand ready to work with every Member of this Chamber, regardless of party, to move this country forward.

Mr. Speaker, I yield back the balance of my time.

CBC HOUR: THE IMPACT OF SEQUESTRATION

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

GENERAL LEAVE

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

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

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is my honor and my privilege to stand here today as a member of the Congressional Black Caucus to participate one more time as an anchor for the CBC Special Order today on the subject of the impact of sequestration on the American people.

As we know, on Friday, the sequestration took effect, automatic spending cuts of a significant painful amount that will be experienced by the American people all across the land. Mr. Speaker, unfortunately, it's something that was avoidable had there been a willingness to try and find common ground.

There are many of us who believe that the most appropriate approach would have been to try and find a balanced resolution involving tax reform and revenue and attempting to identify where reasonable spending adjustments could have been made. But instead of all parties trying to come together to find a balanced resolution to the problem that we find ourselves in, there are some in this Chamber who seem committed to trying to balance the budget on the backs of the most vulnerable in our society, balancing the budget on the backs of children and seniors, pregnant women, Superstorm Sandy victims, public housing residents, or national security.

□ 1930

I'm just hopeful that as we move forward that we can find the capacity, find the ability, find the courage to come together to seek out common ground so we can resolve this sequestration matter and move forward supporting the economy in the manner that will be the healthiest for the greatest number of Americans possible.

I'm pleased today that we've been joined by several distinguished members of the Congressional Black Caucus, including the chairperson of the CBC, to whom I yield as much time as she may consume, the Honorable MARCIA FUDGE, who has been a tremendous leader on so many issues on behalf of working families and the middle class and seniors all across this country.

Ms. FUDGE. I thank the gentleman for yielding. And I certainly do want to thank Congressman JEFFRIES for once again leading the Congressional Black Caucus Special Order hour on another timely and important topic: the impact of sequestration.

Mr. Speaker, here we are. It is March 4, and the Congress and the administration are still mired in political gridlock with no resolution on how to avoid the across-the-board cuts, destructive as they may be, and untargeted sequestration cuts. How irresponsible.

Many communities around the country are still reeling from the worst economic recession since the Great Depression. Let us not forget that the national black unemployment rate remains in double digits at 13.8 percent, far higher than the national rate. Now these communities can only watch as the sequester threatens to roll back the modest gains of the last few years.

The Office of Management and Budget estimates that title I education funds could be eliminated for more than 2,700 schools. This cut alone will have an impact on nearly 1.2 million disadvantaged students. In my home State of Ohio, the public schools are preparing for the loss of $25.1 million in funding for primary and secondary education. You tell me, Mr. Speaker, what have children done to deserve this impact of sequestration?

The sequester will impact every neighborhood and every household. No matter your race or your age, the sequester will have an impact on your life.

What does the sequester mean for our economy? What does it mean for our neighborhoods? What does it mean for your household? It means cuts to education. The jobs of 10,000 teachers are now at risk. It means cuts to small business. Small business loan guarantees will be reduced by up to $540 million. It means cuts to food safety. There will be roughly 2,100 fewer food inspectors. It means compromising workplace safety. Workers will be less safe due to about 1,200 less safety inspections. It means cuts to mental health funding. Up to 373,000 mentally ill adults and emotionally disturbed children will go untreated.

The American people expect and deserve more. While Congress debates the policies of deficit reduction, our struggling communities must cope with the consequences of our inaction. While politicians argue over tax cuts, our cities and towns—rural and urban—become less secure. Our children's futures become less secure. Our children are important.

We could talk all night about how and why we got here, but many of you at home, our constituents, only want to know how we're going to end the sequester, escape this fiscal limbo and set our Nation back on the right track.

The path to prosperity is built on compromise. As long as House Republicans insist on the Grover Norquist cut-only approach to budgetary health, Congress will not move forward. Simply put: A cut-only plan will not work. A true path forward will be a compromise built upon raising revenues and targeted cuts.

Just last week, this caucus, the Congressional Black Caucus, delivered a plan to House leadership on how to responsibly replace the sequester. The CBC budget replaces the sequester with commonsense cuts and revenue options that don't make the rich richer and the poor poorer.

Mr. Speaker, this constant cycle of fiscal calamities and cliffs is bad for the Nation. It's bad for our economy, and it is bad for our people. We were sent to Congress to move America forward. Time has run out for games. The

sequester is not a game. It means real cuts that will affect the lives of real people.

Again, I thank the gentleman.

Mr. JEFFRIES. Thank you, Congresswoman FUDGE.

I now yield to the Congresswoman from the Golden State, Congresswoman BARBARA LEE from California.

Ms. LEE of California. Let me thank you for your tremendous leadership and pulling us all together tonight to talk about this impact of sequestration. And I also want to thank our chair of the Congressional Black Caucus, MARCIA FUDGE, for once again sounding the alarm and keeping us on track.

Let me first just start by saying we need to stop the sequestration, and we need to create jobs, lift the economy and reduce poverty.

The sequester will impact my congressional district in my home State of California and every single household in America. It will push 750,000 Americans into the unemployment line and slow our entire economy.

In my home State, for example, it will cut 8,200 children from Head Start and shut the door to college for about 9,600 students. Additionally, 600,000 to 775,000 eligible low-income women and children are going to be denied nutritional assistance because they're going to be cut from the WIC program.

Sequestration will impact everyone, but it will have a particularly harmful effect on communities of color who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery.

Let me just read out 10 reasons which were recently highlighted by the Center for American Progress, and why communities of color and the African American community and Latino community particularly should pay attention to sequestration and the impact it will have in these communities.

First, there are going to be deep cuts to the long-term unemployed and the reduction of benefits will disproportionately affect people of color.

Extended Federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least 6 months—could lose almost 10 percent, mind you, 10 percent of their weekly jobless benefits if the sequester goes into effect.

Now, 13.8 percent of African Americans and 9.7 percent of Latinos are unemployed. Worse than that, 40 percent of unemployed Asians, 38 percent of African Americans and 28 percent of Latinos have been unemployed for more than 52 weeks.

Secondly, workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild is a program that connects low-income youth to education and training, and it could be cut about 8 percent

Cuts to critical job-creation programs such as Build America Bonds are also on the chopping block. This was created in 2009 and provides incentives for infrastructure investments through the Tax Code.

Fourth, Federal budget cuts under sequestration would quickly mean cuts to Federal, State, and local public sector jobs which disproportionately employ women and African Americans. In 2011, employed African Americans comprised 20 percent of the Federal, State, and local public sector workforce, and women were nearly 50 percent more likely than men to work in the public sector.

Early child care funding could be cut by more than $900 million, impacting thousands of children of color who benefit from these programs, programs that directly help the most vulnerable families and children such as, as I said earlier, WIC. They're threatened by sequestration.

Federal education funding cuts will disproportionately hurt students of color. If sequester goes into effect in the way it has been designed, nearly $3 billion would be cut in educational loans, including cuts to financial aid for students and to programs for our most vulnerable youth.

Cuts to medical research put patients at risk. The National Institutes of Health would lose $1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as HIV/AIDS, cancer, and diabetes, all of which are among the leading cause of death for African Americans.

□ 1940

Since 2010, funding for housing has been cut by $2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing programs, such as section 8 housing assistance, provide vouchers to low-income families for affordable housing in the private sector.

Finally, as the Nation continues to endure a cold winter, programs such as the Low Income Home Energy Assistance Program, which helps bring down the cost of heating for low-income households, are critical.

With that, Mr. Speaker, I would like to insert for the RECORD an article from today's New York Times, headed: ''As Automatic Budget Cuts Go into Effect, Poor May Be Hit Particularly Hard.'' It explains that sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions and programs that help low-income Americans, including ones that give vouchers for housing for the poor and the disabled and another that provides fortified baby formula to the children of poor women.

So I think we need to really listen to the Congressional Black Caucus and understand what this means in terms of vulnerable, marginal communities—communities of color and individuals who were hardest hit by the recession and who have yet to feel any of the economic recovery that has taken place and who are going to now have another hit in terms of the safety net and the quality of life. They don't deserve this. We need to get back to the drawing board and do what is right and what is fair.

[From the New York Times, Mar. 3, 2013]

AS AUTOMATIC BUDGET CUTS GO INTO EFFECT, POOR MAY BE HIT PARTICULARLY HARD

(By Annie Lowrey)

WASHINGTON.—The $85 billion in automatic cuts working their way through the federal budget spare many programs that aid the poorest and most vulnerable Americans, including the Children's Health Insurance Program and food stamps.

But the sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions in programs that help low-income Americans, including one that gives vouchers for housing to the poor and disabled and another that provides fortified baby formula to the children of poor women.

Republican and Democratic lawmakers largely resigned themselves to allowing sequestration—a policy meant to force them to the negotiating table, not to actually reduce the deficit—to take wider effect after it started on Friday. That leaves agencies just seven months to carry out their cuts before the fiscal year ends on Sept. 30. In many cases, they will eventually have to deny aid to eligible needy families.

Unless a deal is reached to change the course of the cuts, housing programs would be hit particularly hard, with about 125,000 individuals and families put at risk of becoming homeless, the Department of Housing and Urban Development estimated. An additional 100,000 formerly homeless people might be removed from emergency shelters or other housing arrangements because of the cuts, the agency said.

Local administrators are trying to decide how to put the mandatory 5.1 percent budget cuts into effect by the end of September. Adrianne Todman, the executive director of the District of Columbia Housing Authority, said that no person in her program currently using a housing voucher or living in a public facility would be affected or put out on the street.

But to absorb the cuts, Ms. Todman plans to defer maintenance and leave staff vacancies open. She may also not be able to fill open public housing units as tenants vacate them. And she may stop rolling over housing vouchers to families on the waiting list. Eventually, she said, she may have to furlough employees.

''It's a shame. It's more than a shame, it's despicable,'' Ms. Todman said, noting that her agency already lacked enough capacity to meet the district's needs. ''These are real families that we have deemed eligible and are waiting to receive their voucher from us.''

In Washington and across the country, families and individuals generally need to have very low incomes to be eligible for federal assistance. Public housing residents in Washington have an average annual income of just $12,911. More than 40 percent are either children or the elderly, and more than a quarter live with a disability. In the voucher program, the annual income is even lower, just over $10,000 a year, and similarly large proportions of residents are elderly, disabled or young.

''These people are very, very, very poor,'' said Sheila Crowley, the president of the National Low Income Housing Coalition, speaking of recipients of federal housing support

across the country. ''They don't have resources to fall back on.''

In some places, officials have already started carrying out cuts. For instance, King County in Washington State, which includes Seattle, stopped issuing new housing vouchers on Friday.

''Sequestration will result in some 600 fewer families in our local communities receiving crucial rental assistance over the next year,'' Stephen Norman, the executive director of the county housing authority, said in a statement. ''Because rents are so high, many of these families may, quite literally, find themselves out on the street.''

Members of Congress have indicated that they might give agencies more discretion in fulfilling the cuts, to help blunt their impact. But policy experts said that in the case of many low-income programs, budget cuts would necessarily mean fewer people get help.

''There's no loose change in the cushions,'' Ms. Crowley said. ''Anything you take out of HUD is going to reduce services and cut programs. There's just no fat there. There hasn't been for a long time.''

Other programs that assist low-income families face similarly significant cuts, including one that delivers hot meals to the elderly and another that helps pregnant women. Policy experts are particularly concerned about cuts to the supplemental nutrition program for women, infants and children known as WIC, which provides food and baby formula for at-risk families.

It is considered one of the most effective social programs in government, reducing anemia and increasing birth weights. But up to 775,000 low-income women and their children might lose access to or be denied that aid because of the mandatory cuts, according to calculations by the Center on Budget and Policy Priorities, a nonprofit research group.

The start of sequestration, a policy never meant to take effect, has left both sides seeking cover, with many Democrats dramatizing the impact of the cuts and many Republicans playing them down.

Some Republicans, in fact, have said that whatever the effect, the cuts are a necessary part of reversing the trend of the government spending more and taking on more debt.

''President Obama proclaimed that the sequester's 'brutal' and 'severe' cuts will 'eviscerate' America's domestic spending,'' Senator Rand Paul, Republican of Kentucky, wrote in a recent article published by Investors.com. ''But 'eviscerate' is not the adjective I would use; in fact, I believe the sequester is a pittance.''

The $85 billion in cuts is just a small part of the $3.6 trillion annual budget, but policy experts say that even those cuts that are being applied to programs that do not specifically focus on low-income people and communities will disproportionately affect them.

Other cuts might not hit low-income Americans specifically, but their impact could affect vulnerable families disproportionately. Those include cuts to programs that aid children with special needs; job-training programs that help unemployed people find a new career; foreclosure prevention services; and programs that help 150,000 veterans every year make the transition into the nonmilitary work force.

They also include a reduction in jobless benefits for the long-term unemployed. Those out of work for more than six months could see their checks shrink by as much as 11 percent.

The Budget Control Act, a 2011 law that created the automatic cuts, exempted ''mandatory'' spending programs that aid low-income Americans, like Medicaid, which receive automatic federal financing. But it did not exempt ''discretionary'' programs, whose financing Congress determines in its annual appropriations process.

[Feb. 22, 2013]

TOP 10 REASONS WHY PEOPLE OF COLOR SHOULD CARE ABOUT SEQUESTRATION

(By Sophia Kerby)

Thanks to congressional Republicans putting the economy in jeopardy during the debt ceiling debacle in the summer of 2011 and again in 2012, a package of automatic across-the-board spending cuts known as sequestration is set to go into effect on March 1, 2013. Senate Democrats have proposed a balanced approach to resolve this crisis, urging congressional Republicans to avoid the damaging sequester cuts by accepting a package of more tax revenue coupled with targeted spending cuts. But once again Republicans are threatening the economy by risking massive and harmful spending cuts that will hurt the middle class, damage the economy, kill hundreds of thousands of jobs, and harm the most economically vulnerable among us.

Sequestration will impact all Americans but will have a particularly harmful effect on communities of color, who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery. Our nation's demographics are changing, and communities of color are the fastest-growing group of Americans. It is important that we invest now in these communities, as we prepare for our nation's economic future and upcoming workforce needs.

Our driving focus should be on averting crises that slow our economy and instead, promoting policies that help all Americans.

Below are the top 10 reasons why communities of color should pay attention to sequestration and the impact it will have in these communities:

1. Deep cuts to long-term unemployment benefits will disproportionately affect people of color. Extended federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least six months—could lose almost 10 percent of their weekly jobless benefits if the sequester cuts go into effect next week. These cuts will have a greater impact on people of color, as 9.7 percent of Latinos and a staggering 13.8 percent of blacks are unemployed, compared to only 7 percent of whites. What's more, in 2011, 40 percent of unemployed Asians, 38 percent of unemployed blacks, and 28 percent of unemployed Latinos were unemployed for more than 52 weeks.

2. Workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild, a program connecting low-income youth to education and training, could be cut by about 8 percent under sequestration. Coupled with previous federal appropriation cuts in fiscal year 2011 by 37 percent, the program could see about one-third of its federal funding cut between fiscal year 2010 and fiscal year 2013. In 2010, 54 percent of YouthBuild participants were African American and 20 percent were Latino. Job Corps, an education and training program geared toward young adults, faces about $83 million in cuts in FY 2013 under sequestration. In 2011, 72 percent of Job Corps participants were people of color.

3. Cuts to critical job-creating programs such as the Build America Bonds program are also on the chopping block. Build America Bonds, which were created in the 2009 stimulus bill, provides incentives for infrastructure investments through the tax code. Since its inception, the program has helped states and cities fund thousands of job-creating infrastructure projects at lower costs than traditional tax-exempt municipal bonds. Build America Bonds could see budget cuts of up to 7.6 percent, however, if sequestration goes through. Build America Bonds benefit all Americans, as more than $106 billion of Build America Bonds have been issued by state and local governments in 49 states and the District of Columbia since the program started. Infrastructure investments stimulate employment in sectors that employ disproportionately high rates of workers of color, such as construction and public transit.

4. Federal budget cuts under sequestration would quickly mean cuts to federal, state, and local public-sector jobs, which disproportionately employ women and African Americans. In 2011 employed African Americans comprised 20 percent of the federal, state, and local public-sector workforce, and women were nearly 50 percent more likely than men to work in the public sector. According to the Congressional Budget Office, scheduled cuts in federal spending were the primary driving force behind slow economic growth projected for this year, meaning thousands of lost jobs and cuts to federal contractors.

5. Early child care funding could be cut by more than $900 million, impacting the thousands of children of color who benefit from these programs. Such cuts will mean 70,000 children will be kicked out of Head Start, a federal program that promotes the school readiness of children from low-income families from birth through age 5. Sixty percent of program participants are children of color.

6. Programs that directly help the most vulnerable families and children—such as the Special Supplemental Nutriton Program for Women, Infants, and Children, or WIC—are threatened by sequestration. WIC serves as a supplemental food and nutrition program for low-income pregnant, breastfeeding, and postpartum women and for children under age 5. The program could be cut by $543 million—a devastating loss to the more than 450,000 people of color who benefit from its services.

7. Federal education funding cuts will disproportionately hurt students of color. If the sequester goes into effect, nearly $3 billion would be cut in education alone, including cuts to financial aid for college students and to programs for our most vulnerable youth—English language learners and those attending high-poverty, struggling schools—impacting 9.3 million students. Such cuts will affect key programs that receive federally funded grants such as Education for Homeless Children and Youth and federal work study. The lack of access to financial aid for people of color will further exacerbate the student debt rates in these communities. In the 2007–08 academic year, 81 percent of African Americans and 67 percent of Latinos with a bachelor's degree graduated with student debt, compared to 64 percent of their white peers. Cutting access to these vital financial aid programs will curtail the higher education aspirations of tens of thousands of students of color.

8. Cuts to critical medical research put patients at risk. The National Institutes of Health would lose $1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as cancer and diabetes—both of which are among the leading causes of death for African Americans.

9. Since 2010 funding for housing has been cut by $2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing

programs such as Section 8 Housing Assistance provide vouchers to low-income families for affordable housing in the private market. In 2011 Section 8 aided more than 2 million low-income families across the country. Data from 2008 indicate that 44 percent and 23 percent of public housing recipients are African American and Latino, respectively.

10. As the nation continues to endure a cold winter, programs such as the Low-Income Home Energy Assistance Program, or LIHEAP, which helps bring down the cost of heating for low-income households, are crucial. The Low-Income Home Energy Assistance Program, which helped about 23 million low-income people pay their winter heat bills, is in jeopardy of being cut in FY 2013. Low-income communities, which tend to disproportionately comprise of people of color, depend on such programs to make ends meet during these tough economic times.

In order to avoid significant damage to the U.S. economy—and particularly to communities of color across the country—congressional Republicans should agree to a balanced package to replace the sequester and its damaging cuts.

Mr. JEFFRIES. Thank you, Congresswoman LEE.

The economic recovery, as you pointed out, is still in an extremely fragile state. Many of those most vulnerable Americans who were adversely impacted by the recession still have not been made whole in any way, shape, or form. Sequestration is an $85 billion shock to the system. It may begin as a slow burn, but it is going to sear over time. It is going to hurt our most vulnerable Americans, as has been detailed in congressional district after congressional district after congressional district all across this country.

It is irresponsible for us to even have allowed it to get to this point, which is why we are advocating for everyone to come to the table to find common ground. This is a democracy, not a dictatorship. Because we are in a divided government, it is unreasonable to simply say ''no revenues.'' So as a result of this hardened position, we find ourselves in the midst of this sequestration.

We've been joined by the distinguished gentleman from New Jersey, my good friend, Congressman Donald Payne, to whom I yield the floor.

Mr. PAYNE. Mr. Speaker, I want to thank my good friends and colleagues—Congressman HORSFORD from Nevada and Congressman JEFFRIES from New York, across the water from me—for once again anchoring this Special Order for the CBC on the impact of sequestration.

I came to Washington to work—to serve the hardworking families and individuals in my district who have been disproportionately impacted by this economy. I came to Washington to spur growth and development for the sake of this country's economic future. Unfortunately, my colleagues on the other side oppose any effort that would support this mission. Sadly, the only growth and development that the Republican leadership has spurred has been the development of lies and the growth of fear among the American people.

We now face the drastic cuts of sequestration because the Republican leadership in Congress refuses to adopt a balanced approach to our Nation's deficit and debt. Instead, they push drastic measures that would only further depress this economy. The fact is that it is impossible to reduce Federal debts without a healthy economy, and a healthy economy will not develop as a result of sporadic cuts but, rather, as a result of increased revenue, in part by an increased volume of working people who earn income and pay taxes. This is common sense; yet the sequester and everything the Republican leadership has proposed undermines the current and future workforce, and it disproportionately harms low-income families and individuals.

At a time of great need for a skilled workforce, the sequester would cut workforce development programs and assistance for college students. As it was stated, YouthBuild and Job Corps are key workforce development programs that provide pathways to employment for low-income youth. These programs already experienced a 37 percent cut in fiscal year 2011, but they will face additional cuts under sequestration. TRIO programs are key Federal supports for first-generation college students to prepare them to attend and complete college. These programs serve nearly 800,000 students, and they will face cuts of almost $43 million under sequestration.

In New Jersey, my home State, around 1,480 fewer low-income students will receive financial aid for college, and nearly 650 fewer students will receive work-study jobs. Approximately 15,000 students will be impacted by the cuts in education, and around 1,300 children will be removed from Head Start. Nationally, approximately 9 million students will be impacted due to cuts in education, and nearly 70,000 children will be removed from the Head Start program.

Further, under sequestration, the security of children and their families will also be impacted. Research shows that the Special Supplemental Nutrition Program for Women, Infants, and Children—WIC—improves birth outcomes, reduces child anemia and improves the participants' nutrition and health. It is widely regarded as one of the most effective social programs; yet under sequestration this program will be forced to cut an estimated 600,000 to 775,000 women and children. This is devastating.

These cuts are unnecessary and counterproductive. Democrats have offered commonsense solutions time and time again to our deficit issue, including the latest alternative to sequestration—H.R. 699. Unfortunately, the Republican leadership prefers manufacturing problems and not offering real solutions. The Republican leadership claims that their actions are in the name of our Nation's future and austerity for our children; but our Nation's deficit peaked at $1.4 trillion in 2009, which was prior to their efforts to cut, and it has been falling ever since.

Our economy, though sluggish, is experiencing record growth. Now is not the time for arbitrary cuts. Now is the time to end the shameful attack on the middle class and the hardworking Americans. Pass a balanced approach. We are waiting for leadership in this area.

Mr. JEFFRIES. I want to thank the gentleman from New Jersey for pointing several things out, but particularly for making it clear that we have already made significant progress under this administration, in partnership with this side of the aisle, as we have attempted to move forward over the last several years as it relates to deficit reduction. I believe that we've cut approximately $2.5 trillion—done—as it relates to deficit reduction. While certainly we're open to trying to figure out how to move forward in the best possible way as it relates to the economy, an $85 billion shock to the system over the next several months and approximately $1 trillion over the next 10 years is harmful as it relates to the ability to move the economy forward.

We are thankful that we have been joined by the distinguished gentlelady from the Virgin Islands, Congresswoman DONNA CHRISTENSEN.

□ 1950

Mrs. CHRISTENSEN. I thank you for yielding, and I thank you for hosting this Special Order and for coming to the floor on many evenings to speak to the American people and make sure that they understand what is at stake here.

I am somewhat ashamed to come back to work this week because the sequester wasn't avoided, and the failure of Congress to work together and take action has put so many important programs that our fellow Americans rely on, so many jobs, and the early recovery from the recent recession at risk.

Our Democratic leaders said before the President's Day recess and again at the end of last week that we should not go home without fixing the sequester; and yet the Republican leadership, which sets the schedule, did not enable us to stay here and work together to prevent the cuts that everyone knows will hurt our country.

So under the Republican leadership—or lack of it—the Federal budget, which affects government workers, contracts, and programs in every department, will have an across-the-board ax taken to them. I think that we are smart enough that if the will was there, we would come together and reason to a far better approach than this blunt instrument that's now being applied.

It makes one wonder: what are our priorities? If we look at where the cuts will hurt the most, it does not tell a proud story—education and job training, Head Start, special education, health and programs like WIC that support the health of mothers and babies,

mental health and substance abuse programs when we have seen so vividly and painful how much these programs are needed, health care, law enforcement and homeland security, defense, housing, jobs and the economy, which is now struggling to recover.

And as often happens, people of color are disproportionately impacted. African Americans are more likely to work in the public sector where the jobs are going to be cut. We already have the highest unemployment and will be severely hurt by the reduction in unemployment benefits. The YouthBuild and Job Corps programs that were spoken about earlier, over 70 percent of the young people in those programs are African American and Latino, and those programs will be cut.

The TRIO programs, which have already been cut, caused the Virgin Islands' only Upward Bound program to be lost. They need to be more fully funded; but they, too, will suffer. And many low-income students will not have the benefit of their support to enter and complete college.

I want to focus on how it will affect my district, the U.S. Virgin Islands. We stand to lose $13 million in Federal funding. The territories already do not participate in all of the Federal programs that the States do, and many programs are capped regardless of need or what would have been the eligibility in the States.

Already, over the past 2 years, the Virgin Islands Government has had to cut salaries 8 percent and laid off about 500 government workers. The abrupt closing of the HOVENSA oil refinery has cost 200 direct jobs and many more indirect ones. So that $13 million does not tell the full impact, nor does it include the impact of possible layoffs, furloughs, or other reductions of the close to 800 Federal employees in the territory.

If we just look at WIC, Meals on Wheels, special ed, Head Start and HIV/AIDS, which serve almost 10 percent of our population of 106,405, a cut of any size will have a major impact on some of the most vulnerable in any society.

Unemployment is over 17 percent in St. Croix, the island on which I live and where the HOVENSA refinery was operating. The cuts in unemployment benefits will definitely be felt. All of these cuts hurt individuals and families, but like everywhere else, they have ripple effects across the entire community.

The American people expect better from us. They expect us to lead and to govern, to be responsive to their needs and to help the less fortunate. This 113th Congress thus far has not lived up to their expectations. The Congressional Black Caucus, as it always is, is prepared and poised to lead. We will soon be releasing our budget, which raises revenues, makes strategic investments that strengthen our country, and still would reduce the deficit over the next 10 years, more than any other budget that we've seen proposed, so we know it can be done. And we also know that the cuts the sequester would impose will cost this country more in the long run.

So where is the gain? We have been advised time and time again that the cuts in the sequester are the worst thing that we can do at this time; and although no one wants to talk about it, what we really need is another stimulus.

Last week the Fed Chairman, Ben Bernanke, strongly advised:

> Congress and the administration should consider replacing the sharp, front-loaded spending cuts required by the sequestration with policies that reduce the Federal deficit more gradually in the near term and more substantially in the longer run.

That's what all reputable economists have been saying. We need to call off the sequestration before irrevocable harm is done and replace it with a sensible approach that recognizes and counts the savings that we have already put in place, that does not stifle the growth that we need and still reduces the deficit in the long run.

The American people are tired of the gridlock up here. They want us to work together. They also, in their vote in November, said very clearly that they support the President's approach and agenda. As the African Kikuyu proverb says: When the elephants fight, it is the grass that suffers.

My constituents are hurting, as I know all of yours are. The sequester only adds more pain and suffering and does nothing to reduce spending, because more spending will have to be done to clean up the mess the sequester will leave later on. Let's call it off and let's pass a responsible and fair budget for the rest of the year.

It's time for the Republican leadership to work with our President, the President of the United States, Barack Obama. Together, we can do better for our country and for those who send us here to represent them. We must do better.

Mr. JEFFRIES. Congresswoman CHRISTENSEN, thank you very much.

I think it's important to emphasize a point that you just made as it relates to what we should be doing to jump-start the economy. We should be investing in the American economy, attempting to grow it so we can create prosperity for the greatest number of people possible, not using sequestration, which is a blunt instrument, to beat the economy and give it a pounding when it is already is in an extremely fragile state.

We know that objective economists have said that sequestration will have an impact of 750,000 lost jobs. We can't afford that at this moment. We urge our colleagues to come back to the negotiating table.

I'm pleased that we've been joined by the distinguished gentleman from Illinois, Congressman DANNY DAVIS.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I want to thank the gentleman for his leadership in hosting this event. It is so good to see young and talented individuals come to the Congress, building upon the experiences that they've had in their city, State, and local governments, and it's a pleasure to be here.

You know, I've been told that you can measure the humaneness of a society by how well it treats its old, how well it treats its young, and how well it treats those who have difficulty caring for themselves. I was just thinking that should the sequestration deal hold through the end of the fiscal year, between 600,000 and 750,000 low-income women, infants, and children will be turned away.

This would be not only unfortunate, but it would be a tremendous change in what precedence has been because traditionally, dating back to 1997, both parties have made it a point of trying to make sure that this population group did in fact have an opportunity to participate in the Women, Infants, and Children program and that low-income pregnant women, infants, and children, the most vulnerable members of our society, would be able to have the basic necessities of life.

And it was amazing to me this weekend, as I watched a little bit of television on Sunday morning, on the traditional Sunday talk shows, and how different Representatives were characterizing this action as: not as bad as some people thought it was going to be; it's not going to affect as many people as it seems; our country has not fallen into Lake Michigan.

Well, I can tell you, if you are a young, pregnant mother with no money, no place to go, and you rely upon the Women, Infants, and Children program to try to make sure that you produce a healthy baby who just comes into the world with a chance to make it and who, without these services, may come into life already disadvantaged, already behind.

□ 2000

And so I don't know how we can actually do this with a good conscience. But, also, I can't imagine what it is that we're thinking. How do you cut, cut, cut jobs and opportunities for people to work and expect to raise a recessed economy?

I've always been led to believe that you've got to have the exchange of goods and services. You've got to keep money flowing in an economy, in a society, to move it beyond the bottom up towards the top.

And so, in the recessed state that we're in, we need to be producing jobs, creating work opportunity, not furloughing, laying people off, having them wonder what they're going to be able to do. I think it's the wrong approach. I think it's not a good way to manage our resources, and I think it's not a good message that we're sending to the American people.

So, sir, I want to thank you, again, for the opportunity to participate with you and other members of the Congressional Black Caucus as we raise awareness that, with this sequestration deal,

our country is headed in the wrong direction.

Mr. JEFFRIES. Thank you, Congressman DAVIS, for your leadership and for your eloquence in laying out, in a very clear, concise, and articulate fashion, the problems with sequestration that we are forced now to confront here in America as a result of the irresponsibility of some in this Chamber.

I'm pleased that we've been joined by my distinguished co-anchor, the gentleman from Nevada, the Silver State, STEVEN HORSFORD. I now yield to Representative HORSFORD.

Mr. HORSFORD. Thank you, Madam Speaker. To my good friend and colleague, Representative JEFFRIES, thank you for co-anchoring this special hour, and to all of my colleagues who joined us tonight to discuss the impact of the sequester.

You know, far too often, talk of the so-called sequester ignores the very real people who feel the pain of unfair cuts. Our job, as Representatives, is to be the voice of our constituents. Well, tonight, I hope that we can have a frank discussion about what these cuts really mean to all of our communities.

My colleagues talked about the 750,000 to 1 million job losses that could result as a result of the sequester. Any day, Congress can pass a reasonable, balanced deficit reduction solution to avert these devastating, across-the-board cuts. That's what the American people are asking for, in fact.

According to a USA Today/Pew Research poll, three out of four Americans surveyed said that Congress should focus on a balanced approach to the deficit, with a combination of spending cuts, strategic spending cuts, and additional revenue.

Now, I know here in Washington, sometimes the focus is more on scoring political points, or seeing who can win the blame game. Well, Madam Speaker, the American people are watching, and they are fed up with the broken ways of Washington. They came out and they voted in November, and they sent a very clear message to all of us here in Congress that it is time for us to work together to put partisanship aside and to put our Nation first.

So, if all parties would come to the table, like we are supposed to, we can minimize the impact of the sequester on working families like mine in Congressional District Four. If we do our jobs, like the American people are rightfully demanding, we can reduce our debt in a responsible way and get our economy moving again.

So I call on my colleagues on the other side of the aisle: Come to the table, help find a solution, and let's fix some of these deep cuts that were never supposed to happen. I wasn't part of the Congress that enacted the sequester. I know my colleague, Mr. JEFFRIES, was not either, but we are here now, and we want to do our jobs on behalf of the constituents who sent us here.

This is victory for no one and a horrible loss for the American people. Now, if we let the sequester continue, our economic recovery will be thrown in reverse.

A study by George Mason University projects a loss of 2.14 million American jobs if we fail to act. Half of those jobs will come from small businesses, businesses that are the engines of our economy. Perhaps most unfair, as part of the sequester, our schools and our students will be hurt.

Now, a couple of weeks ago, I voted, along with many of my colleagues, to not adjourn this body, to stay here throughout the so-called District Work Week to work with my colleagues across the aisle to try to come up with a balanced solution to avoid these devastating cuts. But the leadership, the Republican leadership, decided to adjourn.

And so, instead of spending time with our families, we went out and met with our constituents to listen to them about what these cuts mean in their everyday lives. So let me talk to you about what this means in my home State of Nevada.

Nearly 300 Nevada children will lose Head Start and early Head Start services. These are programs that provide critical early education programs. At a time when we talk about wanting to close the academic achievement gap and allowing every child to start school ready to learn on day one, these impacts would deny services to 300 Nevada children. In fact, I already have 400 children who are on the waiting list for one of my Head Start providers, and families can't even get in to be served.

Primary and secondary education in Nevada would be cut by $9 million, putting around 120 teacher and teacher aide jobs at risk. Funding for title I schools would be slashed.

One particular elementary school that I visited, Matt Kelly Elementary School, over 50 percent of their allocation from the school district is title I funding. How is that school supposed to maintain the services that they're providing to these young and deserving children?

Services like nutrition programs, full-day kindergarten, a parent center so that we can actually have parental involvement in our schools, that is what is under attack with these mindless, across-the-board cuts.

About 14,000 fewer students would be served, and approximately 10 fewer schools in my district would even receive funding under title I.

Disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents. When we talk about helping people get back to work, one of the biggest impediments for many families is having access to child care.

Schools and families in my district need these programs to provide hungry students the meals that they need to focus in class, to fund math and reading intervention programs, and to keep their teachers employed.

We can reduce unnecessary spending, Madam Speaker, but these are the wrong places to cut, and everyone knows it on both sides of the aisle, in both Chambers of this Congress.

□ 2010

Now, some of these cuts won't heal. And as Mrs. Marian Wright Edelman of the Children's Defense Fund has aptly noted, we better be careful what we cut because some cuts don't heal. We don't get a second chance at Head Start. We don't get a second chance once our kids have moved on to the next grade, with or without the schools that they need. We don't get a second chance at the whole formative experience of education that so heavily influences the paths of our lives.

Opportunities are just that. They're there for a moment, and they disappear if you don't act. There is no reset button for your education. Once our children are in those classrooms, we set them on a track for success or failure. We tip the scales for or against them in the moment that they walk through the front doors of the schoolhouse.

We ask our students to study hard, meet deadlines and do their homework. That's their end of the bargain. We, as parents, are asked to be involved, to foster our children's growth and to pay attention to their needs. As Members of Congress, our end of the bargain is to make sure that our children's schools are well-funded institutions of learning.

Well, if anyone is grading Congress right now, we're not doing our job, Madam Speaker. We even gave ourselves a 2-month extension, but we missed our deadline and let cuts go into effect that Members from both parties have described as dumb, avoidable, and painful. Congress didn't make the grade.

When it comes to fixing the deficit, you have to be careful what you cut. As I said, according to the Children's Defense Fund, eliminating early education investments now would increase a child's chances of going to prison later by up to 39 percent. Paying for that prison will cost nearly three times more a year than it would have cost to provide them with a quality early learning experience.

Simply put, our kids are being shortchanged by adults here in Washington. This is an adult problem, and it's time for adults to be adults and to come into this body and work together and solve this for our children and their future.

Let's make the right choice—adequately fund our schools and look out for our children.

I thank my colleague for yielding.

Mr. JEFFRIES. Thank you, Congressman HORSFORD.

I think what is important, as it relates to the moment we find ourselves in right now in America, is that there are some who make the argument that the reason why the sequestration cuts perhaps were acceptable is because we've got to do something to deal with our out-of-control spending problem—I believe that's the phraseology that is

often used—that we have here in America. And certainly when you think about the debt number that we have, $16 trillion, it strikes you as an extremely troubling situation.

And then of course we've had debates back and forth as it relates to the debt ceiling and suggestions from some in this Chamber that the President's effort to raise the debt ceiling is evidence of his willingness to be irresponsible as it relates to the economy.

What's interesting, of course, is that the debt ceiling is not a forward-looking vehicle that's designed to give the administration the ability to spend more. The debt ceiling is a backward-looking vehicle designed to give President Obama at this moment the ability to pay for bills that this Congress has already incurred.

And so when we talk about the notion that there is a spending problem in America, let's be accurate with what really is at issue. And the reality is that many of the bills that we've already incurred, that Americans are forced to pay for and borrow in order to meet our obligations, these were debts incurred by the prior administration.

In fact, this chart illustrates the dynamic that we find ourselves in as it relates to where we really are in America and how we got here. Under the prior administration of George W. Bush, we had two significant tax cuts that were not paid for in 2001 and 2003 that disproportionately benefited the wealthy and the well off. We had an unjustified war in Iraq that cost Americans in lives and in treasure and that contributed significantly to the deficit and our need to raise and borrow additional debt.

And then, of course, we had the collapse of the economy. It cost America, by some estimates, $22 trillion in lost wealth, homeownership, and economic productivity. And as a result of the collapse of the economy, which took place under the prior administration—many argue they were sleeping at the switch and allowed some in Wall Street to engage in reckless behavior—we were forced to bail out some of the largest financial institutions in this country, which added to our financial burden here in America. And then when the administration came in, inherited a train wreck, in order to stimulate the economy we incurred some additional financial responsibility.

And so when you look at this chart, you can see what the projected debt is as a result of things that occurred in the prior administration as a proportion of GDP. This is a dangerously high number. But we are at this point where the debt has increased relative to our GDP because of things that happened in the prior administration. And, in fact, if you look at the bottom of the chart, you see what the debt would be, much lower, as a proportion of GDP, had those things not occurred.

So when you talk about the need to get spending under control, let's be intellectually honest. Because when we're not, you lay out a scenario: Well, it's because of Social Security that we're in this situation. That's not the case. Well, it's because of Medicare and entitlements that we're in this situation. That's not the case. Well, it's because of Medicaid, and we have all of these takers—so-called takers—in our economy. That's not the case.

Two wars, one of which was completely unjustified, the other of which it's not clear whether it was prosecuted in the manner it could have been because we were distracted in Iraq; two enormous tax cuts that benefited the wealthy and the well off disproportionately; the collapse of the economy; a subsequent Wall Street bailout; and then the need for an economic stimulus package explains why we are where we are right now.

And so the sequestration is an irrational, irresponsible, illegitimate reaction to the reason why we are in this place. And that's why, Congressman HORSFORD, we are arguing for a balanced approach to our economic reality, the one that we confront right now.

I yield to the gentleman from Nevada.

Mr. HORSFORD. Thank you to my friend and my colleague from New York. And as you aptly noted, the history of how we got to this point needs to not be lost in this debate. And I know there are some who also want to now talk about the cuts that were made in agreement with the administration last year, along with those additional revenues which were approved in January, as somehow the answer for why there needs to be no additional revenue.

□ 2020

That doesn't take into account the $85 billion of cuts that are now upon us under this sequester.

I'd like to just hit on three additional points, if I could. One is the unemployment impact.

We're focused on growing the economy, putting people back to work. In my home State of Nevada, we still have an unemployment rate above the national average. While our numbers are coming down, we don't need to add anyone to the unemployment lines. Under the sequester, some 750,000 to 1 million Americans will end up losing their jobs unless this Congress comes together and finds a solution—a balanced approach, as you indicate.

In Nevada, that's 10,000 lost jobs. And of those jobs, the main areas that will be affected are the civilian positions at our Air Force bases—Nellis Air Force Base, Creech Air Force Base, and the Hawthorn Army Depot. It's estimated that some 1,400 furloughs will occur to civilian jobs, amounting to $11 million in lost wages. These aren't just lost wages to these individuals and their families; it's $11 million less of economic recovery that we so desperately need.

Then when you talk about our tourism and the impact to travel, the FAA will be required to cut its operational activities by nearly $483 million. As a consequence, all FAA employees could be furloughed for 11 days, meaning as much as 10 percent of the FAA's workforce of 40,000 would be on furlough on any given day. So for those of us who travel, States like ours, yours in New York that rely on tourism to fuel our economies, that is going to affect our ability to recover.

On top of that, Nevada will lose funds for job search assistance to help those who are currently looking for work. Nevada could lose upwards of $300,000 in funding for job search assistance, referral and placement, meaning that 10,000 fewer people will get the help that they need for the skills to help them find another job.

So these are the dire impacts that we see, talking to our constituents. These are the real impacts that we believe need to be addressed by this Congress in a balanced approach.

Mr. JEFFRIES. I thank you for highlighting some of the impacts that are going to take place in your district in Nevada.

If I might ask, Madam Speaker, how much time do we have remaining on our Special Order?

The SPEAKER pro tempore (Mrs. WAGNER). The gentleman has 4 minutes remaining.

Mr. JEFFRIES. Madam Speaker, I represent the Eighth Congressional District in New York. It was one of the districts that was hardest hit by Superstorm Sandy that struck on October 29.

The people of the Eighth Congressional District—neighborhoods like Canarsie and Coney Island, Sea Gate, Brighton Beach, Manhattan Beach, Mill Basin, folks who are in coastal communities along the Atlantic Ocean or who live near the Jamaica Bay—lost their homes, experienced significant damage, were displaced, lost property that can never be recovered.

They were victimized on October 29, and then this Congress attempted to come together to provide swift and immediate relief—as is our responsibility to do when Americans have been hit with disaster. A $60 billion aid package was passed in the Senate. Although there was a promise for a vote in 2012, it didn't happen. At the 11th hour, it was yanked because there were some who were arguing—again, in the name of alleged fiscal responsibility—that we should be considering offsets. Americans in need, desperate, but we should be considering offsets, unprecedented in the history of America's response to a tragedy.

Then, thankfully, in January, we came together. Common sense prevailed and we were able to pass that robust $60 billion package. But now we've victimized those who were impacted by Superstorm Sandy in a district that I represent—and others in New York and New Jersey and Connecticut—for a third time because in this sequestration, $2.5 billion in superstorm aid relief has been cut.

That's just one of the examples of how sequestration will impact folks in my congressional district and all across the country, which is why we've been arguing for a balanced response.

The other thing that I'd note: I was in Brooklyn a few days ago and had a meeting with public housing leaders. The New York City Public Housing Authority, which presides over public housing units in New York City—the largest such public authority related to public housing in the country—will experience a $190 million cut as a result of sequestration. There are already residents of public housing in my district and all across the city of New York dealing with inhumane conditions right now—mold infestation, broken elevators, rat infestation, the inability to get repairs done on a timely basis, violence at levels that should not be tolerated. And instead of cutting almost $200 million from the Public Housing Authority in New York, we should be investing more.

Madam Speaker, we're hopeful that we can arrive at a place where common sense will prevail and we can move forward to keep America moving forward in a reasonable way.

I yield to my colleague from Nevada to close.

Mr. HORSFORD. I just want to add that this debate begins and ends with the American people. We want to hear and listen to their views. We want you to know that you can go to # Be Careful What You Cut and tell us the impacts that you are seeing with this sequester and how it is affecting you. That way we can share those opinions and views with our colleagues to hopefully convince them that a balanced approach, working across party lines, both Chambers, the Senate and the House, coming together for the good of the American people is what we desperately need at this time.

Madam Speaker, thank you for allowing us to speak this evening and for the American people allowing us to be their voice in this representative government.

Mr. JEFFRIES. Madam Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, when the Congress adjourned last week, it did so without addressing the drastic spending cuts known as sequester. Now the March 1st deadline has passed, still with no action. Without the attention of Congress, these cuts will wreak havoc on our fragile economy and jeopardize the safety and security of families in this country. House and Senate Democrats have both offered reasonable, balanced plans to avert these damaging cuts, but the GOP has refused to work towards a bipartisan plan to reduce the deficit. We have had more than a year to reach a bipartisan agreement, and without an agreement these cuts will be balanced on the backs on our most vulnerable citizens.

I am specifically concerned about the effects of sequestration on the 30th District, and the state of Texas as a whole. Texas will lose approximately $67.8 million for primary and secondary education, putting educators at risk and compromising our children's education. In Texas alone, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around $274.8 million in total. These are not just numbers. Madam Speaker. These are mothers and fathers trying to provide for their families.

Under sequestration, 9,730 fewer children in Texas will receive vaccines, and our state will lose approximately $3,557,000 to help provide meals for seniors. Texas will also lose approximately $2,402,000 to help respond to public health threats including infectious diseases and natural disasters.

Madam Speaker, we must confront our federal debt and deficit, but we must do so in a balanced approach that does not further harm our weakened economy. Deficit reduction must be comprised by both decreased spending and enhanced revenue measures. I implore the House leadership and the Republican Members of Congress to come back to the table and get back to work.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HONDA (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. YOUNG of Alaska (at the request of Mr. CANTOR) for February 25 through March 7 on account of medical reasons.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

ADJOURNMENT

Mr. JEFFRIES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 5, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Patient Protection and Affordable Care Act; Standards Related to Essential Health Benefits, Actuarial Value, and Accreditation [CMS-9980-F] (RIN: 0938-AR03) received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

567. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' final rule — Seismic Evaluation Guidance: Screening, Prioritization and Implementation Details (SPID) for the Resolution of Fukushima Near-Term Task Force Recommendation 2.1: Seismic received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

568. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-020, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

569. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-010, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

570. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-001, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

571. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-021, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

572. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Engineering Documentation Report for the Flood Damage Reduction Project for the Roseau River; (H. Doc. No. 113—13); to the Committee on Transportation and Infrastructure and ordered to be printed.

573. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and methods of accounting (Rev. Proc. 2013-20) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

574. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2013 (Rev. Rul. 2013-7) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Nationwide Weighted Average Preproductive Period for Such Plant [Notice 2013-8] 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. ROGERS of Kentucky:

H.R. 933. A bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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. McCLINTOCK (for himself, Mr. COSTA, Mr. DENHAM, Mr. NUNES, Mr. VALADAO, Mr. McCARTHY of California, and Mr. LAMALFA):

H.R. 934. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; to the Committee on Natural Resources.

By Mr. GIBBS (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. SCHRADER, and Mr. McINTYRE):

H.R. 935. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure, 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. MATHESON (for himself and Mr. DENT):

H.R. 936. A bill to amend the Help America Vote Act of 2002 to eliminate straight-party voting from any voting system used for Federal elections; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself and Mr. COBLE):

H.R. 937. A bill to support innovation and research in the United States textile and fiber products industry; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, and 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 Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH):

H.R. 938. A bill to strengthen the strategic alliance between the United States and Israel, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and 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. BENTIVOLIO (for himself, Mr. GRIFFIN of Arkansas, Mr. WESTMORELAND, Mr. ROSS, and Mr. YOHO):

H.R. 939. A bill to suspend the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, and certain other defense articles or defense services to the Government of Egypt; to the Committee on Foreign Affairs.

By Mrs. BLACK (for herself, Mr. FLEMING, Mr. FORTENBERRY, Mr. DAINES, Mr. BOUSTANY, Mr. JONES, Mr. CASSIDY, Mr. ROGERS of Alabama, Mr. NUNNELEE, Mr. LIPINSKI, Mr. HULTGREN, Mr. BONNER, Mr. CRAMER, Mr. BROUN of Georgia, Mr. JOHNSON of Ohio, Mr. WALBERG, Mr. TIBERI, Mr. KELLY, Mr. NEUGEBAUER, Mr. FLORES, Mrs. ELLMERS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. MURPHY of Pennsylvania, Mr. BENTIVOLIO, Ms. FOXX, Mr. RODNEY DAVIS of Illinois, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. FINCHER, Mr. WESTMORELAND, Mr. GRAVES of Georgia, Mr. BACHUS, Mr. BARLETTA, Mr. JORDAN, Mrs. WAGNER, Mr. BENISHEK, Mrs. BLACKBURN, Mr. WENSTRUP, Mr. SOUTHERLAND, Mr. SCHWEIKERT, Mr. HUELSKAMP, Mr. HARRIS, Mrs. HARTZLER, Mr. MILLER of Florida, Mr. SMITH of New Jersey, Mr. ROSKAM, Mr. PEARCE, and Mrs. WALORSKI):

H.R. 940. A bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes; 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. CAPUANO:

H.R. 941. A bill to ensure that any authority of the Mutual Mortgage Insurance Fund to borrow amounts from the Treasury is used only to pay mortgage insurance claims; to the Committee on Financial Services.

By Mr. CROWLEY (for himself and Mr. SENSENBRENNER):

H.R. 942. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; 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. DUNCAN of Tennessee:

H.R. 943. A bill to amend the Federal Crop Insurance Act to immediately reduce crop insurance premium subsidy rates from the higher subsidies provided since the Agricultural Risk Protection Act of 2000; to the Committee on Agriculture.

By Mr. GARCIA:

H.R. 944. A bill to provide for eligibility for relief from removal for certain Venezuelans; to the Committee on the Judiciary.

By Mr. SOUTHERLAND:

H.R. 945. A bill to remove from the John H. Chafee Coastal Barrier Resources System the areas included in Indian Peninsula Unit FL-92 and Cape San Blas Unit P-30 in Florida; to the Committee on Natural Resources.

By Mr. HOLT:

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhamad Yunus; to the Committee on House Administration.

By Ms. LEE of California (for herself, Mr. BURGESS, and Mr. VAN HOLLEN):

H. Res. 95. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Ms. MOORE:

H. Res. 96. A resolution expressing support for designation of the week of March 3 through 9, 2013, as ''School Social Work Week''; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Kentucky:

H.R. 933.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. McCLINTOCK:

H.R. 934.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, N, Clause 2, which confers on Congress the power to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. GIBBS:

H.R. 935.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.

By Mr. MATHESON:

H.R. 936.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 937.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'' This authority is consistent with the bill's goal of promoting growth, innovation and research in the United States textile and fiber products industry.

By Ms. ROS-LEHTINEN:

H.R. 938.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. BENTIVOLIO:

H.R. 939.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. BLACK:

H.R. 940.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any

person within its jurisdiction the equal protection of the laws.

By Mr. CAPUANO:

H.R. 941.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. CROWLEY:

H.R. 942.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DUNCAN of Tennessee:

H.R. 943.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. GARCIA:

H.R. 944.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

By Mr. SOUTHERLAND:

H.R. 945.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. CRAMER.

H.R. 23: Mr. WENSTRUP.

H.R. 25: Mr. WITTMAN.

H.R. 32: Mr. THOMPSON of California, Mrs. MCCARTHY of New York, Mr. PEARCE, Mr. GENE GREEN of Texas, Mr. SMITH of New Jersey, Mr. OWENS, Ms. SHEA-PORTER, Mr. PRICE of North Carolina, Mr. REED, Ms. GABBARD, Ms. SCHWARTZ, and Mr. BARBER.

H.R. 36: Mr. LUETKEMEYER, Mr. AMODEI, Mr. HARRIS, Mr. FITZPATRICK, Mr. YOUNG of Alaska, and Mr. MURPHY of Pennsylvania.

H.R. 69: Mr. SCHIFF.

H.R. 71: Ms. GABBARD.

H.R. 79: Mr. SABLAN.

H.R. 93: Ms. ESTY and Ms. SHEA-PORTER.

H.R. 129: Mr. GRAYSON and Mr. PAYNE.

H.R. 137: Mr. CARSON of Indiana, Ms. LOFGREN, and Ms. ESTY.

H.R. 138: Ms. LOFGREN and Ms. ESTY.

H.R. 141: Ms. LOFGREN.

H.R. 142: Ms. LOFGREN.

H.R. 148: Mr. SWALWELL of California, Ms. ESTY, Mr. LARSEN of Washington, and Ms. DEGETTE.

H.R. 164: Ms. GABBARD, Mr. COFFMAN, Ms. HERRERA BEUTLER, Ms. BROWNLEY of California, and Mr. WESTMORELAND.

H.R. 176: Ms. FOXX, Mr. MCCLINTOCK, and Mr. ROSS.

H.R. 180: Mr. ANDREWS.

H.R. 183: Mr. JONES.

H.R. 207: Mr. HARPER.

H.R. 241: Mr. GRIFFITH of Virginia.

H.R. 262: Mr. COURTNEY.

H.R. 282: Mr. BROUN of Georgia.

H.R. 283: Mr. STUTZMAN, Mr. FORBES, Mr. CONAWAY, and Mr. JONES.

H.R. 301: Mr. JOHNSON of Ohio.

H.R. 309: Mr. BENTIVOLIO, Mrs. LUMMIS, Mr. CHABOT, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. CRAMER, Mr. OLSON, and Mr. COLE.

H.R. 311: Mr. NEUGEBAUER, Mr. REED, and Mr. GRAVES of Georgia.

H.R. 324: Mr. REED and Mr. GIBSON.

H.R. 334: Mr. YOUNG of Florida.

H.R. 351: Mr. GRIMM and Mr. CARTER.

H.R. 354: Mr. ENYART, Mr. GRIJALVA, Ms. WATERS, and Mr. MORAN.

H.R. 357: Mr. COLLINS of New York.

H.R. 361: Mr. SMITH of Washington.

H.R. 382: Mr. YOHO and Mr. DUNCAN of South Carolina.

H.R. 401: Mr. CAMP.

H.R. 421: Mr. ANDREWS.

H.R. 437: Mr. LYNCH, Ms. MOORE, Ms. BASS, Mr. WAXMAN, Mr. MCDERMOTT, Mr. SMITH of Washington, and Mr. LANGEVIN.

H.R. 452: Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. HAHN, Mrs. BEATTY, Ms. BONAMICI, Ms. SCHWARTZ, and Ms. ESTY.

H.R. 453: Mr. BOUSTANY.

H.R. 454: Mr. DENT, Mr. FITZPATRICK, Mr. MEEHAN, and Mr. BARLETTA.

H.R. 460: Mr. COFFMAN, Mr. YOUNG of Alaska, Ms. NORTON, Mr. LEWIS, and Ms. MOORE.

H.R. 487: Mr. RODNEY DAVIS of Illinois.

H.R. 492: Mr. CRAMER.

H.R. 494: Mr. MARINO, Ms. DEGETTE, Mr. HASTINGS of Florida, Mr. COURTNEY, Mr. FITZPATRICK, Mr. CRENSHAW, Mr. HIGGINS, Mr. WALBERG, Mr. DENT, Ms. MCCOLLUM, Mrs. ELLMERS, Mr. LANCE, Mr. DOYLE, Ms. SCHWARTZ, Mr. HANNA, Mr. GIBSON, Mr. AMODEI, Mr. HOLT, Mr. KING of New York, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. CHABOT, Mr. HONDA, Mr. ROSKAM, Mr. GRAVES of Missouri, Mrs. DAVIS of California, Mr. BENISHEK, Mr. KIND, Mr. MORAN, Mr. GARDNER, Mr. LAMBORN, Mr. LIPINSKI, Mr. POLIS, Ms. LINDA T. SÁNCHEZ of California, and Ms. PINGREE of Maine.

H.R. 501: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 503: Mr. DEFAZIO.

H.R. 519: Mr. SIRES.

H.R. 530: Ms. KUSTER.

H.R. 544: Mr. MCKEON and Mr. OLSON.

H.R. 555: Mr. CRAMER.

H.R. 569: Mrs. NEGRETE MCLEOD, Mr. ENYART, Mr. MCGOVERN, Ms. BORDALLO, Mr. WESTMORELAND and Mr. GRIJALVA.

H.R. 570: Mrs. NEGRETE MCLEOD, Mr. ENYART, Mr. MCGOVERN, Ms. BORDALLO, Mr. WESTMORELAND and Mr. GRIJALVA.

H.R. 580: Mr. HARRIS and Mr. DUNCAN of South Carolina.

H.R. 595: Ms. SCHAKOWSKY.

H.R. 627: Mr. YOUNG of Alaska, Mr. JOHNSON of Ohio and Mrs. BLACKBURN.

H.R. 630: Mr. BISHOP of New York, Mr. RANGEL, Ms. ESHOO, Mr. BLUMENAUER, Mr. RUSH, Mr. POCAN, Mr. SMITH of Washington, Ms. SCHAKOWSKY, Mr. FARR, Mr. RAHALL, Mr. TONKO, Mr. MCGOVERN, and Ms. SLAUGHTER.

H.R. 657: Mr. CRAMER.

H.R. 661: Ms. SCHAKOWSKY.

H.R. 668: Mr. ROKITA, Mr. CRAMER, and Mr. RICE of South Carolina.

H.R. 671: Mr. BLUMENAUER.

H.R. 677: Mr. CRAWFORD.

H.R. 679: Mrs. CAPITO, Mr. LUETKEMEYER, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, and Mr. STEWART.

H.R. 681: Mr. PETRI.

H.R. 683: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. BLUMENAUER, and Mr. GRIJALVA.

H.R. 688: Mr. YOUNG of Florida, Mr. FARR, Mr. CÁRDENAS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LOWENTHAL.

H.R. 689: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 690: Mr. STIVERS.

H.R. 693: Mr. FOSTER and Mr. VISCLOSKY.

H.R. 699: Mr. JOHNSON of Georgia.

H.R. 705: Mr. WILLIAMS, Mr. GRIFFIN of Arkansas, and Mr. WESTMORELAND.

H.R. 718: Mr. NUNNELEE, Mr. ROSS, Mr. LUETKEMEYER, and Mr. GARDNER.

H.R. 724: Mr. STIVERS, Mr. BENTIVOLIO, Mr. GUTHRIE, Mr. JONES, and Mr. JOHNSON of Ohio.

H.R. 732: Mr. LUETKEMEYER, Mr. CAMP, Mr. YOUNG of Florida, and Mr. CRAMER.

H.R. 738: Mr. JONES.

H.R. 746: Mr. WESTMORELAND, Mr. MCKEON, and Mr. CRAMER.

H.R. 751: Mr. ROE of Tennessee.

H.R. 755: Mr. GALLEGO, Mr. ROHRABACHER, Mr. GIBSON, Mrs. LUMMIS, Mr. DEFAZIO, Mr. BENTIVOLIO, Mr. LOBIONDO, Mr. RANGEL, Mr. DUNCAN of Tennessee, Mr. COLLINS of New York, Ms. DEGETTE, Mr. GARAMENDI, Ms. SHEA-PORTER, Mr. REICHERT, Mr. NUGENT, Mr. SIMPSON, Mr. MESSER, Mr. CRAMER, Mr. ROSS, Mr. BLUMENAUER, Mr. TURNER, Mr. WALZ, Mr. LIPINSKI, Mr. FARR, Mr. CONYERS, Mr. WESTMORELAND, Mr. ROSKAM, Mr. OLSON, and Mr. AMODEI.

H.R. 762: Mr. ROSS and Mr. OLSON.

H.R. 763: Mr. DENHAM, Mr. YOUNG of Indiana, Mrs. CAPITO, Mr. GARDNER, Mr. GRIFFITH of Virginia, Mr. RODNEY DAVIS of Illinois, Mr. WESTMORELAND, Mr. DUFFY, Mr. GUTHRIE, Mr. MCCLINTOCK, Mr. TURNER, Mr. GINGREY of Georgia, Mr. OLSON, Mr. POSEY, Mr. GRIFFIN of Arkansas, and Mr. COTTON.

H.R. 784: Mr. SWALWELL of California.

H.R. 803: Mrs. ROBY and Mr. POE of Texas.

H.R. 810: Mr. ENYART and Mr. MCDERMOTT.

H.R. 813: Mrs. ROBY.

H.R. 822: Mr. DUNCAN of Tennessee, Mr. MORAN, Mr. CLAY, Ms. SEWELL of Alabama, Mr. CONNOLLY, Mr. MCGOVERN, Mr. TONKO, Mr. HIMES, and Ms. MCCOLLUM.

H.R. 823: Mr. STOCKMAN.

H.R. 828: Mr. ROSS.

H.R. 833: Mr. RIGELL, Mr. TURNER, Mr. NUGENT, Mr. WESTMORELAND, Mr. THOMPSON of California, Mr. FLEMING, Mr. COOK, Mr. REED, Mr. MCKINLEY, Mr. LAMBORN, Mr. YOHO, Mr. FRANKS of Arizona, and Mr. COLE.

H.R. 847: Mr. PETERS of Michigan, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Ms. MATSUI, Mr. MORAN, Mr. RUSH, Mr. ISRAEL, Mr. DOGGETT, Mr. LIPINSKI, and Mr. PRICE of North Carolina.

H.R. 850: Ms. SCHWARTZ, Mr. SAM JOHNSON of Texas, Mr. WESTMORELAND, Mr. MURPHY of Florida, Ms. VELÁZQUEZ, Mr. SCHIFF, Mr. SCHOCK, Mr. ROSS and, Mr. YOHO.

H.R. 874: Mr. ANDREWS.

H.R. 875: Mr. CAMPBELL and Mr. HANNA.

H.R. 894: Mr. MICHAUD.

H.R. 903: Mr. BARR and Mr. DENT.

H.R. 904: Mr. HANNA and Mr. COFFMAN.

H.R. 914: Mr. WESTMORELAND, Mr. WEBER of Texas, and Mr. NEUGEBAUER.

H.R. 919: Mr. LANGEVIN.

H.R. 920: Mr. MCNERNEY.

H.R. 930: Mr. GUTHRIE.

H.J. Res. 1: Mr. PITTENGER.

H.J. Res. 2: Mr. PITTENGER, Mr. YOUNG of Florida, and Ms. ROS-LEHTINEN.

H.J. Res. 27: Mr. OLSON.

H. Con. Res. 8: Mr. MURPHY of Pennsylvania.

H. Res. 24: Mr. BACHUS, Mrs. HARTZLER, Ms. SHEA-PORTER, and Ms. JENKINS.

H. Res. 36: Mr. STUTZMAN, Mr. SMITH of New Jersey, Mrs. WAGNER, and Mr. HARRIS.

H. Res. 51: Ms. SCHAKOWSKY and Ms. SLAUGHTER.

H. Res. 71: Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. MORAN, and Mr. BLUMENAUER.

H. Res. 75: Mr. WALBERG, Mr. COLLINS of New York, Mr. BARR, and Ms. BORDALLO.

H. Res. 76: Mr. BOUSTANY, Mr. KIND, Mr. BUCHANAN, Mr. COSTA, Mr. KEATING, and Mr. MORAN.

H. Res. 91: Ms. LOFGREN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 668, To amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, MONDAY, MARCH 4, 2013 No. 30

Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Almighty God, sovereign of our Nation and Lord of our lives, thank You for infusing us with the confidence that You order our steps each day. Give our lawmakers courage and a strong resolve to glorify Your Name as they trust the unfolding of Your loving providence. Lord, as they remember what You have already done to bless this Nation, inspire them to march confidently toward tomorrow's difficulties with a total dependence on You. May they recommit themselves each day to faithfully fulfilling the awesome responsibility You have entrusted to them.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. KAINE). The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business until 5 p.m. today. Following that morning business, the Senate will proceed to executive session to consider the Chen and Failla nominations to be U.S. district judges, both in the State of New York. At 5:30 p.m. there will be two rollcall votes on confirmation of these nominations.

NOMINATIONS

Mr. REID. Mr. President, this week the Senate will consider a number of nominations.

Tonight we will vote, as I have just indicated, on Pamela Chen to be a judge for the Eastern District of New York and Katherine Failla to serve as district judge for the Southern District of New York.

Later this week we are going to consider the nomination of Caitlin Joan Halligan to the U.S. Court of Appeals for the DC Circuit. This circuit now has four vacancies. Ms. Halligan's colleagues say she has ''a brilliant mind'' and ''an abiding respect for law.'' Those are direct quotes. But despite her outstanding credentials and strong support from across the political spectrum, Republicans filibustered her confirmation last Congress.

President Obama is the only President in the 65-year history of the DC Circuit Court not to have a single judge confirmed to that court during his first term. Remember, there are now four vacancies. Since she was nominated, two additional vacancies have opened on the DC Circuit. The court desperately needs more judges.

This week the Senate will consider the nomination of John Brennan to lead the Central Intelligence Agency. Mr. Brennan's nomination is expected to be reported out of the Intelligence Committee tomorrow.

Mr. Brennan served 25 years in the CIA in many extremely important delicate roles and 4 years on the White House national security staff, where he played an instrumental role in finding Osama bin Laden and decimating al Qaida. He is very qualified, he is a wonderful public servant, and he should be confirmed quickly.

This week will be a test of the Republicans' goodwill. My Republican colleagues say they respect the Senate's responsibility to advise and consent. My Republican colleagues say they don't plan to obstruct the confirmation process for the sake of obstruction, but they filibustered President Obama's nominee for Secretary of Defense—for the first time in the history of the country, being a former Republican Senator—delaying Senator Hagel's confirmation for at least 2 weeks.

Republicans say they will not filibuster, but their actions say otherwise. Republicans say they are just requiring 60-vote thresholds, but the difference between a filibuster and requiring a 60-vote threshold on nominations is a distinction with no difference. In a nation founded on the principle of justice for all, requiring a 60-vote threshold on nominations is unfair. It is unfair for all. It is extremely important that we adequately staff our Federal courts, and we have not done that.

At a time when America faces so many threats abroad, it is crucial we have a talented and dedicated individual such as John Brennan leading our Nation's most prominent intelligence agency. Yet Republicans again and again inject politics into the confirmation process, both when considering judicial nominees and, most recently, when considering Cabinet nominees.

There was once a time when Republicans were the ones defending the right of the President to choose the players on his team. Back then it was a Republican in the White House.

In 2001, the senior Senator from Utah touted the ''longstanding tradition in the Senate . . . [to] afford the President a significant degree of deference to shape his Cabinet as he sees fit.''

Four years later, after President Bush was reelected, the senior Senator from Arizona pointed out that elections have consequences and said, ''The President has a right to put into place

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

Printed on recycled paper.

the team he believes will serve him best.''

As we consider key nominations this week and in the future, I hope my Republican colleagues honor the longstanding tradition of the Senate that they have identified and we agree with. I urge my Republican colleagues to consider that if the Senate fails to properly staff our national security agencies or the Nation's judicial system, our inaction will also have consequences.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

NOMINATIONS

Mr. LEAHY. Mr. President, I thank the majority leader for what he said on these nominations. As he knows, we have an awful lot of them that have come out, and then every time he has tried to move them quickly on the Senate floor there has been opposition from the other side.

It has been frustrating when we actually had nominations that waited months, or will have a cloture vote, and then they will get 90 or 95 votes for confirmation.

Mr. REID. Mr. President, would my friend yield for a question?

Mr. LEAHY. Of course.

Mr. REID. I ask the chairman of the Judiciary Committee to explain to everyone within the sound of our voices how important the DC Circuit is to our country.

Mr. LEAHY. Mr. President, it would be hard to state it any better than the Senator from Nevada has. But so many of the issues we grapple with every single day on this floor—regulatory issues, issues that affect the various departments of government—when there are appeals of those issues, when there are questions of what the Departments do, they invariably go to the DC Circuit. They don't go to the U.S. Supreme Court.

The U.S. Supreme Court, as the distinguished Presiding Officer and the distinguished majority leader know, takes only a tiny percentage of cases that are appealed. But every one of these major legal issues that are appealed are heard by the DC Circuit, and it is frustrating to know there is a concerted effort on the other side to try to stop having a balance in the DC Circuit.

Every one of us as lawyers would hope we could come into a courtroom and know that if we have a good case, we would win it; and if we have a bad case, we would lose but that the cards aren't stacked against us because we are a Republican or Democrat. Because of the makeup of the DC Circuit, more and more people are getting the view—rightly or wrongly—it is stacked. The efforts of the Republican Party to block anybody else from going down there except for people they have vetted increase that impression that the court is stacked. That doesn't help the system of justice in the United States. It actually doesn't help whether you are a Republican or a Democrat because it destroys the idea of the impartiality of the courts.

Mr. REID. Mr. President, I ask for permission to ask one more question of the senior Senator.

Mr. LEAHY. Of course.

Mr. REID. Legal scholars have said, and I have read, that they believe the DC Circuit is just a little bit below the Supreme Court; that it hears cases of such significance. That is why it was established some 65 years ago: to take care of cases the Supreme Court couldn't.

Is that true?

Mr. LEAHY. Mr. President, the Senator from Nevada is absolutely correct. I would even argue that in some areas it is more important than the Supreme Court because on so many of the issues that go there, they will have the final word. The Supreme Court could never hear all of the requests for appeals from the DC Circuit, and they become the final word.

So on the issues that involve average Americans based on what their government does, they will be decided in that circuit court, not in the Supreme Court. So it is extraordinarily important that we have a balanced court there.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HEALTHCARE

Mr. BARRASSO. Mr. President, I rise today to talk about the policy changes and choices made in Washington and how they affect the spending and the well-being of so many people all around this great country. There has been a great deal of talk recently about how we can get our out-of-control Washington spending under control. How can we curb spending?

We also need to keep in mind some of the policies of the Obama administration and how they have impacted spending and how they have created economic conditions that have forced many of these hard choices to be made by American families. I believe our weak economic recovery is a result of bad policy choices that have cost Americans their jobs, and it has cost them dollars—money—they cannot spare.

The list of the administration's bad policy choices is long and, in my opinion, right at the top of that list is the President's health care law. Last week, we learned from a GAO study requested by Senator SESSIONS that the President's health care law will add $6.2 trillion to Washington's debt. Of course, that is debt on the back of every young person in America and on the back of future generations. It is a debt upon the entire Nation.

It is also adding to the financial burden in this country. Recently, the Obama administration has released more rules for how this health care law will be implemented. The new regulations that have just come out lay out something called ''essential benefits.'' These are the government-mandated items that health care policies will now have to offer.

Along with other parts of the health care law, these new rules will raise the premiums American families pay for their health coverage. That is not what the American people wanted, that is not what they were promised by the President, and that is not what they need during this difficult economic time.

Remember, President Obama promised that under his health care plan insurance premiums, he said, would go down $2,500 for the average family by the end of his first term. That has come and gone, but what the President promised the American people has not happened. Instead, premiums have gone up by an average of more than $3,000 family.

As more provisions of the law kick in, I can tell you it is going to get worse. As the Obama administration puts out more regulations, premiums are going to continue to go up and up. The American people are in for a serious case of premium sticker shock.

This is especially true for young people, people in their twenties, people in their thirties. That is not just my prediction. It is the warning we are getting from State officials who actually supported the President's health care law. Of course, they supported it before they knew what was in it.

The State insurance commissioner in Oregon has said the new regulations could push up premiums for young consumers by as much as 30 percent next year. According to a recent piece in the Los Angeles Times, that was not an accident. It was an intentional effect of trying to lower prices for older Americans by raising the prices for younger people. In fact, the cost-shifting was a top priority of the AARP during the debate.

Of course, I believe the administration was not honest about it. They did not come out and tell young people: Hey, you are going to have to pay a

higher premium so someone else pays less. No. Democrats in Congress and the White House tried to say young people were going to pay lower prices, but now we are seeing it was never true.

The premium increases are also going to be worse if you do not get insurance through your employer. That is because you may end up in the individual market. A recent Gallup poll found that fewer people are getting their insurance through work. Just since 2008, the number has dropped significantly. Among people between the ages of 18 and 25 years old, only 32 percent now get their health insurance through work.

Healthier people—people who take the time to focus on staying healthy—are actually going to pay more too. Even if you eat a good diet, you exercise, you do the things people would be encouraged to do so they do not get sick, you are going to pay more under the President's health care law.

According to a new survey of insurance companies, younger and healthier customers can expect premium increases of 169 percent, on average, in 2014. That is in the individual market, that more people will find themselves forced into as their employers drop coverage.

The Congressional Budget Office says that even when you take into account the subsidies some of these people will get under the law, premiums will still go up an average of 10 to 13 percent even after the subsidies are applied.

If that happens, a family buying coverage on its own may end up paying $2,100 a year more because of the health care law. You might ask yourself, why are the premiums going up so fast? It is because of the law's new requirements.

For one thing, there is something called the essential health benefits. We just got new rules on these from the administration. Those are the specific mandates that require insurance plans to cover a wide range of services. For most consumers it is going to mean a more extensive and longer list of benefits. That might sound good, but they may be for things the consumers do not want. It does not matter. Under the law, the consumers have to pay for them. It is still higher costs—much higher costs. People cannot just get the insurance they and their family want, that is right for them, and they can afford. No, that is not enough. They must buy Obama administration-approved health insurance. That is what they have to buy. That is what the law says, and it is going to be much more expensive than what they might want, they might need or they can afford and think is good for them.

Families are going to have to pay for insurance that covers the whole laundry list of benefits, whether they want them or not. Why should the government—Washington—tell a single 33-year-old man he has to pay for ovarian cancer screening? Why should someone without children have to pay for a plan that covers pediatric eye exams? Even the American Academy of Ophthalmology has said that requirement goes too far. They are worried that once insurance has to cover it, there will be overuse of comprehensive eye exams on children who do not even need them. Of course, that may happen. If it is covered by insurance, people are going to want more of it. That drives up health care costs, and health insurance costs go up even more.

To make matters worse, the law requires the Secretary of Health and Human Services to update the list of these benefits every year. These are the benefits you still may not want—certainly do not want to be forced to pay for—but you are stuck with them now. We all know this list is not going to get any shorter. It is going to grow longer, and the costs are going to continue to go up.

That is what has happened at the State level. Health insurance mandates in some States now include everything from circumcisions to breast implant removal, and mandates add anywhere from 10 to 50 percent to the cost of insurance.

It is no way to run a health care program. Consumers should decide what benefits they want, what benefits they think they may need, not Washington bureaucrats.

Finally, I will give just one more example of how the new rules will drive up premiums. This has to do with new age rating rules in the law. The age rating limits the amount premiums can vary between healthy younger individuals and unhealthy older consumers. This is the most direct way Democrats are taxing the young to pay for everyone else.

Under the President's health care law, the premium charged to a sicker older person cannot be more than three times what a healthy 21-year-old has to pay. So those younger people are going to end up paying more. Rather than pay the higher cost, many younger people will just not purchase insurance at all. They will just pay the law's tax penalty instead. That is because it is still cheaper than the insurance premiums that have been driven up due to the President's health care law. That means premiums will go up even faster for the people left in the insurance pool, and the whole thing will keep spiraling out of control.

The White House says it will not budge on these age-rating rules. So people in their twenties and thirties and early forties should just prepare themselves now for the premium hikes they are going to see under the President's health care law.

Those are just a few of the new rules and just a few of the ways the health care law continues to raise costs and raise premiums for hard-working Americans. It seems to me the President is still in his campaign mode, so he will not admit it, but he is not fooling anybody.

I recently completed a statewide tour of Wyoming. I visited a dozen towns across the State and met with hundreds of people. I can tell you, in those meetings, people still say the health care law is unworkable, it is unaffordable, and it remains very unpopular.

The people of Wyoming, as did people across the country, knew what they wanted from health care reform. They wanted the care they need, from a doctor they choose, at lower costs. What they got were higher premiums, higher taxes, and more government control over their personal health care decisions.

When the new rules were released 1 week ago, HHS Secretary Kathleen Sebelius said: ''Being sick will no longer keep you, your family, or your employees from being able to get affordable health coverage.''

What she should have added was: The President's own health care law will be the thing that keeps people from getting affordable coverage.

The law that was passed was the wrong solution and the wrong way to reform our health care in this country. Hard-working American families cannot afford it, and they deserve better.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Florida.

Mr. NELSON. 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 remarks of Mr. NELSON pertaining to the introduction of S. 436 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF PAMELA KI MAI CHEN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

NOMINATION OF KATHERINE POLK FAILLA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The legislative clerk read the nominations of Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York, and Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided in the usual form.

Mr. LEAHY. Mr. President, last week, Congress failed to act to avoid indiscriminate across-the-board cuts from sequestration. These automatic cuts are in the tens of billions of dollars at a time when our economy is finally recovering but remains fragile. Among those who will have to endure these cuts are the overburdened Federal courts already suffering from longstanding vacancies that number almost 90 and have remained near or above 80 for almost 4 years. Budgetary cuts will mean more difficulty for the American people to get speedy justice from our Federal justice system.

Two senior district judges, one appointed by President Reagan and one appointed by President Clinton, wrote last week in U.S. News and World Report that sequestration will ''devastate the judicial branch.'' They wrote: ''[C]ourts may need to close periodically, furlough employees, and cut security, thereby, delaying proceedings. These realities, combined with a reduction in supervision of persons on bond and convicted felons who are released from prison, compromise public safety.'' They conclude: ''[Our Federal courts provide access to justice, protect against abuses of power, and defend the Constitution. Failure to avert sequestration by March 1 undermines the ability of the Federal courts to fulfill this Constitutional mandate.'' I ask unanimous consent that this article be printed in the RECORD at the conclusion of my statement.

As we hear these warnings from judges and other officials across our three branches of Government, I hope Senators understand that sequestration is bad for the courts, bad for the economy, and bad for the American people.

Over the past 4 years, unprecedented obstruction by Senate Republicans has meant that all judicial nominees have become wrapped around the axle of partisanship. Senators from both sides of the aisle used to agree that Federal courts are supposed to be impartial and outside of politics. Yet, the actions of Senate Republicans over the last 4 years have undermined that principle of our constitutional system and hurt the integrity of the judiciary. I hear this from judges appointed by Republican Presidents and those appointed by Democratic Presidents. They say the unprecedented delays that nominees face politicize the courts and destroy the appearance of impartiality the Federal courts need. Supreme Court Justice Anthony Kennedy said last year that this extreme partisanship erodes the public's confidence in our courts and ''makes the judiciary look politicized when it is not, and it has to stop.''

This obstruction has also contributed to keeping judicial vacancies at a damagingly high level for over 4 years. Persistent vacancies mean that fewer judges have to take on growing caseloads and make it harder for Americans to have access to speedy justice. There are today 89 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration.

Senate Republicans chose to depart dramatically from well-established Senate practices from the moment President Obama took office in their efforts to delay and obstruct his judicial nominations.

Until 2009, judicial nominees reported by the Judiciary Committee with bipartisan support were generally confirmed quickly. Until 2009, we observed regular order, we usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it was almost always because of a substantive issue with the nominee's record. We know what has happened since 2009. The average district court nominee has been stalled 4.3 times longer and the average circuit court nominee has been stalled 7.3 times as long as it took to confirm them during the Bush administration. No other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Some Republicans have ignored the facts I just cited even though they came from the nonpartisan Congressional Research Service (CRS). No invented statistic can change the fact that no president's nominees have ever waited as long for a vote as President Obama's.

Senate Republicans have also claimed that President Bush had only 74 percent of his nominees confirmed during his first term. This is also not true. President Bush nominated 231 men and women to serve as circuit and district judges; of them, 205 were confirmed. That is a confirmation rate of 89 percent. During President Obama's first term, only 173 district and circuit judges were confirmed, and a much lower percentage. Contrary to the claims of Senate Republicans the Senate has confirmed far fewer of President Obama's nominees and confirmed them at a significantly lower rate at the same points in his and President Bush's administrations. Senate Republicans talk about how much progress we made during the 112th Congress, when we confirmed 113 of President Obama's circuit and district nominees. But they ignore the fact that 19 of those nominees could and should have been confirmed during the 111th Congress, and the fact that the 60 confirmations they allowed in the 111th Congress was the lowest total for a new president in over 30 years. They ignore the fact that in President Obama's first year in office they allowed just 12 of his circuit and district nominees to be confirmed, which, according to CRS, was the lowest one-year confirmation total since the Eisenhower administration when the Federal bench was barely one-third the size it is today. We have yet to make up the ground we lost during those first 2 years. Looking only at the confirmation total from last Congress while ignoring the historic obstruction of nominations that preceded it and the backlog that was created provides an incomplete and misleading picture.

There can be no question about the effect of the unprecedented effort by Senate Republicans to obstruct President Obama's judicial nominations. Despite bipartisan calls to address longstanding judicial vacancies, the delays and obstruction of judicial confirmations have led to judicial vacancies to the remaining near or above 80 for almost 4 years.

During the vote on Judge Bacharach last week, some Senators defending the filibuster that blocked his confirmation for 7 months claimed that it was just the usual Senate practice in a presidential election year. During the filibuster last year of Judge Bacharach, there was not even a pretense of any substantive concern—Senate Republicans just decided to shut down the confirmation process and contorted the ''Thurmond Rule.'' But personal attacks on me, trying to repackage their own actions as if following the Thurmond Rule, do not change the facts. The fact is that in the past six presidential election years, Senate Democrats have never denied an up-or-down vote to a consensus circuit nominee; Senate Republicans cannot say that. Until last year, no circuit nominee with bipartisan Judiciary Committee support had ever been successfully filibustered. Senators claiming to be upholding Senate tradition while engaging in a filibuster that had no precedent in Senate history are not supported by the facts.

After last year's filibuster, Judge Bacharach waited another 7 months before being allowed a vote on the merits.

The outcome of that vote was that he was confirmed unanimously. It is hard to understand why 7 months of delay were necessary. During the 7 months of additional unnecessary delay since his filibuster, Judge Bacharach could have been working on behalf of the people of Oklahoma, Kansas, New Mexico, Colorado, Wyoming, and Utah. Likewise there is no reason to delay further the confirmation of Caitlin Halligan, whose nomination to the D.C. Circuit was first reported nearly 2 years ago. Senate Republicans justified their filibuster of her nomination a year ago by arguing that the Circuit did not need another judge. Since that time, the number of vacancies on that court has doubled, and it is now more than one-third vacant. It needs Caitlin Halligan. She is the kind of moderate, superbly qualified nominee who should easily be able to be confirmed under any standard by which the Senate has considered judicial nominees in the past. It is well past time to walk back from the precipice marked by the wrongheaded filibuster of Ms. Halligan. The continued filibuster of her nomination does harm to the Senate, to the important D.C. Circuit, and to the American people.

At a time when judicial vacancies have again risen to almost 90, we must do more for our overburdened courts. It is past time for the partisan obstruction to end. We have a long way to go. After 4 years of delay and obstruction, we remain far behind the pace of confirmations we set during President Bush's administration, and there remain far too many judicial vacancies that make it harder for Americans to have their day in court. During President Bush's entire second term, the 4 years from 2004 through 2008, vacancies never exceeded 60. Since President Obama's first full month in office, and as far into the future as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. The Senate must do much more to fill these vacancies and make real progress.

Senate Republicans claim that we cannot do more because President Obama has not made a sufficient number of nominations. But it is Senate Republicans themselves, and their unwillingness to work with a President who has reached out to them to submit recommendations and to work with him, that has delayed many nominations.

Unlike his predecessor, President Obama has worked hard to solicit recommendations from home State Senators, including those from the other party. This President has consistently selected qualified, mainstream nominees. For the judicial vacancies in States with 2 Republican Senators, just 11 percent have a nominee. I urge Senate Republicans to do a better job providing consensus recommendations and fulfilling their own constitutional responsibility to ''advise'' the President on nominations and work with President Obama to fill these vacancies.

The Senate today will finally vote on the nominations of Pamela Chen and Katherine Failla. Both nominees should have been confirmed last year. Pamela Chen is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Eastern District of New York. She has worked as an Assistant U.S. Attorney for the district to which has now been nominated to be a judge for all but one of the last 14 years, rising from a line prosecutor to serve as chief of Civil Rights Litigation, deputy chief of the Public Integrity Section, and chief of the Civil Rights Section, Criminal Division. Between January and April 2008, she served as the deputy commissioner for enforcement at the New York State Division of Human Rights. Previously, she spent 7 years as a trial attorney and senior trial attorney in the Special Litigation Section of the Civil Rights Division of the U.S. Department of Justice. She began her legal career as an associate in private practice. She earned her B.A., with honors, from the University of Michigan, and her J.D. from Georgetown University Law Center. When confirmed, Pamela Chen will be only the second female Chinese-American in U.S. history to serve on a Federal district court. She will also be one of only a few openly gay Federal judges.

Katherine Failla is nominated to serve on the U.S. District Court for the Southern District of New York. Since 2000, she has served as an Assistant United States Attorney in that division, and since 2008 she has served as the chief of the office's Criminal Appeals Unit. Prior to her government service, she was an associate in the New York office of Morgan Lewis & Bockius LLP. In her career, she has tried 10 trials to verdict. After law school, she clerked for the Honorable Joseph E. Irenas, U.S. District Judge for the District of New Jersey. She graduated with honors from the College of William & Mary, and Harvard Law School.

After today's votes, there are still another 15 judicial nominees pending before the Senate. All of these nominees had to be renominated after being returned at the end of the last Congress. It is unusual to have such a backlog so early in a Congress, and this is the result of Senate Republicans' refusal to allow votes on 11 nominees at the end of last year, almost all of whom had been reported with bipartisan support, and their refusal to consider another 4 who had hearings and could have been expedited. I urge that the Senate act quickly on these long-pending nominations. Further delay does not serve the interests of the American people. Hardworking Americans deserve better.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Feb. 27, 2013]

SEQUESTRATION THREATENS AMERICAN JUSTICE

(By Charles N. Clevert, Joseph H. Rodriguez)

As senior U.S. district judges, we urge members of the House and Senate to act by March 1 to halt sequestration—looming, indiscriminate, 5.1 percent budget cuts for the nation's federal courts. Crippling across-the-board budget cuts would threaten constitutional rights, American justice, and court security. Relatively little light has been shed on the effects that these budget cuts would have on our federal court system.

These cuts would devastate the judicial branch, which receives a mere two 10ths of 1 percent of the federal budget. Federal courts operate on a lean budget and have embraced cost containment by measures including staff reduction below authorized levels. Thus, we urge the House and Senate to act quickly and reach a budget agreement that prevents sequestration and all its attendant harms.

Lawmakers, businesses, and citizens alike must recognize that budget sequestration imperils fundamental constitutional rights and courts that protect those rights. The right to be heard, the right to a speedy and public trial, and the right to effective assistance of counsel in criminal cases are cornerstones of our democracy. Sequestration could dissuade attorneys from accepting appointments to represent indigent defendants because of inadequate funding. Moreover, courts may need to close periodically, furlough employees, and cut security, thereby, delaying proceedings. These realities, combined with a reduction in supervision of persons on bond and convicted felons who are released from prison, compromise public safety. Additionally, offenders with mental health needs or drug and alcohol abuse problems would receive inadequate monitoring and substandard treatment.

Access to justice is not a luxury. If budget cuts slam courthouse doors and postpone trials, some criminal cases may need to be dismissed. Therefore, trust and confidence in our federal courts would be at risk. Additionally, limited funds needed to pay citizen jurors and the priority that must be given to criminal proceedings could delay civil cases as well. At the same time, budget related delays would prevent bankruptcy courts from functioning normally in providing relief to struggling debtors and ailing businesses seeking reorganization. These individuals, businesses, and employees would be harmed and economic recovery will be slowed.

Cuts to courthouse security personnel and programs may be as high as 30 percent. These cuts would compromise the safety of all who visit or work in federal courthouses, including witnesses, jurors, and judges. Recent tragic shootings at or near courthouses in Delaware and South Carolina underscore that concerns about courthouse safety are not theoretical matters; cuts to funding for courthouse safety will only deepen these concerns.

America's courts are the final line of protection for the legal rights of all. They provide access to justice, protect against abuses of power, and defend the Constitution. Failure to avert sequestration by March 1 undermines the ability of the federal courts to fulfill this Constitutional mandate.

Mr. LEAHY. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. LEAHY, Ms. COLLINS, Mrs. GILLIBRAND and Mr. KIRK

pertaining to the introduction of S. 443 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LEAHY. Mr. President, I reserve the remainder of my time.

I suggest the absence of a quorum and ask unanimous consent that the time be equally divided.

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

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.

HALLIGAN NOMINATION

Mr. SESSIONS. Mr. President, I rise to express my opposition to the nomination of Caitlin Halligan to be a judge for the U.S. Circuit Court of Appeals for the D.C. Circuit. That is an important court, one of the most important courts, one step below the Supreme Court.

I would note that the Senate has already once rejected proceeding with consideration of this nomination and, in my opinion, for good reason. We do not do that lightly. We should not do that lightly. But it is an important question, and nominees do have to clear the Senate, and the Senate is not a rubber stamp.

Ms. Halligan has a well-documented record of advocating extreme positions on constitutional issues, pushing legal arguments beyond what I think is reasonable, including in cases involving Second Amendment gun rights, abortion, the death penalty, and others.

But one of the most troubling of her views pertains to the war on terror and the detention of enemy combatants. This is alarming not only because the arguments she has advanced in this regard are contrary to well-settled law, but because the court she seeks to join the D.C. Circuit has a critical role in national security matters, including deciding habeas petitions of terrorist detainees.

As a member of the Association of the Bar of the City of New York's Committee on the Federal Courts, she joined a 2004 report, the self-described purpose of which was specifically to ''address, in particular, the role the federal courts should play in striking [the] balance [between, in this case, national security and civil liberties concerns] with respect to the detention and trial of suspected terrorists or their accomplices designated as 'enemy combatants' by the executive branch.''

The report comes to the untenable conclusion that the congressional Authorization for Use of Military Force does not authorize the indefinite detention of enemy combatants.

These are prisoners of war. Not only did the Supreme Court hold that it does, in fact, authorize indefinite detention in Hamdi v. Rumsfeld, but the Obama administration has argued for a broad construction of that authority itself. And, in a series of rulings joined by judges across the ideological spectrum, the D.C. Circuit has adopted, itself, that broad definition.

The report also adopts—this is the bar association report. And I have to say, lawyers and bar association committees, they sign on reports dealing with the national security of the United States of America. They sign on reports dealing with how prisoners of war are to be determined and handled. At a time of national crisis, when we are in a national debate about that, they should know what they are talking about, and this bar association did not.

The report also adopts the unsupported view that the war on terrorism ''seems closer to a law enforcement effort than to a military campaign.''

But I would say to that, the Congress voted and declared it to be a military effort. Tell that to the soldiers in Afghanistan chasing down al-Qaida operatives, that it was not a war.

The report goes on. But this was part of the attempt at the time to undermine President Bush's ability to effectively manage the war effort. The report argues vigorously against the use of military commissions—that is where you try prisoners of war for violations of the rules of war, in military commissions—and maintains that the preferred place to try them are Article III civilian courts, normal civilian courts, except in ''exceptional circumstances.''

They say, of course, to try them in a civilian court would provide the terrorists—enemies of the United States, participating in a war against the United States—with all the same constitutional rights that a person who defrauded the IRS or robbed a bank would have. But it is a different situation. You do not give those kind of rights to people at war with the United States, whose goal is to destroy the United States and to replace the government. That has never been the position in our country, nor in any other nation in the world that I am aware of. But that is the position she signed on.

While Obama surrogates and supporters during the campaign often attacked Bush and made these kinds of allegations, the Obama administration, after taking office, has been forced to abandon those positions. They are untenable.

One of the report's flawed arguments of why you should try unlawful enemy combatants—that is people at war against the United States in Article III civilian courts is as follows: ''It seems self-evident that the same [constitutional] protections [afforded ordinary criminals] should presumptively extend to those individuals whom the government has seized and proposes to detain for an extended, and perhaps indefinite, period of time because they are suspected of having engaged in conduct intended to further terrorist aims, thus violating applicable criminal laws.''

Well, applicable criminal laws were violated, but it was an attack on the United States, not a normal crime. And the Nation made a very clear decision on which I thought all of us were in agreement that we had moved from a time of criminal activity to a time of war, and we acted in that fashion. So there is nothing self-evident about the position in the report that an unlawful enemy combatant whose only connection with the United States is his acts of war against it should be afforded the constitutional due process rights of an American citizen who committed an crime.

Andy McCarthy, a former longtime Department of Justice veteran prosecutor, who tried the Blind Sheik case, said this:

> The only thing the framers might have found more appalling is the notion that the Constitution licenses lawfare—i.e., that it permits the American people's courts (which, other than the Supreme Court, are creatures of statute not required by the Constitution) to be used by foreign enemies to put on trial the armed forces of the American people over the manner in which they conduct wartime combat operations that have been authorized by the American people's representatives.

I think Andy McCarthy is right about that. I think that is basically what happened. I do not dispute it is fully acceptable for lawyers to defend unpopular clients. However, it is curious to me that while this Nation has hundreds of thousands of fine lawyers and thousands of proven prosecutors, the ones who seem to have a leg up—I am saying this carefully because I have observed this now for 4 years. I think it is significant. The ones who seem to have a leg up in this administration's nomination process are those who have challenged the legal policies of the former President of the United States as he attempted to conduct a war to defend the United States against an enemy dedicated to its destruction.

Time and time again, these are the people who have been nominated for high Department of Justice offices and to the courts. The lifetime appointment to which Ms. Halligan has been nominated demands independence and a commitment to the rule of law and not to a political agenda.

At her hearing, she did attempt to distance herself from the report, variously claiming she had not seen it until just before the hearing and that she had not attended all the meetings at which the report was discussed. She admitted, however, that she could have requested that her name not be on the report, as did four other members of the committee, but she did not. She signed it.

In fact, according to her own testimony, she never took any action to repudiate the report or its contents before her nomination or even before her hearing. The first time she expressed any disagreement with the report, it seems, was at her confirmation hearing. Some call that a confirmation conversion. A serious attorney would have

taken swift action to either remove their name from the report or to repudiate it. No serious attorney would affix their name to a report on such important matters in a time of war without studying it carefully, surely.

It can only be assumed the report represented her views on the role of a civilian Article III court with respect to detention and trial of enemy combatants. It would have done more for her credibility to own up to that fact, rather than paying lip service to what might be more helpful during the confirmation process.

The report continues its irresponsible description of the al-Qaeda supporter and convicted terrorist Ali al-Marri as a ''civilian in this country legally, [who] seems suspected of providing logistical support for al-Qaeda sleeper cells: presumably criminal activity, if proven, but not 'combatant' activity under any likely definition of the term.'' Al-Marri eventually pleaded guilty to providing material support to al-Qaeda and was sentenced to eight years in federal prison. In his guilty plea, he admitted that he attended terrorist training camps in the years prior to the 9/11 terrorist attacks; that he was instructed by Khalid Sheikh Mohammed, the mastermind of 9/11, to enter the U.S. just prior to 9/11 and await further instruction from al-Qaeda; and that while here, he researched chemical weapons and communicated with al-Qaeda members. Investigators also discovered that he had made several phone calls to Mustafa al-Hawasawi who had wired money to the 9/11 hijackers.

When al-Marri's case came before the Supreme Court, Ms. Halligan, as a private practitioner, donated her legal services pro bono to co-author an amicus brief on his behalf. The brief argued the United States lacked the authority to detain al-Marri as an enemy combatant, and that the AUMF did not authorize his seizure and indefinite military detention, without criminal trial. At the hearing, Ms. Halligan claimed—unconvincingly in my view—that the brief did not represent her personal views. But the fact remains that she chose to donate her professional legal services to defend a radical Islamic terrorist instead of the millions of Americans who need legal representation, or victims of terrorism in this country and all over the world, or women in Afghanistan fighting for equal rights, or those suffering from religious persecution in Islamic countries. The fact that she would sign her name to the Bar report, and her decision to co-author and file an amicus brief in the al-Marri case, is a very serious matter. And those actions cast doubt on her testimony that she was not aware of the contents of the Bar report.

Much of Ms. Halligan's testimony did not match up with her record as an attorney both in private practice and public service. During her testimony, she attempted to evade the activist views she spent her career advancing, claiming, for example, that she now embraces original intent as the preferred method of Constitutional interpretation. At the same time, however, she was forced to admit that, prior to her ''confirmation conversion,'' she had never once espoused such views. That is not surprising, given her well-documented record over the course of many years of advocating for the restriction of Second Amendment rights, including in favor of liability for gun manufacturers, for same sex marriage, for limiting the death penalty, for back pay for unauthorized illegal alien workers, and for affirmative action. All positions utterly unsupportable by an original intent approach to constitutional interpretation.

Her attempts to distance herself from her record were simply unconvincing. There is no question where she stands on these issues. She herself has said that the ''courts are the special friend of liberty . . . the dynamics of our rule of law enables enviable social progress and mobility.''

Her testimony did nothing to convince me that her written record does not paint the accurate picture of what her tenure on the bench would look like if she were confirmed. We have judges who follow their oaths to serve under the Constitution and the laws of this country. They are never above it. They are never free to alter the meaning of words to advance a personal agenda.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 1 additional minute.

Mr. SCHUMER. Reserving the right to object, I have some remarks I would like to make before 5:30.

I do not object.

Mr. SESSIONS. I will try to not utilize the 30 seconds the Senator used in agreeing to this. But I would point out there are other different complaints that we have about the circumstances of this nomination. I do think it is an extraordinary circumstance. I take that decision seriously. There have not been many that I found that to have occurred.

Therefore, I will oppose the motion for cloture and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank my colleague from Alabama for taking only 30 seconds because of the 30 seconds I took to explain to him. I have three parts to my little statement. I will speak briefly on each.

First, I rise in support of the nominations of Katherine Failla for the Southern District of New York and Pam Chen for the Eastern District. I have enthusiastic support for both of them. They are superb nominees to the Federal bench. Let me talk a little bit about each.

Similar to many proud New Yorkers, Chen was not born in New York City. But she is now a valid and valuable member, not just of the New York Bar but of our entire community. Chen was born in Chicago after her parents came here from China. She came by her zeal for public service honestly because her father worked for the IRS for over 30 years, while her mother was a professor of political science.

When I first met Chen, I do not think it took more than 5 minutes before she talked about how proud she was of her parents, how grateful for the sacrifices they made so she and her brother could excel in later life.

She graduated from the University of Michigan and then Georgetown Law Center. As a young lawyer, she began as a litigator in private practice, and then began her illustrious career in public service by joining the Special Litigation Section of DOJ's Civil Rights Division.

Fortunately for the people of New York, she came to the Office of the U.S. Attorney for the Eastern District of New York—which serves principally Brooklyn and Long Island—in 1998, and has been there ever since.

At one of the premier U.S. Attorney's offices in the Nation, she rose to be chief of the civil rights litigation unit and later the civil rights section in that office.

She has prosecuted all manner of public corruption, gang, narcotics, and terrorism cases.

She is one of those highly intelligent, analytical individuals who was probably born to be a lawyer, and, once a lawyer, was almost certainly destined to be a judge.

Born in Edison, NJ, she earned her B.A. from William & Mary, and her law degree from Harvard. After clerking for the Federal court in New Jersey, she practiced in New York City with the law firm of Morgan, Lewis & Bockius, and 6 years later joined the U.S. Attorney's office.

She has now served as a prosecutor for 12 years. In her work as head of the criminal appeals section, she defends some of the most important criminal convictions in the Nation, including terrorism cases such as the East African bombing case against bin Laden and his associates, complex white-collar cases, and RICO cases.

Her colleagues report to a person that her advice on legal arguments and matters of judgment is the most sought after in the whole * * *

Everyone attests to the fact she is fair, decent, honest, and very smart. I wish to finally add that I look for three qualifications in a nominee: excellence, she clearly has that; moderation, she has that; and all else being present, diversity. Chen will be only the second female Chinese-American article III judge in U.S. history, making this day yet another step forward in our path to making the Judiciary reflect both the talent and depth of experience of our communities.

Katherine Failla is currently U.S. attorney in charge of the important and

prestigious Criminal Appeals Unit in the Southern District of New York. She is one of those highly intelligent, analytical individuals who was probably born to be a lawyer, and once a lawyer, was almost destined to be a judge.

She has served as a prosecutor for 12 years. Her colleagues report to a person that her advice on legal arguments and matters of judgment is the most sought after in the whole office. This is the Southern District of New York. It is an amazing office.

She also came to her dedication to public service through a hard-working family. This is evident through her siblings as well, a school teacher's aide and a submarine commander.

I ask that my colleagues vote for both of them shortly.

HALLIGAN NOMINATION

I also wish to say a few words this evening about the President's longest standing nominee to any office, Caitlin Joan Halligan. The DC Circuit is currently one-third vacant; 4 of the 11 slots are without active judges. What some people call the second most important court in the country is firing only on two-thirds of its cylinders. Halligan is one of the President's nominees for two of these four slots. Her nomination has been pending for 23 months.

Since her name has been sent to the Senate, she has not had an up-or-down vote. She has never had an up-or-down vote despite the fact that her academic and professional credentials are superb: Princeton University, GW Law School, prestigious clerkships on the DC Circuit, including Patricia Wald, the first female member of the court, and then to Justice Steven Breyer.

She has never had an up-or-down vote despite the fact that she has spent most of her career in public service as a prosecutor, first with the Office of the New York Attorney General, now as assistant district attorney who serves as the general counsel for the Manhattan DA's office.

She has never had an up-or-down vote despite the fact that she would be only the sixth woman to serve on the court since its inception in 1801. Two years ago, when her nomination was filibustered, many of my colleagues cited the DC Circuit's relatively low caseload for the reason the Senate did not need to confirm another judge. But now, 2 years later, there are only seven judges hearing cases on the court. The caseload for judges has risen 21 percent since President Bush made his last nomination to the court in 2006.

My colleagues know how difficult and time-consuming these cases are. I have great respect for my friend and colleague and the person I exercise with in the gym every morning, JEFF SESSIONS. But to say this is an extraordinary circumstance based on the smidgen of evidence he has mentioned—please, please, please.

Let's hope there is not a concerted effort by the other side to keep this important DC circuit empty—unfilled. It is unfair and it is not right to this fine women and to the need to proceed with justice in these United States of America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President shall be immediately notified of the Senate's action.

VOTE ON NOMINATION OF KATHERINE POLK FAILLA

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 28 Ex.]

YEAS—91

Alexander	Cantwell	Cowan
Ayotte	Cardin	Crapo
Baldwin	Carper	Cruz
Barrasso	Casey	Donnelly
Baucus	Chambliss	Durbin
Bennet	Coburn	Enzi
Blumenthal	Cochran	Feinstein
Blunt	Collins	Fischer
Boozman	Coons	Flake
Boxer	Corker	Franken
Burr	Cornyn	Gillibrand
Graham	Leahy	Rubio
Grassley	Lee	Sanders
Hagan	Levin	Schatz
Harkin	Manchin	Schumer
Hatch	McCain	Scott
Heinrich	McCaskill	Sessions
Heitkamp	McConnell	Shaheen
Heller	Menendez	Shelby
Hirono	Merkley	Stabenow
Hoeven	Mikulski	Tester
Inhofe	Moran	Thune
Isakson	Murphy	Toomey
Johanns	Murray	Udall (NM)
Johnson (SD)	Nelson	Warner
Johnson (WI)	Portman	Warren
Kaine	Pryor	Whitehouse
King	Reed	Wicker
Kirk	Reid	Wyden
Klobuchar	Risch	
Landrieu	Roberts	

NOT VOTING—9

Begich	Lautenberg	Rockefeller
Brown	Murkowski	Udall (CO)
Coats	Paul	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each. And I ask unanimous consent that I speak for up to 20 minutes.

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

THE SEQUESTER

Mrs. BOXER. Mr. President, one of the virtues of traveling back home is to hear what the people are saying about us. And it isn't good. The people are on anxiety overload. The purpose of my remarks is not to increase anyone's anxiety but just to tell it the way it is.

How did we get to a place where we are having mindless, across-the-board cuts in spending with absolutely no thought? It came about because the Republicans refused to increase the debt ceiling. We were about to default on our obligations, after raising the debt ceiling many times—18 times under Ronald Reagan. And Ronald Reagan warned us in those times never to play games with the debt ceiling. Well, the Republicans did. They played games with the debt ceiling, and they did it because, if you follow what the Republican leader said, his highest priority was defeating President Obama. I am sure they thought that kind of chaos would lead the way. It didn't happen, clearly. Our President was reelected, and he was reelected with the big vote.

We got into this situation with the sequester because there were games

being played with the debt ceiling, and as a way to get out of it, we did something we thought would never come to pass.

We said: OK, give us this ability to raise the debt ceiling so we can pay our bills and not become a third-world nation and not lose our credit rating even more than we have already lost it, and then we will look at deficit reduction. If the supercommittee can't come up with a deal, we will have these across-the-board cuts.

No one thought they would happen, and they are happening. And now what we hear is, oh, it is really no big deal. Our Republican friends are saying it is OK.

Maybe people watching this in their homes may not be touched by the sequester, but let me tell you who will be touched by the sequester, and let me make the argument that when these people are touched by it, we are all touched by it. This is one Nation under God, and when we hurt our people, we get hurt.

Seventy thousand children will not get Head Start. Is that supposed to be good for the country? Ten thousand teacher jobs will be lost. Is that supposed to be good for the country? How about 7,200 special ed teachers, teaching every day kids who have such a hard time just getting dressed in the morning? Is that good for America?

I would argue that this list is terrible for our country. Maybe you don't have a kid in Head Start. I don't. Maybe you don't know a special ed teacher. The point is that we are one country, and we do best when we help our most vulnerable.

How about this: 424,000 HIV tests conducted by the Centers for Disease Control will no longer happen. Is that good for the country, to have HIV-infected people walking around not knowing they have HIV? How about 25,000 fewer breast and cervical cancer screenings? Maybe it is not your wife or your sister or your mom, but somebody's sister or somebody's daughter is not going to find out she has breast cancer. Tell me how that is good for this country.

I am not even talking about the cuts to defense, some of which I think we can do but many of which don't make sense. I am just looking at the cuts to the most vulnerable people. Four million fewer meals will be served to senior citizens. Does that make you proud, Republicans? I hope you are proud. Programs such as Meals on Wheels are going to be impacted, and 600,000 women and children won't get nutrition assistance. There will be 1,000 FBI agents and other law enforcement personnel laid off or furloughed, and 1,000 criminal cases won't be prosecuted. Is that good for America? Maybe your family wasn't the victim of a crime. Maybe it is not your relative who happens to be a law enforcement officer. But this is one Nation under God, with liberty and justice for all.

How does it make sense for these cuts to go into effect when all we have to do to avert them is reform the Tax Code and take away those juicy little tax loopholes companies that ship their jobs overseas get? How about asking someone who earns $2 million a year to pay the same effective tax rate as their secretary? What kind of a country is this? You would rather have these kinds of brutal cuts to the least among us than just have a fair Tax Code?

In the last 40 years only one party balanced the budget, and that party is the Democratic Party. Bill Clinton and the Democratic Congress—the only party that ever balanced the budget. So spare me the lectures from my friends on the other side of the aisle about how they are the ones who know how to do it. No, they don't, because when you make these mindless cuts and people are furloughed and they have less money to spend, they don't go to the corner store and take their family for lunch or dinner. They don't spend as they would normally spend, and it is a trickle-down effect on this economy. As a matter of fact, Mark Zandi, the respected, nonpartisan economist, said it is going to take a half a point off economic growth at a time when we are not growing that robustly.

Here is the point. When President Obama inherited the job—because we elected him to it—he faced the $1.2 trillion deficit of George W. Bush, who had turned the Bill Clinton surplus into raging deficits, and the deficits are down now to $850 billion. So don't say we are not making progress. A Democratic President is making progress on the deficit. But let's do the rest of this deficit cutting wisely, in a balanced way. We have cut $1.7 trillion in spending and, yes, $700 billion in revenue. We have raised taxes on those earning a lot of money. But there are a lot more cuts we have made than revenue increases we have made.

So I come to the floor to say this is a self-inflicted wound. And if I hear anyone say: It doesn't really affect me, let me tell you that is not true because when our kids are hurt, we are hurt. When our health care system is hurt and people are walking around with diseases, we are all hurt. When our senior citizens don't get the meals, we are all hurt. Otherwise, what is the point in having a country if it is everyone for themselves? That isn't the greatness of America.

So I was proud to vote to avert the sequester. We had a majority vote before we left here for the weekend, but my Republican friends filibustered that. We had over 50 votes to get rid of the sequester, and the Republicans filibustered. Enough already. I hope they will come to their senses so we can do this deficit reduction in a serious way that makes sense.

CLIMATE CHANGE

Mrs. BOXER. Now I wish to talk about climate change. It is one of the most serious threats facing our Nation. All you really have to do is look out the window to see it is already happening.

I would like to talk about a great thing that happened recently. When USA TODAY, the Nation's largest newspaper in print form—more people read that paper than any other. They announced in a front-page story last Friday, on March 1, that they are going to spend a year looking at the issue of climate change.

This is the front page. They show that the temperatures are going up. They talk about more asthma. But let's look at what they say because I am appalled that with all of this going on around us, we seem to have no way forward on this issue. I am going to be here every Monday after votes to talk about this, and I urge every Member of the Senate, Democratic or Republican, who cares about this issue to join me. We have to wake up the American people to the fact that this Senate is doing nothing. Even though I believe there is a majority for doing something, we don't have the 60 votes. So let's talk about it.

This is what USA TODAY says:

"Why you should sweat climate change."

More American children are getting asthma and allergies, and more seniors are suffering heat strokes. [Already] food and utility prices are rising. Flooding is overrunning bridges, swamping subways and closing airport runways.

We know this is true.

People are losing jobs in drought-related factory closings. Cataclysmic storms are wiping out sprawling neighborhoods. Towns are sinking.

And Congress does nothing.

USA TODAY:

This isn't a science-fiction, end-of-the-world scenario. . . . these scenes are already playing out somewhere in the United States, and they're expected to get worse in the years ahead.

People need to act quickly.

Climate change is not a place and time distant—it's here and now.

That is a quote from Kim Knowlton, who is a health professor at Columbia University, and this was shown in USA TODAY.

The most recent decade was the Nation's hottest on record.

This isn't a guess, this is the truth.

The most recent decade was the Nation's hottest on record, and 2012 was the hottest single year. The average U.S. temperature has risen 1.5 degrees Fahrenheit since reliable recordkeeping began in 1895—80% of that has occurred since 1980.

The economic costs of all these changes are enormous—not only for those directly affected but for the nation's taxpayers, who are stuck with the bills for disaster relief, national flood insurance and drought-related crop losses.

Now, what are we supposed to do about this? Clearly, scientists tell us there is too much carbon pollution in the air, and I will show you where it is coming from. The electricity sector gives us 34 percent of the carbon; the transportation sector, 27 percent of the carbon comes from there; the industrial sector, 20 percent; the agriculture

sector, 7 percent; residential and commercial building, 11 percent.

We know President Obama has done an amazing job in leading us, with Members here in the Senate, bipartisan. Senators Snowe and FEINSTEIN worked so hard on this. He said it is time for us to get better fuel economy. Fuel efficiency is going to take carbon out of the air, and we are moving toward 55 miles per gallon. That is excellent. And we can continue to make great progress as we move toward plug-in hybrids—I drive one of those myself—and eventually electric cars. I can tell you, when you drive those cars, you don't visit those gas stations. It saves you money. It is a win-win. The environment gets cleaned up. You save money. It is all good.

We know the electricity sector is complicated, but what we want to do—many of us here—is to say: If you put a price on carbon, it will move us away from the dirtiest types of electricity production toward clean, clean electricity.

That is what we are trying to do. So Senator SANDERS wrote a very strong bill of which I am a cosponsor. It would put a price on carbon and we would take the funds we get from that price on carbon—I think it is $20 a ton when you start—and it will bring in many billions. What we will do with it is 60 percent of it will go to the people to soften the blow of higher electricity prices until we have moved to clean energy. We have to move on this.

On residential and commercial buildings, I have a bill to move forward through the GSA, the biggest landlord in the country, and we can move forward with economies to those buildings by making sure the windows do not let in all that air or let all that heat escape, we can make those weather-related improvements and we can encourage them to move to solar and other ways. The industrial sector is the same. Once there is a price on carbon, they will move toward putting solar and the rest.

In closing, we have one self-inflicted wound called the sequester. We can get out of it easily by working together on deficit reduction in a balanced way and stop these mindless cuts that hurt the people of our Nation, the children of our Nation, the seniors of our Nation, law enforcement of our Nation—our busiest airports, trains, and the rest. We can avoid all that if we are smart and we say we want a balanced approach.

I believe if we recognize what USA Today is saying, which is we should sweat climate change because it is happening now, if we can come together we can move forward and do our part. We just heard, in the Environment and Public Works Committee—I am proud to chair it—we heard from four scientists. They were asked if we do nothing what will happen. They said parts of our Nation will not exist anymore. Imagine hearing people say no more Atlantic City, no more New Orleans. In Florida—you wouldn't recognize it. That is the first answer. We did not even get to what happens in the West.

We know from Senators such as TOM UDALL what would happen to that beautiful State of New Mexico. It would become a desert environment; no more green, and the fires have already been starting. I am sad to say we have done little to nothing. I can only say this President has done whatever he could do. Any progress we have had has come from his executive orders and, I might add, the States.

My home State of California is moving forward, creating jobs in clean energy, moving forward, being a model, and I am going to support them and our Governor, Jerry Brown. He gets this. It doesn't take a degree in climatology to see what is happening to our climate—and it is happening. We understand it.

I saw a movie, ''Chasing Ice.'' O God, if you have not seen it, I suggest you watch it. This is a great photographer who goes to four different places, including Montana, Greenland, Iceland, and Alaska. He puts these cameras up there to watch the glaciers. You see what happens over 2 years. These glaciers are disappearing. This is not some kind of cry for attention on my part. I love my grandkids, and I want them to have a planet that is habitable for them. They deserve that. They are going to look back to this time someday and say: My goodness, what were they thinking?

It is not too late for us. With USA Today leading the way, I think we can turn public opinion around and get going on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

(The remarks of Mrs. GILLIBRAND pertaning to the introduction of S. 443 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. GILLIBRAND. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF CAITLIN JOAN HALLIGAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. REID. Mr. President, I have been told the Republicans are not able to clear an agreement for consideration of the Halligan nomination. Therefore, I move to proceed to Calendar No. 13 and proceed in executive session to do that.

The PRESIDING OFFICER. The question is on the motion to proceed.

Without objection, the motion is agreed to. The clerk will report the nomination.

The legislative clerk read the nomination of Caitlin Joan Halligan, of New York, to be a United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER (Mr. DONNELLY). 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 nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Barbara Boxer, Benjamin L. Cardin, Robert P. Casey, Jr., Bill Nelson, Barbara A. Mikulski, Amy Klobuchar, Al Franken, Jack Reed, Sheldon Whitehouse, Robert Menendez, Kirsten E. Gillibrand, Richard Blumenthal, Max Baucus, Sherrod Brown, Dianne Feinstein

Mr. REID. Mr. President, I ask unanimous consent that the quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now proceed to legislative session.

MORNING BUSINESS

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

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

TRIBUTE TO ROSSI RALENKOTTER

Mr. REID. Mr. President, I rise to recognize a milestone in Nevada history as my friend Rossi Ralenkotter celebrates 40 years with the tourism industry. As president of the Las Vegas Convention and Visitors Authority, LVCVA, Rossi has been influential in transforming Las Vegas into a globally recognized brand and an entertainment destination. I am proud to honor him today.

After moving to Las Vegas in 1951 and graduating from Bishop Gorman High School, Rossi served our Nation in the United States Air Force. Upon returning home to Southern Nevada, he entered the tourism industry. Las Vegas hasn't been the same since.

Rossi championed the use of research and data in developing advertising and marketing strategies for Southern Nevada. He helped establish the LVCVA's research department in the early 1970's.

This innovative approach transformed advertising and marketing for the LVCVA.

Rossi was part of the effort to bring professional sports to Southern Nevada and he convinced the Triple-A baseball affiliate in Spokane, WA, to move to Las Vegas. He worked in partnership with other communities to bring NASCAR and the NBA All-Star Game to Southern Nevada. When the National Finals Rodeo outgrew Oklahoma City, Rossi helped persuade the event to make Las Vegas its new home.

By the 1990s, Rossi was overseeing incredible growth in Southern Nevada's tourism industry and changing the face of Las Vegas from a regional gaming market into an international resort destination. Rossi was part of the team that developed the most successful tourism ad campaign in history. Today, Las Vegas is synonymous with ''What happens here, stays here.'' Rossi was named Co-Brand Marketer of the Year by Brandweek magazine for his work with this advertising campaign.

Every resident of Clark County has benefited from Rossi's successful marketing and branding effort. Tourism supports jobs for 370,000 Southern Nevada residents and generates more than $41 billion for the local economy. Today, 20 of the world's 27 largest hotels and resorts are located on Las Vegas Strip. And our resorts count on Rossi and the LVCVA to help fill rooms. Under Rossi's leadership, Las Vegas has also transformed itself from a weekend destination into the number one trade show destination in North America for 18 consecutive years. With the slogan ''Vegas means business,'' Rossi and his team have attracted and signed multiyear contracts to host major conventions from the Consumer Electronics Show to the International Apparel show known as MAGIC.

Rossi's magic touch and marketing brilliance caught the attention of national leaders in the tourism industry. Last year, Rossi became the chairman of our Nation's largest tourism group, US Travel. He was appointed to the Commerce Department's Travel and Tourism Advisory Board and serves as a delegate to the White House Conference on Tourism. The American Marketing Association and the Travel and Tourism Research Association have both presented Rossi with a Lifetime Achievement Award.

While everyone knows that ''What happens in Vegas, stays in Vegas,'' it is my honor to make sure that what has happened on Rossi's watch is properly recognized. On behalf of the U.S. Senate, I am proud to congratulate Rossi Ralenkotter on 40 years in the tourism industry. All Nevadans have benefited from his leadership at the LVCVA and I look forward to many more years of working together.

S. 415, THE SMALL BUSINESS DISASTER RECOVERY ACT

Mr. COCHRAN. Mr. President, I am pleased to join the Senator from Louisiana in introducing the Small Business Disaster Recovery Act. The purpose of this bill is to streamline certain burdensome procedures for small businesses that are affected by a Presidentially declared disaster. This bill would complement provisions adopted by this body and enacted into law earlier this year that the Senator from Louisiana and I sponsored to improve FEMA procedures. Like the bill we are introducing today, we derived these provisions from our States' experiences with Hurricane Katrina. They will not cost anything, but they will improve government services at times when they are most critical.

Through two budget-neutral provisions, this bill continues to improve the way we respond and recover from disasters using the lessons that we have learned from past disasters. Current practice dictates that small business owners can only use their homes as collateral for a post-disaster loan. The legislation's first provision clarifies that the collateral requirement for SBA disaster loans can include business assets of actual value other than a primary residence. This removes a key obstacle to small business owners who want to restart operations after a disaster but are unable or unwilling to use their homes when they could conceivably provide sufficient business assets as collateral for the loan.

The bill clearly states that these assets should be of equal or greater value to the amount of the loan and ensures that the Small Business Administration is responsive to the needs of small businesses seeking disaster loans less than the maximum allowable. I encourage the Small Business Administration to ensure that the asset requirements for collateral are established in a way that minimizes any potential waste, fraud, and abuse. This bill will maintain the traditional standards for appropriate collateral assets, which includes commercial real estate, machinery and equipment, business inventory, and furniture and fixtures.

The second provision included in this legislation addresses assistance provided by small business development centers, or SBDCs, to out-of-State businesses. It seeks to repeal processes that discourage SBDCs to work across State lines when doing so actually makes good sense. Sharing resources and knowledge across State lines is essential when disasters overwhelm local capacity or expertise. This legislation has the support of the Association of Small Business Development Centers and the International Economic Development Council because it encourages such information and resource sharing.

I am pleased to join the distinguished Senator from Louisiana in encouraging States and SBDC networks to formalize partnerships across State lines before disasters strike. We are both aware that any action or decision that takes place prior to a disaster is an action that does not waste time or resources during a time of crisis. The Emergency Management Assistance Compact system shows how well this can work.

I thank the Senator from Louisiana and her staff for working with me and my staff to make sure that this legislation addresses the need for SBDCs to be properly reimbursed for work when they appropriately respond to concerns in another state.

The reforms in this bill represent commonsense lessons that we have learned from our constituents after experiencing the effects of some of the most severe natural disasters in our Nation's history. I urge serious consideration of this legislation and invite other Senators to cosponsor this bill.

ADDITIONAL STATEMENTS

OBSERVING RARE DISEASE DAY

• Mr. BROWN. Mr. President, since 2009, the last day of February has been observed as National Rare Disease Day to raise awareness of and provide support for Americans living with a rare disease or disorder.

By definition, each rare disease or disorder affects a small patient population, less than 200,000 people. However, the combined 7,000 individual rare diseases affect nearly 30 million Americans. Sadly, children with rare genetic diseases account for more than half of the rare disease population.

Many of these rare diseases are serious, even life-threatening: epidermolysis bullosa; progeria; muscular dystrophy; sickle cell anemia; Tay-Sachs; cystic fibrosis; many childhood cancers; and fibrodysplasia ossificans progressiva.

Patients with rare diseases face unique challenges. Too many of these conditions lack effective treatments and cures. And too often people with rare diseases experience challenges in obtaining an accurate diagnosis. In addition, there is often difficulty finding physicians or treatment centers with the necessary expertise in rare diseases or disorders.

Great strides have been made in research and treatment as the result of the Orphan Drug Act, legislation passed in 1983 to encourage pharmaceutical companies to bring treatments for rare diseases to market.

This year, the Rare Disease Day Resolution also pays tribute to the 30th Anniversary of the Orphan Drug Act and calls for us to reflect upon the successes of that Act and the challenges to be addressed in the future to prevent, identify, combat, and treat rare diseases.

Rare Disease Day is also an important opportunity to honor lifesaving advances in science and research that continue to transform the diagnosis, treatment, and standard of care for many orphan diseases, thanks in no small part to the advocacy efforts of the National Institutes of Health, the medical community, patients and their

families, and rare disease organizations, especially the National Organization for Rare Disorders.

By designating February 28, 2013, as Rare Disease Day, I hope we create greater awareness of these conditions, encourage accurate and early diagnosis of rare diseases and disorders, and help demonstrate and support a national and global commitment to improve treatment options for individuals with rare diseases and disorders.●

REMEMBERING BARRY HORSTMAN

● Mr. PORTMAN. Mr. President, today I wish to remember Barry M. Horstman of Cincinnati, OH, for his dedication to his community and distinguished career in journalism. Mr. Horstman passed away suddenly while working in the newsroom of the Cincinnati Enquirer on February 25, 2013.

Known as a ''newsman's newsman,'' Barry Horstman developed a reputation as a tough but fair investigative reporter who showed his commitment to his community by being relentless in his work.

Horstman's passion for journalism was inspired by his fourth grade teacher who encouraged him to write. In high school, he started a column for the Western Hills High School newspaper called ''Straight from the Horstman's Mouth.'' He went on to earn a journalism degree from The Ohio State University.

While a student, Horstman worked at the Cincinnati Post, jumpstarting his long and fruitful career in journalism. Horstman's career included positions as a Washington correspondent for Scripps Howard News Service, a reporter at the Los Angeles Times, a reporter for the Cincinnati Post, and a writer and supervisor for the Las Vegas Sun before he returned to his hometown to join the Cincinnati Enquirer in 2008.

Barry covered me off and on for over 20 years, and even when I might have wished his story had been written a little differently, I never questioned his professionalism as a journalist, his commitment to reporting the facts as he saw them, and his decency and fairness as a person.

A local history buff, Horstman wrote profiles of local Cincinnati area newsmakers that were compiled into a book published in 1999: 100 Who Made a Difference: Greater Cincinnatians Who Made a Mark on the 20th Century. He was known for his high energy and enthusiasm in all endeavors, especially for taking fantastic vacations around the globe.

Horstman grew up on the west side of Cincinnati, raised in an apartment above the Glenmore Bowl, the bowling alley managed and later owned by his father, Les. He was an avid runner and a talented bowler.

I honor Barry Horstman for his dedication to Cincinnati and contributions to the field of journalism.●

CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13288 ON MARCH 6, 2003, WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF ZIMBABWE AND OTHER PERSONS TO UNDERMINE ZIMBABWE'S DEMOCRATIC PROCESSES OR INSTITUTIONS, AS RECEIVED DURING RECESS OF THE SENATE ON MARCH 1, 2013—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2013.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.
THE WHITE HOUSE, *March 1, 2013.*

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on March 1, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, she had presented to the President of the United States the following enrolled bill:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

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–550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpyrazamine; Pesticide Tolerances'' (FRL No. 9373–9) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–551. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyroxasulfone; Pesticide Tolerances'' (FRL No. 9379–9) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–552. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetochlor; Pesticide Tolerances'' (FRL No. 9377–6) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–553. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyraflufen-ethyl; Pesticide Tolerances'' (FRL No. 9379–6) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–554. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Identification of Additional Qualifying Renewable Fuel Pathways under the Renewable Fuel Standard Program'' (FRL No. 9686–3) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Environment and Public Works.

EC–555. 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; The 2002 Base Year Emissions Inventory for the Delaware Portion of the Philadelphia Nonattainment Area for the 1997 Annual Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9786–4) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Environment and Public Works.

EC–556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Declaration of Prion as a Pest Under FIFRA; Related Amendments; and Availability of Final Test Guidelines'' (FRL No. 9372–7) received in the Office of the President of the Senate on February 26, 2013; to the

Committee on Environment and Public Works.

EC–557. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–558. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Extension of Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items'' (FAC 2013–007) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–559. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Changes to Time-and-Materials and Labor-Hour Contracts and Orders'' (FAC 2011–025) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–560. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Definition of Contingency Operation'' (FAC 2013–003) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–561. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–66; Introduction'' (FAC 2005–66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–562. A communication from the Senior Procurement Executive/Deputy Chief Acquisition Officer, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Small Entity Compliance Guide'' (FAC 2005–66) received in the Office of the President of the Senate on February 26, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–563. A communication from the General Counsel, National Mediation Board, transmitting, pursuant to law, the report of a rule entitled ''Representation Procedures and Rulemaking Authority'' (RIN3140–AZ01) received in the Office of the President of the Senate on February 14, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–564. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–589, ''The Elizabeth Ministry, Inc. Affordable Housing Initiatives Real Property Tax Relief Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–565. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–591, ''Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–566. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–592, ''Public Library Hours Expansion Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–567. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–593, ''Howard Town Center Real Property Tax Abatement Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–568. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–610, ''Ignition Interlock Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–569. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–611, ''Chuck Brown Park Designation Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–570. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–612, ''Breath Test Admissibility in Criminal Proceedings Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–571. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–590, ''Neighborhood Contractor Daytime Parking Permit Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–572. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–613, ''Grandparent Caregivers Program Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–573. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–615, ''Sustainable DC Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–574. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–616, ''Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Temporary Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–575. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–625, ''Access to Justice for Bicyclists Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–576. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–626, ''Greater Mount Calvary Way Designation Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–577. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–627, ''Child Sexual Abuse Reporting Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–578. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–628, ''Closing of a Public Alley in Square 393, S.O. 11–08780, Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–579. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–629, ''District Department of Transportation DC Streetcar Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–580. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–630, ''Reckless Driving Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–581. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–631, ''Public Vehicle-for-Hire Innovation Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–582. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–633, ''Regulation of Body Artists and Body Art Establishments Clarifying Amendments Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–583. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–634, ''Excise Tax Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–584. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–637, ''Affordable Dwelling Unit Hardship Waiver Temporary Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–585. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–638, ''Pipefitting, Refrigeration and Air Conditioning Mechanic Occupations Equality Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–586. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–639, ''Department of Parks and Recreation Revenue Generation Clarification Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–587. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–640, ''Foster Youth Statements of Rights and Responsibilities Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–588. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–641, ''Criminal Fine Proportionality Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–589. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–642, ''Basic Business License Renewal Amendment Act of 2012''; to the

Committee on Homeland Security and Governmental Affairs.

EC–590. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–643, ''Autonomous Vehicle Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–591. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–644, ''New and Used Tire Dealer License Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–592. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–645, ''Department of Parks and Recreation Fee-based Use Permit Authority Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–593. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–646, ''Pre-litigation Discovery of Insurance Coverage Amendment Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–594. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–647, ''Consumer Protection Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–595. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19–648, ''Workforce Job Development Grant-Making Authority Act of 2012''; to the Committee on Homeland Security and Governmental Affairs.

EC–596. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the District's Workforce Development Programs''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs:

Special Report entitled ''Report on the Activities of the Committee on Banking, Housing, and Urban Affairs of the United States Senate During the 112th Congress pursuant to Rule XXVI of the Standing Rules of the United States Senate'' (Rept. No. 113–2).

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. BAUCUS (for himself and Mr. TESTER):

S. 434. A bill to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation and the State of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 435. A bill to ban the exportation of crude oil or refined petroleum products derived from Federal land, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON (for himself and Mrs. MCCASKILL):

S. 436. A bill to require that the salaries of Members of Congress be sequestered during any sequester under the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

By Mr. MENENDEZ:

S. 437. A bill to authorize the Department of Housing and Urban Development to transform neighborhoods of extreme poverty into sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, education opportunities, public assets, public transportation, and improved access to jobs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 438. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for professional school personnel in early childhood education, to expand the deduction for certain expenses of teachers to teachers in early childhood education, and to modify the credit for dependent care services; to the Committee on Finance.

By Mr. REID (for Mr. BEGICH):

S. 439. A bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to support the modernization, renovation, or repair of career and technical education facilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 440. A bill to amend the Higher Education Act of 1965 to provide for loan forgiveness for early childhood educators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 441. A bill to amend the Elementary and Secondary Education Act of 1965 by establishing a program to provide professional development activities for educators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. BEGICH):

S. 442. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, and Mr. KING):

S. 443. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Ms. COLLINS (for herself and Mr. KING):

S. 444. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations.

By Mr. FRANKEN (for himself, Mr. LEAHY, Mr. BLUMENTHAL, Mr. COONS, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. GRAHAM, and Mr. BOOZMAN):

S. 445. A bill to improve security at State and local courthouses; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BURR, Mr. THUNE, Mr. GRASSLEY, Mr. ROBERTS, Mr. ENZI, Mr. CORNYN, Mr. ISAKSON, Mr. TOOMEY, and Mr. CRAPO):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 172

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) 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. 209

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 230

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 230, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 237

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 237, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes.

S. 294

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health

conditions related to military sexual trauma, and for other purposes.

S. 296

At the request of Mr. LEAHY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. CARDIN) 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. 309

At the request of Mr. HARKIN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 325

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 325, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 326

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 326, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) 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. 359

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 359, a bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 369

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 369, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 375

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 379

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 379, a bill to rescind $45 billion of unobligated discretionary appropriations, and for other purposes.

S. 399

At the request of Mr. HATCH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 399, a bill to protect American job creation by striking the Federal mandate on employers to offer health insurance.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 429

At the request of Mr. NELSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON (for himself and Mrs. MCCASKILL):

S. 436. A bill to require that the salaries of Members of Congress be sequestered during any sequester under the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

Mr. NELSON of Florida. Mr. President, I, like many of my colleagues, have just flown in our Nation's airways, going through a fairly crowded airport in Florida, coming into a crowded airport here in Washington, and in 30 days those TSA lines are going to get longer.

For the international flights, I and others have worked very hard to get additional customs agents to cut the time it takes to process our international visitors. In airports such as Miami and Orlando where there is quite a bit of international traffic, getting those additional customs folks has meant a great deal because we even had some airlines that would come in, for example, to Orlando, and they would have to keep the international passengers on the airplane for upwards of an hour before they could get off the airplane so that there was room, with the personnel available.

Well, you see where I am going, because all of that is going to change unless—as the Good Book says, come, let us reason together. Unless our sharply divided politics—be it partisan, be it ideological—unless we can come together and reach consensus to stop this ridiculous thing that went into effect last Friday called the sequester, which was never intended to go into effect, but because of the inability of the parties to come together, in fact, it is in effect, and it is cutting, in an indiscriminate way, like a meat cleaver across the board.

In certain agencies, such as the Department of Transportation, it even gets exacerbated because the cuts can only occur in certain accounts. Thus, civilian employees are going to be furloughed.

It is also happening in the Department of Defense. In my State of Florida alone, there are going to be 31,000 defense civilian employees who are going to be furloughed. What does a furlough mean? It means that after the 30-day notice, so about 30 days from now, that number of employees—in this example, in the Defense Department—is going to be laid off 1 day a week, under the law, for up to a maximum of 22 weeks. Is that in the interest of national security? Of course not.

Why is it exacerbated in the Department of Defense? Because the existing appropriations law—remember, we are not operating on a current law; we are operating on last year's appropriations

law. That has so constrained the managers—in other words, the Secretary, the Deputy Secretary—that they can't move the money around, and what they are having to do is to take the sequester cuts out of operations and maintenance instead of out of acquisitions of systems or programs. That is the worst possible place—out of operations and maintenance.

Now, I am an optimist. I couldn't be in this business if I were not an optimist. I have ultimate faith in the American people. And I know every one of these Senators here, from the extreme left to the extreme right, are all good people, and there can be consensus found if everybody would get out of their little silos and realize the greater good.

Senator CLAIRE MCCASKILL and I want to help them, so we are filing a bill today. Since this was never intended and all these civilian Federal employees are going to be furloughed, our bill will say that Members of Congress will get docked the same percentage of their pay that the furloughed workers are docked in the percentage of their pay.

Now, the question is, Will this pass? I hope it doesn't pass because I hope it is not necessary to pass. We have 30 days of notice before the furloughs take place. I am certainly hopeful that happens by the end of this month, clearly by the time of March 27 when the existing appropriations bill—which is last year's appropriation—ceases to exist and the government can come to a screeching halt unless we continue the appropriations for the remainder of the fiscal year.

I am hopeful our legislation will not pass, but somebody needs to understand how ridiculous this whole thing is. Conservatives want to cut spending. You can do it in a more intelligent and rational way. If we are going to get serious about $4 trillion of deficit reduction over the decade—and we have already enacted policies that will take us down about 2.5 trillion of deficit reduction—we have about $1.5 trillion to go in enacting policies over that decade and we ought to be able to do that in a nanosecond.

Senator MCCASKILL and I want to try to help nudge the process along. What is good for the goose is good for the gander. You are going to dock all of these civilian employees who have lives, who have families, who have children, who have expenses, who need to buy milk and so forth and so on. You are going to dock them their pay because of the inability of the Members of Congress to get together to do what should have been done, by the way, a year and a half ago when this whole thing was enacted. The meat cleaver sequester was put there because it was so ridiculous that surely it would encourage, a year and a half ago, the supercommittee of six from the House, six from the Senate, half and half of each party—surely it was going to encourage them to come together in agreement. All it needed was one vote. Instead of a 6-to-6 deadlock it would have been 7 to 5. It did not happen, and here we are a year and a half later.

What is good for the goose is good for the gander. If you are going to dock Federal workers' pay because you are going to force them into a furlough which was never intended, is not rational policy, is not good administration, then you are going to be docked your own pay.

This is not pontificating. Again, I say I hope this never passes because I hope it is moot. But it is trying to bring into focus just how ridiculous the goings-on here are right now. So I am very hopeful.

I say I love the Members of the Senate, every one of these Members of the Senate. I have a great relationship with almost every one of these Senators. They are all good people. We need to come together, give a strong statement of consensus building, and then send it down there to the House and tell them they have to get off the dime.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. DURBIN, Mrs. GILLIBRAND, Mr. KIRK, Mr. BLUMENTHAL, and Mr. KING):

S. 443. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

Mr. LEAHY. Today I am proud to introduce modified legislation to combat the practice of straw purchasing and illegal trafficking in firearms. Since my initial introduction of the Stop Illegal Trafficking in Firearms Act at the very beginning of the 113th Congress on January 22, I have had productive conversations with several Senators who share my goal of reducing this destructive criminal conduct. Today I am pleased to be joined by Senator COLLINS, Senator DURBIN, Senator KIRK, Senator GILLIBRAND, and Senator BLUMENTHAL. These Senators understand the weaknesses in our current law and the challenges faced by law enforcement officials. I thank them for their commitment to this legislation, for their support of law enforcement, and for their cooperation in making progress in our collective efforts to prevent and reduce gun violence.

I hope that as other Senators on both sides of the aisle become more familiar with our bipartisan proposal, they will understand how it provides law enforcement with the tools they need to go after those who engage in the straw purchasing and illegal trafficking of firearms. The practice of straw purchasing is used for one thing to put firearms into the hands of those that are prohibited by law from having them. Many are then used to further violent crimes.

I have heard again and again from Senators on both sides of the aisle that keeping guns away from those who should not have them is a goal worth pursuing. This bill will further that effort and help answer the call from Gabrielle Giffords and so many Americans for us to take action.

I want to commend the senior Senator from Maine, Senator COLLINS, for her leadership on this matter and for her willingness to work across the aisle to make real progress. She helped unite us to get this done. Without her, we would not have made the progress we have, or be in position to consider this comprehensive response to what law enforcement has told us they need.

This week, the Senate Judiciary Committee will continue our consideration of four measures to reduce gun violence. The issue of gun trafficking and straw purchasing is before the Committee. I will amend my original trafficking bill that is pending on the Committee agenda with the text of this bipartisan compromise, which combines the proposals that I put forward with Senator DURBIN at the beginning of this Congress as well as proposals that have been championed by Senator GILLIBRAND and Senator KIRK. Our substitute amendment will improve the language already pending before the Committee. As I did before introducing any measure related to gun violence this year, I also hope to continue my outreach to the Judiciary Committee's Ranking Member. I invite Senator GRASSLEY and other members of the Committee from both sides of the aisle to join with us so that I can report this measure with strong bipartisan support and without delay for consideration by the Senate.

Law enforcement officials have complained for years that they lack the legal tools necessary effectively to combat illegal straw purchasing and firearms trafficking. Congressional inquiry during the last Congress put a spotlight on the very difficult legal environment within which law enforcement officials currently operate. In fact, one of the whistleblowers who testified about the misguided tactics used by Federal law enforcement in firearms trafficking investigations in Arizona described the current laws as ''toothless.'' If we are to address gun violence, we should respond to this clear vulnerability that is being exploited by criminals.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal firearms statutes that will better equip law enforcement officials to investigate and prosecute the all-too-common practices of straw purchasing and illegal trafficking of firearms. Straw purchases typically involve a person, who is not prohibited by Federal law, purchasing a firearm on behalf of a prohibited person, or at the direction of a drug trafficking or other criminal organization. These practices result in the support of larger criminal organizations, and the illegally obtained guns are often sold and re-sold across state lines. This trafficking in firearms results in the proliferation of illegal firearms and gun violence in our communities. Straw

purchasers circumvent the purposes of the background check system, and they put law enforcement officials and law-abiding firearms dealers in difficult positions. Gun trafficking and straw purchasing make our communities less safe.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called ''paperwork'' violations such as misrepresentations on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

The bipartisan bill we introduce today will add two new provisions to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms and trafficking in firearms. The bill establishes tough penalties for these offenses in an effort to punish and importantly, deter this conduct. We need a meaningful solution to this serious problem. Talk about prosecuting mere paperwork offenses is no answer.

Under current law, it is a crime to transfer a firearm to another with the knowledge that the firearm will be used in criminal activity. This bill would strengthen this existing law by prohibiting such a transfer where the transferor has ''reasonable cause to believe'' that the firearm will be used in criminal activity. We listened to concerns about family members who give firearms as gifts and other transfers that are not designed to get around the existing background check system. As a result, the bill contains important exemptions for the innocent transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

Another key provision of our bipartisan bill is that it complements existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States. In light of what we know is occurring, particularly on our Southwest border, this is an important improvement to current law and another tool that was needed but missing over the last few years.

The provisions laid out in our legislation are focused, commonsense remedies to the very real problems of firearms trafficking and straw purchasing. Our bill does not affect lawful purchases from Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity. I hope Federal firearms licensees welcome a stronger deterrent to keep criminal straw purchasers out of their business.

The problems of gun trafficking and straw purchasers, particularly along the Southwest border, are matters we have been talking about for years. Senator DURBIN chaired a hearing on border violence back in early 2009. Law enforcement officials have called for a firearms trafficking statute that can be effective to go after straw purchasers. That is something agents did not have when they initiated Operation Wide Receiver during the Bush administration and later the disastrous Fast and Furious effort. Their frustration with the limits of the current law contributed to their looking for another way to make a difference in their fight against gun trafficking. Their initiative was a failure. What we need to do now is to create better law enforcement tools. I hope that those who have been concerned about Fast and Furious, whose investigation established that it was the local ATF agents in Arizona who initiated and so poorly implemented that effort, will join with us to close the loophole in the law that Mexican drug cartels are continuing to exploit.

Our bill was drafted at the request of law enforcement. It will provide needed tools to fight against the drug cartels and other criminals who threaten our communities. It will not undermine the Second Amendment rights of lawful gun owners. It has the support of many law enforcement organizations—both leadership and rank and file. Indeed, the original bill I introduced with Senator DURBIN has been supported by the National Fraternal Order of Police, the National Law Enforcement Partnership to Prevent Gun Violence, the Federal Law Enforcement Officers Association, the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National District Attorneys Association, and the Police Executive Research Forum. I urge everyone who cares about keeping firearms out of the hands of criminals to join in this effort.

We have an obligation to find solutions to reduce gun violence and I thank these Senators for their strong leadership. We can do this in a way consistent with the rights guaranteed by the Second Amendment. I believe our bipartisan legislation meets those goals. As Chairman of the Judiciary Committee, a Senator, a Vermonter, an American, a father and a grandfather, I look forward to continuing our progress on this important legislation.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me begin my remarks by thanking the distinguished chairman of the Judiciary Committee for his very gracious comments and for his extraordinary leadership on a bill that I believe can bring all of us together.

I also want to thank our other cosponsors of the bill, particularly Senator GILLIBRAND, who has had a great interest in cracking down on the practice of straw purchasing.

The practice of straw purchasing is intended to achieve one result—to put a gun in the hands of a criminal. These individuals are easily exploiting currently weak Federal laws to obtain guns.

Peter Forcelli, ATF Supervisory Special Agent and Fast and Furious whistleblower, told the House Oversight and Government Reform Committee in June of 2011 that: ''Some people view [the current penalties for straw purchasing] as no more consequential than doing 65 in a 55 zone.''

These guns are frequently sold, resold, and trafficked across State lines, resulting in the proliferation of illegal firearms in our communities. This has also fueled the violence across our southern border associated with Mexican drug cartels as well as gang violence in our cities.

Straw purchasing and gun trafficking put guns in the hands of criminals. According to the ATF, of the nearly 94,000 firearms that have been recovered in Mexico in the last 5 years, more than 64,000 were sourced to the United States. Similarly, a large percentage of the guns used in crimes in our largest cities were trafficked across State lines.

The congressional inquiry into the ATF's Wide Receiver and Fast and Furious investigations revealed how difficult it is for law enforcement officials to deter and punish these crimes effectively.

Current loopholes in Federal law make preventing and prosecuting these offenses very difficult for law enforcement officials. Right now, a straw purchaser can only be prosecuted for lying on a Federal form, which is treated as a paperwork violation.

Because straw purchasers by definition are nonprohibited persons and can lawfully purchase a firearm, prosecuting these individuals is difficult and any potential punishment is likely to be minimal.

Because of these weak laws, prosecutors have minimal leverage over straw purchasers who, in turn, have little incentive to cooperate and assist law enforcement in investigating trafficking crimes and crimes involving gun violence. For years, law enforcement has been asking Congress for better tools to crack down on this type of criminal conduct.

It is time to give law enforcement the tools it needs to combat this activity effectively.

Our bill reflects a combination of advice from law enforcement officials and leadership by many Senators. It gives law enforcement officials the comprehensive framework they have been seeking from Congress.

First, the bill creates new, specific criminal offenses for straw purchasing and trafficking in firearms. Instead of a slap on the wrist, these crimes would be punishable by up to 25 years in prison.

The proposal also increases the punishment for an individual who serves as

an organizer of a straw purchasing or trafficking enterprise.

This bipartisan bill also strengthens existing laws that make it unlawful to smuggle guns into the United States.

The bill protects legitimate private sales and is drafted to avoid sweeping in innocent transactions and placing unnecessary burdens on lawful private sales.

When buying from a private seller, the buyer is only in violation of the new straw purchasing prohibition if the buyer purchases a firearm for someone known to the buyer as a prohibited person, meaning a felon, drug addict, someone subject to a domestic violence order, or someone with serious mental illness.

When buying from a federally licensed firearms dealer, it is prohibited to buy a firearm on behalf of or for another person. This is consistent with current law that requires a person buying from a dealer to certify that they are the ''actual buyer.'' It is important to note, however, that the bill also expressly exempts transactions like gifts and transfers that occur in raffles and auctions.

The bill is supported by numerous organizations, including the Fraternal Order of Police, the Federal Law Enforcement Officers Association, the FBI Agents Association, the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National Law Enforcement Partnership to Prevent Gun Violence, the National District Attorneys Association, and the Police Executive Research Forum.

This bill helps to keep guns out of the hands of criminals without infringing in any way upon the second amendment right of law-abiding citizens.

I urge my colleagues to support this much needed legislation.

I am, again, very pleased to have been able to work under the leadership of the chairman of the Judiciary Committee. I am delighted he is going to proceed to mark up our bipartisan compromise this week, and I thank him for the opportunity to work with him.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to talk about an issue that every mother in America is thinking about. Every parent in America who saw what happened in Connecticut bleeds for this issue. We have to do something in our country about senseless gun crime. We have to do something about making sure criminals do not have easy access to weapons to shoot down our children and loved ones in the areas that should be the safest places for them. We have seen these mass deaths, whether at a school, whether at a university, whether in a movie theater, whether in a community center; these crimes are happening over and over again.

I can tell you that from when I was first appointed to the Senate in 2009, I have realized our State of New York suffers from grave gun crime all across our State. We have gang violence. We have gun trafficking. We have straw purchasing. Networks of weapons flow into our State. Eighty-five percent of the weapons used in crimes in my State come from out of State and 90 percent of those weapons are illegal.

I had to look into the eyes of parents who had just lost their daughter because of a stray bullet from a gang member. Nyasia's parents deserve an answer. The parents of the children in Connecticut deserve an answer.

I have good news today because the Senate is working on a bipartisan bill that is introduced today by the chairman of the Judiciary Committee, Chairman LEAHY, to begin to solve this problem. This bill has wide bipartisan support. It started out with Senator MARK KIRK and I working together. He has a real tough problem in Illinois with gang violence that he wanted to address and crack down on. That bipartisan work began to address other bipartisan work. The ranking member, Senator GRASSLEY, was very interested in this bill and has been working with us to shape the bill, make it stronger. SUSAN COLLINS, who has been a leader on this issue, began to work with us to shape this bill and make it better. Senator LEAHY and Senator DURBIN have been working on the issue separately. We all joined forces to begin to write a bill that can tackle this problem, to make it a stronger solution, a better solution.

We now have cosponsors. We have the Presiding Officer right now, Senator JOE DONNELLY. We have both Senators from Connecticut who must answer the parents of their State, that they are doing something about these senseless deaths. Senator BLUMENTHAL, a former attorney general, knows what law enforcement needs to take on these criminals. Senator MURPHY, Senator KLOBUCHAR—also a previous attorney general—know what it takes to crack down on these kinds of crime and this senseless death. Senator KING, an Independent, also signs on to this bill because he knows it can do something to crack down on gun violence in this country.

Of all the laws on the books in this country today, not one Federal law says you cannot buy a truckload of guns, bring them to another State, and sell them to a criminal network. It is not even prohibited. You would not believe it. How could that be true in a country such as ours, where the Federal Government's No. 1 job is to protect our families? That is what this bill does. It makes it a Federal crime to traffic, to be a straw purchaser, to sell these guns to criminal networks with the intent of breaking the law.

The law enforcement agencies—whether it is ATF, NYPD, FBI—will now have the tools they need on the Federal level to begin to tackle this crisis.

I urge my colleagues on both side of the aisle, if they want to do something about the senseless gun deaths in this country, this is a bill they can support. For all the law-abiding gun owners in this country who support the second amendment, as I do, they can look at this bill and say: That is a bill we are supporting; that bill should pass because it goes after the criminals and the illegal weapons that are the scourge of this country. Thirty people get killed a day because of gun violence—30 deaths. One is too many. When I look at Nyasia's parents, one is too many.

Enough is enough. I am certain that when this bill passes this Chamber and when law enforcement begins to have the tools, we will save lives.

I thank my colleagues again for all the hard work they have done. I thank Senator MARK KIRK for his courage for being the first Republican to stand up to do a gun bill, the first bipartisan gun bill introduced in this Chamber.

• Mr. KIRK. Mr. President, I rise in support of the Stop Illegal Trafficking in Firearms Act of 2013, which I am proud to join in introducing with Senators LEAHY, GILLIBRAND, DURBIN and COLLINS. There are an estimated 33,000 gangs with 1.4 million active members who live in our neighborhoods, towns and cities across the United States. With more than 100,000 gang members, the city of Chicago has more gang members who terrorize its residents than any other city in the United States. The Chicago Crime Commission also reported the existence of an additional 15,000 gang members operating in our suburbs.

Gangs such as the Vice Lords, Gangster Disciples, and the Latin Kings are responsible for nearly 80 percent of the city's homicides, which just last summer amounted to 500 deaths in Chicago. These homicides are most often perpetrated with illegal weapons. Law enforcement officers in Chicago confiscate an average of 13,000 illegal weapons each year. It must end.

That is why I have joined this bipartisan group to take serious action to prevent weapons trafficking and straw purchasing, where a third party member legally purchases a firearm then sells or trades it to a criminal who is legally barred from purchasing such a weapon. Our bipartisan, consensus legislation includes the Gun Trafficking Prevention Act, which Senator GILLIBRAND and I introduced earlier this year, that would for the first time make it a Federal crime to traffic illegal guns. The Stop Illegal Trafficking in Firearms Act also strengthens the tools law enforcement need to crack down on straw purchasers, particularly those who transfer those weapons in furtherance of crimes of violence or drug trafficking. This legislation also calls upon the Sentencing Commission to substantially increase the penalties when these crimes are committed by individuals affiliated with gangs and other criminal enterprises.

A portion of this new anti-illegal gun trafficking legislation is named after

Hadiya Pendleton, a 15-year-old who was shot and killed by gang gunfire in Chicago. For Hadiya and thousands of other victims, my hope is we can break through the gridlock here in Washington to actually get something done to save lives.●

By Ms. COLLINS (for herself and Mr. KING):

S. 444. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations.

Ms. COLLINS. Mr. President, I rise today to discuss two separate problems facing our Nation—the first is sequestration, which is underway now and indiscriminately affecting a wide range of programs. The second is the prospect of a long-term Continuing Resolution to fund the Federal government for the remainder of the fiscal year, also not the way we should be doing business. Both will result in damage to our military readiness.

In order to tackle these two separate but equally devastating problems, I am introducing two measures today.

The first bill, which I am pleased to join my colleague, Senator UDALL, in sponsoring, will help mitigate the consequences of sequestration by providing Department and agency heads additional flexibility in implementing the cuts. The second bill, which I am introducing with my colleague from my home state of Maine, Senator King, will fund the Department of Defense for the remainder of the fiscal year at levels approved by the Senate Appropriations Committee in the funding bill that was reported unanimously by the Committee on August 2, 2012.

As Deputy Secretary of Defense Ash Carter has repeatedly warned, failing to pass an annual defense appropriations bill and requiring the Pentagon to operate under last year's law will continue to lead to dangerous absurdities that have ramifications that last far beyond the six months left in this fiscal year.

Military readiness will suffer. A hollow force will be created. The Pentagon will be unable to increase production rates for existing weapons, start new programs, or sign multiyear procurement contracts that would provide significant savings for taxpayers.

When I questioned Deputy Secretary Carter on February 14, at a Senate Appropriations Committee hearing about what the continuing resolution means for the Navy and our domestic shipbuilding capability, he testified that:

> We're in the absurd position where we're five months into the fiscal year and we have the authority to build the ships that we built last year and no authority to build the ships that we plan to build this year. That's crazy . . . and that has nothing to do with sequester, by the way, that's the CR.

I have long argued that we need to bring the annual appropriations bills to the floor to be considered individually on their merits. I believe that CRs represent an abdication of our responsibility and should be avoided altogether. But given where we find ourselves today, at the very least we should be able to come together to pass the full-year Department of Defense funding bill and the Military Construction/Veterans Affairs appropriations.

With regard to sequestration, we have known this day could arrive for a year and a half now. Yet, instead of working together to avert sequestration and replace it with a more rational alternative, the time has been spent jockeying for partisan advantage and engaging in a blame game. Last week, the Senate spent time voting against proceeding to debate on two partisan proposals that both sides knew beforehand were doomed.

The bill Senator UDALL and I are introducing today is a bipartisan effort to mitigate the harmful effects of sequestration. As a result of sequestration, vital priorities such as defense, education, transportation, and biomedical research, all face indiscriminate, meat-ax cuts. No distinction is made between high-performing programs and poorly performing ones.

The legislation we introduce today seeks to fix that. Instead of mindless across-the-board budget cuts, this legislation provides the heads of Federal agencies and departments with the flexibility to implement the savings targets required by the Budget Control Act until such time as a bipartisan agreement is reached to replace the sequester cuts or until Congress passes new appropriations bills for fiscal year 2013 that meet the sequester levels.

The bill requires these agency and Department heads to submit their proposals to the Appropriations committees of both the House and the Senate for approval.

This approval is an important step in the process because these Committees know the budget of each agency and can provide oversight of agency plans. This provides a strong incentive for each agency to put forth serious plans in order to avoid the across-the-board sequestration cuts that would otherwise take effect.

Let me emphasize that while our proposal is intended to mitigate the harmful and mindless across-the-board approach of sequestration, a comprehensive, bipartisan approach to put our fiscal house in order must remain a top priority.

I urge my colleagues to support both bills that we are introducing today.

AMENDMENTS SUBMITTED AND PROPOSED

SA 25. Mr. PAUL submitted an amendment intended to be proposed by him to the resolution S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 25. Mr. PAUL submitted an amendment intended to be proposed by him to the resolution S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013; which was ordered to lie on the table; as follows:

On page 31, line 22, strike ''IN GENERAL.—The Senate National'' and insert the following: ''RECONSTITUTION.—

(A) IN GENERAL.—The Senate National

On page 32, between lines 2 and 3, insert the following:

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as extending or providing funding authority to the Working Group.

On page 35, strike line 2 and all that follows through page 36, line 3, and insert the following:

(1) DESIGNATION OF PROFESSIONAL STAFF.—

On page 36, strike line 14 and all that follows through page 37, line 2.

On page 37, line 3, strike ''(C)'' and insert ''(B)''.

On page 37, line 8, strike ''(D)'' and insert ''(C)''.

On page 37, line 10, strike ''(4)'' and insert ''(3)''.

On page 37, strike lines 13 through 22 and insert the following:

(2) LEADERSHIP STAFF.—The majority leader of the Senate and the minority leader of the Senate may each designate 2 staff members who shall be responsible to the respective leader.

On page 37, line 23, strike ''(4)'' and insert ''(3)''.

On page 39, strike line 3 and all that follows through page 40, line 2.

On page 40, line 3, strike ''(d)'' and insert ''(c)''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, March 7, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Safe an Supportive Schools: Lessons from the Field.''

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 228–6685.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, March 12, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Job Corps Budget Shortfall: Safeguarding Workforce Training for America's Disconnected Youth.''

For further information regarding this meeting, please contact Anna Porto of the committee staff on (202) 224–5363.

ORDERS FOR TUESDAY, MARCH 5, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, March 5, 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 until later in the day, and that following any leader remarks, the Senate proceed to a period of morning business until 11:45 a.m., 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 30 minutes and the Republicans controlling the second 30 minutes; further, that following morning business, the Senate proceed to consideration of S. Res. 64; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. for the weekly caucus meetings.

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

PROGRAM

Mr. REID. Mr. President, there will be at least one rollcall vote tomorrow at 12:15 p.m. on the Paul amendment to S. Res. 64.

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 that it adjourn under the previous order.

There being no objection, the Senate, at 6:32 p.m., stands adjourned until Tuesday, March 5, 2013, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 2013:

THE JUDICIARY

PAMELA KI MAI CHEN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

KATHERINE POLK FAILLA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

EXTENSIONS OF REMARKS

25TH ANNIVERSARY OF THE JEWISH COMMUNITY ALLIANCE IN JACKSONVILLE, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize and honor the 25th anniversary of the founding of the Jewish Community Alliance in Jacksonville, Florida. During this period of time, the JCA has become a pillar of good works in the community and has enriched the lives of tens of thousands of people who have sought assistance in a plethora of ways. JCA has worked tirelessly fulfilling its mission to enhance the quality of life for those in need regardless of age, religion, race, financial capabilities, and physical and mental abilities.

On April 20, 2013, the family of the Jewish Community Alliance will celebrate its positive impact on our community. Open to people—young and old—the JCA offers classes in fitness, gardening, and art. There are concerts for the young and the young-at-heart. You can learn chess or play sports in a family-friendly atmosphere. Summer days are filled with fun at a variety of youth camps, and kids and parents enjoy scientific discovery challenges together.

The JCA is celebrating a quarter of a century of providing pre-school age children with an enriched start in life and of offering adults and teens ways to improve their health and to partake in enrichment classes.

For the last 25 years the JCA has provided a place that benefits both young and old and has enhanced its participants' lives by allowing them to share intergenerational values. Children attend quality after-school programs that give comfort to their parents, and those with special needs, whether adults or children, are encouraged to reach their full potential with dignity.

JCA has a rich history of making a difference in our Jacksonville community. The faces of the children and those who come to the JCA may change each year, but the mission remains the same—making a difference in the lives of those it touches.

It is my honor to bring this historic commemoration of a quarter century of service to the community to the attention of the United States Congress and to invite Members to join me in extending our appreciation.

IN RECOGNITION OF THE HOSPICE AND PALLIATIVE NURSES ASSOCIATION ON THEIR 27TH ANNIVERSARY

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mrs. CAPPS. Mr. Speaker, I rise today in recognition of my fellow nurses within the Hospice and Palliative Nurses Association (HPNA) as they celebrate their 27th anniversary. HPNA is the Nation's largest and oldest professional nursing organization and has consistently been a leader in excellence in the field.

Nurses are truly the backbone of our healthcare system. As our Nation ages, we will increasingly depend on the skilled care of hospice and palliative nurses to help our loved ones through difficult times. Their tireless dedication to patient education and care sustains our communities.

Last year I spoke at a briefing on Capitol Hill with hospice and palliative care nurses, families, caregivers, and patients to encourage discussion on this very important, yet often overlooked area.

Palliative care is a patient-centered philosophy that provides quality, compassionate end-of-life care. By honoring informed patient choice, palliative care nurses help make a challenging time a little easier for patients and their loved ones. I hope this topic continues to be part of our professional and personal dialogues.

This is important work and I hope you will join me in recognition of these leaders in aging and long-term care. Thank you for your unwavering commitment to quality nursing. I congratulate my hospice and palliative care nursing colleagues and wish them continued success.

NASHVILLE HIGH SCHOOL HORNETTES

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding victory of the Nashville Community High School Hornettes girls' basketball team in the recent State Championships.

The Hornettes put together an outstanding performance against their division's top ranked team to take the Class 2A State Championship 42–29. I would like to congratulate Coach Wayne Harre, whose efforts over the past 12 seasons as well as those of Nashville High School's coaching staff, teachers and administrators, have brought to fruition the talent of our youth and seen these fine young ladies achieve an outstanding result.

These young ladies: Erica Brown, Madi May, Katy Kosydor, Kiley Pelker, Emily Gill, Shawn Rennegarbe, Rachel Reid, Jordi Harre, Hannah Yung, Shaye Harre, Alli Kellerman, Haylee Kania, Jeni Krawiecki and Madison Frerker have represented themselves, their school, and their community with distinction. I look forward to watching their future successes in both their academic and athletic pursuits and wish them all the best in these endeavors.

Mr. Speaker, I congratulate the Nashville Hornettes on a job well done.

IN HONOR OF PEACE CORPS VOLUNTEER NICHOLAS CASTLE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. FARR. Mr. Speaker, I rise today to mourn the loss of Peace Corps Volunteer Nicholas Castle. Nick died on February 7th at a hospital in Chengdu, China after a brief illness. By all accounts, Nick exemplified the best of what both America and Peace Corps has to offer the world. He was a bright young man from Brentwood, California who brought a sense of humor, creativity, and a willingness to say yes to his life.

Service played an important role in the all too brief arc of Nick's life. Growing up in Brentwood, he worked with the city Youth Commissioner to support community service events that raised money for annual scholarships for college-bound students. As an undergraduate at the University of California, Berkeley, Nick was equally as invested in service as the Director of Global Outreach Week, a week of activities demonstrating the actions and benefits students and faculty can have around the world. He also worked with the local Peace Corps campus recruiter to encourage students to apply to serve.

In August 2012, Nick was sworn in as a Peace Corps Volunteer in China where he taught university-level English in Guizhou Province. In his short time there, Nick left a big impression, through the English classes he taught, community office hours he hosted, and ping-pong and badminton games he played. It is no surprise that his students called him ''Mr. Sunshine.''

I offer my profound condolences to Nick's parents, David and Susan Castle, and to his three brothers. There is no deeper pain for a parent than the loss of a child. But Nick leaves behind a legacy of accomplishments that have forever made this world a better place.

IN RECOGNITION OF THE COMMUNITY SERVICE AND COURAGE OF MARGARET ''PEGGY SUE'' O'DONNELL

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. CARTWRIGHT. Mr. Speaker, this Friday, March 8, is the date of the official dinner of the Grand Marshal of the 16th Annual Carbon County St. Patrick's Day Parade, and today I rise to recognize the leadership and community service of this year's Parade Grand Marshal, Margaret ''Peggy Sue'' O'Donnell.

Peggy Sue's first real job was in the microfilm department in the Carbon County Courthouse in Jim Thorpe, where she worked

throughout high school and college. For the past 28 years, she has been a package car driver for United Parcel Service. She has received many citations for safe driving—quite a feat since she delivers packages to all of the businesses on Broadway and Race Streets in Jim Thorpe. As her customers (and their dogs) will attest, Peggy Sue is the face of UPS in Jim Thorpe, and her friendly and outgoing personality makes her an outstanding ambassador for her employer and profession in town.

She is a member of Immaculate Conception Catholic Church in Jim Thorpe. She is a charter member of the Ladies Ancient Order of Hibernians, Molly Maguire Division 1, Carbon County, and served as its president from 2008–2009. She has also held other volunteer positions in town and on the St. Patrick's Day Parade committee, including serving as an aide to 2003 Parade Grand Marshal John J. Mulligan.

Her "Fighting Irish spirit" has helped carry her through a courageous bout with cancer. Diagnosed in July 2012, she feels it has been the continuous prayers and support of friends and family that has been the best and most important medicine. Her illness has brought together a community in a positive way that no one could have imagined. She may have lost her voice, but she has never lost her radiant spirit.

Mr. Speaker, I send my highest congratulations to "Peggy Sue" O'Donnell on being named the Grand Marshal of this year's Carbon County St. Patrick's Day Parade, and my thoughts and prayers are with her on this day and always.

LAS VEGAS DANCE TROUPE TO PERFORM IN INAUGURAL PARADE

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. TITUS. Mr. Speaker, Las Vegans take pride in the different cultural heritages and traditions that have enriched our community, and contributed to our distinct identity.

Today, I stand to recognize a Las Vegas dance group that truly embodies this spirit, Comparza Morelense.

Rooted in their Mexican heritage, Comparza Morelense is well known throughout Southern Nevada, performing traditional dances and songs at numerous festivals and fairs for the last two years.

This January, Comparza Morelense's hard work and dedication were rewarded with an invitation to perform in the President's Inauguration Parade.

As the only Nevadan group invited to participate in the Parade, this was truly a prestigious honor.

On Inauguration Day, I proudly cheered them on as they represented not only Las Vegas and Nevada, but their rich cultural heritage as well.

Wolf Blitzer, newsman from CNN, also commented that the group with the beautiful costumes from the state of Morelos was the most colorful entry in the parade.

I submit the Las Vegas Sun article, "Las Vegas dance troupe to perform in Inaugural Parade," written by Tovin Lapan on January 10, 2013.

LAS VEGAS DANCE TROUPE TO PERFORM IN INAUGURAL PARADE

(By Tovin Lapan)

In the past two years, the Las Vegas dance troupe Comparza Morelense has quadrupled in size and gone from dancing at birthday parties and first communions to winning multiple parade trophies and performing in November at the Latin Grammys.

Despite the rapid rise in the group's popularity, no one expected the invite that arrived Dec. 20. In fact, some members of the group demanded to see proof the White House had indeed requested they participate in the parade at the 57th presidential inauguration.

"I submitted an application because (the parade organizers) asked us to. I think someone from the campaign saw us last year," said Stephanie Padilla, one of the group's members. "I got the email saying we were invited, and the first thing I did was tell my mom. She called the other dancers, and they didn't believe her. So, we had to show the letter to everyone."

Comparza Morelense started with 11 members in December 2010. The group now counts 40 members, ranging in age from 9 months to 65 years old, among its ranks. About 25 dancers will make the trip to Washington, D.C., to participate in the Jan. 21 Inaugural Parade.

Jesus Padilla and Maria Garcia, Stephanie's parents and co-founders of the group, started the dance troupe with other family members to help keep alive a tradition from their home, the Mexican state of Morelos.

"We started the group because we would dance after family dinners and parties, but we wanted a more formal way to share the tradition and our culture," Garcia said in Spanish. "We never thought it would lead to performing for the president. I think it reflects the president's interest in all of the races and cultures in the country, and how he seeks participation from all corners."

The Presidential Inaugural Committee is attempting to choose representatives from each state for the parade, and Comparza Morelense is the only invitee from Nevada so far, a committee spokeswoman said. In making its choices, the committee considers the type of performance, reviews videos and weighs how each potential participant would represent U.S. history, diversity and commitment to service.

The elation of inclusion for Comparza Morelense, however, was soon followed by the reality of funding and logistics. * * * fundraiser, featuring food, games, a raffle and dance performance, from 4 p.m. to midnight Saturday at Elegante Banquet Hall, 3020 E. Bonanza Rd.

During a demonstration for media this week, the group's speakers cracked, popped and then conked out more than once. Garcia said Comparza Morelense typically would use a pickup truck and its own sound system during a parade, but for the Inaugural Parade the members would like to hire a DJ with professional equipment or, more traditionally, a live band.

No matter what, Comparza Morelense will make it all work, Garcia said, beaming with a wide smile at the thought of how far the group has come.

"When we started, we only set out to share this dance and piece of our culture with the community," Garcia said. "Now we get to go perform for the president. It's amazing."

Pablo Soriano, a 12-year-old who joined the group just a few months ago and will travel to Washington, dances in a black velvet costume embroidered with images of the sun and Tigger, from Winnie the Pooh.

"I like everything about the dance," Pablo said. "I like the jumping. You get exercise. You sweat. My mom and dad are from Morelos, and I feel like I'm carrying on the traditions. I also like how there are so many different cultures mixed together."

The dancers are called "Chinelos," and their origin dates to the Spanish conquest of Mexico. The indigenous people were persecuted and not allowed to openly practice their own religion. During Lent and Carnival, emboldened by the ability to wear masks in the festivities, some indigenous people wore costumes mocking the Europeans and danced through the streets. The Chinelos from Morelos, where in the colonial era there were large sugar plantations, are some of the first and most well known.

"The priests didn't let the indigenous people practice their customs, and they had no rights," Garcia said in Spanish. "When they had the chance (at Carnival preceding Lent), they put on costumes and made fun of them."

The costumes are elaborate and take between one and two months to make, Garcia said. The masks are typically light in color and feature a pointy upturned beard, a clear holdover from the dance's roots in imitating Europeans.

The costumes, made from velvet, are embroidered with elaborate designs that reflect the dancer's interests and often meld motifs from politics, religion and both European and Mexican culture. Some are images of indigenous Mexican mythology, many have depictions of the Virgin of Guadalupe, and others feature skulls, dragons, swords and even Disney characters.

The dance is called the "Brinco del Chinelo" (Jump of the Chinelo) and is left open to interpretation by the individual dancer. For the Inaugural Parade, however, Comparza Morelense is planning to do some extra choreography in an effort to present a more unified form for their moment in the national spotlight, Garcia said.

PERSONAL EXPLANATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. YOUNG of Alaska. Mr. Speaker, on February 28, 2013, I was unable to vote because of medical reasons and missed rollcall vote No. 55, on passage of S. 47, the Violence Against Women Reauthorization Act of 2013. Had I been present, I would have voted "yea."

I strongly support reauthorization of the Violence Against Women Act (VAWA), which was delayed for far too long. I am pleased that Congress was able to overcome the obstacles that blocked its final passage. VAWA's programs are a critical component of our Nation's effort to reduce violence and care for victims. Reauthorizing VAWA will help Alaska, and the rest of the country, combat the epidemic of abuse and rape that plagues our families and communities.

RECOGNIZING MINNETONKA GIRLS ALPINE SKI TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PAULSEN. Mr. Speaker, congratulations to the Minnetonka High School Girls Alpine Ski Team.

The Minnetonka Girls took first place in the Minnesota State High School Alpine Ski Meet earlier this month in Biwabik, Minnesota. This is the Minnetonka Girls' second state title in four years.

Head Coach Steve Lindemer won his fifth state championship with the school since becoming Head Coach of both the Minnetonka Boys and Girls Alpine teams in 1998.

Megan Greiner, Anna Ewald, Megan Gartner, and Marlee Gartner all finished in the top 20 to secure the top team performance.

All of these athletes and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations.

HONORING HAROLD O. BOUCHARD

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor Mr. Harold O. Bouchard of Hermon, Maine, who passed away on February 22, at the age of 77. Harold will be long remembered as an astute businessman who was well known for his philanthropy and community service.

From a single dump truck he purchased in 1958, Harold grew a business that today employs 175 people and stands at 100 trucks strong. He became an innovator and fierce advocate for the trucking industry. Harold worked tirelessly to develop safer and more efficient trucks. As an advocate, he sought to ensure lawmakers understood that heavier six axle trucks were safe and important for businesses to compete. Because of Harold's efforts, Maine's roads are safer and Maine's businesses are stronger.

Harold also maintained a strong presence in the community, helping to found the American Loggers Council and the Professional Logging Contractors of Maine. Harold was also involved with the Maine Forest Products Council, the Forest Resource Association, Maine Motor Transportation Association, the Maine Better Transportation Association, and the Associated General Contractors of Maine. The Northeast Loggers Association, of which he was also a member, named him Outstanding Logger of the Year in 1991.

Few people can claim to embody the spirit of charity and community engagement as completely as Harold. He was instrumental in helping to raise $13 million to improve cancer treatment services at Eastern Maine Medical Center. In 2003, Harold received the Bangor Region Chamber of Commerce's Norbert X. Dowd Award for his contributions to his industry and for his community service.

I was fortunate to have Harold as a supporter and ally in my ongoing efforts to allow states to increase the weight of trucks allowed on their highways. The work he did on this cause was instrumental in helping to make this goal a reality in Maine today.

Mr. Speaker, please join me in honoring the life of Mr. Harold O. Bouchard.

IN RECOGNITION OF RON CRITELLI

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Ron Critelli as he is honored as the ''Man of the Year'' by the Amerigo Vespucci Society of Long Branch, NJ. Mr. Critelli is truly deserving of this recognition for his exceptional service to the Amerigo Vespucci Society and the entire community.

Born and raised in Long Branch, NJ, Mr. Critelli has a strong connection to the community. He excelled in soccer and was elected as team captain of the Long Branch High School Varsity team for three years, leading the team to the NJ State Finals in his senior year. Mr. Critelli was the first in his family to graduate college, earning a Bachelor's Degree in Business Management from the University of North Carolina at Pembroke. In college, Mr. Critelli maintained his sense of community, joining the soccer team, serving as a member and Treasurer of the Pi Lamda Upsilon fraternity and participating in various campus events.

Introduced to the Amerigo Vespucci Society by his now wife, Loredana's family, Mr. Critelli became a member and remains active in the Society. Previously serving as a Councilor on the Executive Board, Mr. Critelli is the current Recording Secretary for the Society. He often assists with various Society events, including the Wine Tasting Gala and the Family Picnic, for which he served as co-chair and chair respectively. Furthermore, Mr. Critelli co-chaired a fundraiser on behalf of Amerigo Vespucci Society members who were affected by Superstorm Sandy.

In addition to his community service, Mr. Critelli works as a Financial Advisor at Wells Fargo Advisors. He was recently honored by New Jersey Monthly Magazine as a 2013 New Jersey Select Wealth Managers.

Mr. Speaker, once again, please join me in congratulating Ron Critelli on his selection as ''Man of the Year'' by the Amerigo Vespucci Society for his continued dedication and service to the community.

COMMEMORATING EDWARD H. LOCKWOOD

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to commemorate the life of Edward H. Lockwood, an American veteran from Long Island. Edward recently passed away and our community is mourning this profound loss.

Corporal Lockwood enlisted in the Army in 1942, and remained for the duration of World War II. He served in the 824th and 691st Tank Destroyer Units at Normandy, the Rhineland, Central Europe, and finally Ardennes, the Battle of the Bulge. Upon returning home to Glenwood Landing, Corporal Lockwood joined the American Legion Post 336 in Glen Head, New York, and worked for the Long Island Lighting Company until his retirement.

Mr. Lockwood joined the Glenwood Fire Company when he turned 18 and his only interval in service was substituted by his time in the Army. He served as Chief twice before being named Chief Emeritus, joining a privileged few who have been Glenwood Fire Company Chief three times.

Corporal Lockwood leaves behind three daughters and will be sorely missed by the Glenwood Landing community of which he was a part of for almost 92 years.

Edward was a true American patriot. In the wake of his passing, we should all remember the sacrifice our veterans make to keep us safe here at home. I am forever grateful for Edward's contributions as a serviceman and leader in his community on Long Island. I offer my sincerest thoughts and prayers to his family.

IDAHO'S TERRITORIAL SESQUICENTENNIAL

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. SIMPSON. Mr. Speaker, on this day in 1863, 150 years ago, President Abraham Lincoln signed a congressional act creating the Idaho Territory. Twenty-seven years later, part of that territory would become the 43rd State, the State of Idaho.

The Idaho Territory was initially much larger than the borders of Idaho today; it included most of what would later become Montana and Wyoming. The territory, to be governed by William H. Wallace, an old friend of Lincoln's, was previously part of the Washington Territory.

Western Washington politicians moved to discard large tracts of land in eastern Washington Territory partly because the population in those areas was increasing rapidly and they wanted to assure Olympia would remain the capital of the region. That population increase was mostly gold miners seeking out their fortunes in the Clearwater region, now Idaho's panhandle. This goes to show you, Mr. Speaker, gerrymandering is not a new phenomenon; it is in fact one of the reasons the Idaho Territory was created in the first place.

However, the land mass for the Idaho Territory was so expansive that within a year Montana broke away, and four years later Wyoming did the same, leaving the Idaho Territory looking very much like the State does today.

In 1890, after 27 years as a territory, Idaho became the 43rd State. However, much of what distinguishes Idaho today came about during its territorial years, including the creation of its main highways, many of its public schools, its tax system, its tribal laws, its universities, its water laws, and indeed, its eventual Constitution, written in the summer of 1889 in Boise. Idaho's Constitution remains today almost exactly how it was written, and it still forms the basis for all Idaho laws to this day.

The citizens of Idaho have always demonstrated a unity and sense of pride in their traditions and history, and this rich history is what makes them who they are today. From the Canadian border to Yellowstone, from Craters of the Moon to Coeur d'Alene Lake, Idahoans celebrate today. It is my privilege today to commemorate Idaho's territorial sesquicentennial.

HONORING NIELS CHEW

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and pay tribute to Niels Chew of Sonoma County, California, who passed away February 25, 2013 with his family at his side.

Mr. Chew was a loving husband of 58 years to his wife, Susan Wetherby Chew. He was a devoted father to his four children and a doting grandfather to his nine grandchildren.

He was a successful businessman, taking a small one-person operation and building it into a thriving small manufacturing company employing more than 40 people, including those with developmental disabilities.

Mr. Chew was also active in civic affairs. He was a trustee of the Sonoma Valley Unified School District Board where he served as Board Chair. He was also on the boards of the Sonoma Valley Hospital Foundation, Operation Youth, the Sonoma Overnight Shelter, El Nido Teen Center, and Stand by Me, Sonoma Valley's flagship mentoring program.

He and his wife generously supported Friends in Sonoma Helping, an organization providing assistance to residents down on their luck, with both their time and their financial resources.

In recognition of his work in the community, Mr. Chew received Sonoma's top service award in 2010 when he was named Alcalde, or honorary mayor.

Mr. Speaker, Niels Chew was proof that one man can make a difference. The legacy he leaves will be felt in the Sonoma Valley for decades to come. It is therefore appropriate that we pay tribute to him today and honor his memory.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

SPEECH OF

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 28, 2013

Mr. MORAN. Madam Speaker, I rise today in support of the Senate-passed Violence Against Women Act and in opposition to the watered down version offered by House Republicans that omits key provisions to protect all victims of domestic violence. I am pleased that after nearly a year of delay and unnecessary partisan positioning, a comprehensive, inclusive VAWA is poised to be enacted into law.

This legislation, S. 47, received overwhelming bipartisan support in the Senate, passing by a vote of 78–22, and is supported by law enforcement officials, health care providers, community providers, and millions of domestic violence survivors. Unlike the alternative House Republican version, the Senate bill includes critical provisions to protect vulnerable populations including LGBT individuals, Native Americans, immigrants, and victims of rape.

Specifically, the Senate bill ensures the availability of services to all victims of domestic and dating violence, no matter their sexual orientation or gender identity. The measure also provides authority to Native American tribes to prosecute non-Indian perpetrators of domestic violence-related offenses. Finally, the Senate measure adds stalking to the list of crimes for which victims can receive protection through the U-Visa program. All of the changes are vital and, unfortunately, absent in the House Republican bill.

Twice over the last 20 years, Democrats and Republicans, working together, have been able to reauthorize VAWA to continue and expand protections for all victims of domestic and sexual violence. A recent tragedy involving one of my constituents underscores the importance for this body to continue that bipartisan tradition.

On February 18, 2013, Jenny Lynn Pearson was brutally murdered by her husband of less than a year at her apartment in Reston, Virginia. Jenny was five months pregnant with her unborn son, whom she had named Aiden. A native of Fairfax County, Jenny is described by friends and family as humble and beautiful, a lover of nature and animals, a kind and generous soul. Her life, and that of her unborn son, was snuffed out far before its time.

Unfortunately, this type of severe domestic violence is an all-too-common reality in the United States. Approximately 2.3 million people each year are raped or physically assaulted by a current or former spouse, boyfriend or girlfriend. Three women are killed by a current or former intimate partner each day in America. And the cost of intimate partner violence exceeds $5.8 billion annually, including $4.1 billion in direct health care expenses.

While we still have much work to do, VAWA has helped address these startling levels of partner violence. Since it was first enacted in 1994, reporting of domestic violence has increased by as much as 51 percent, while the number of individuals killed by an intimate partner has decreased 34 percent for women and 57 percent for men. Reauthorization of VAWA will ensure that our nation's mothers, sisters, daughters, and friends continue to receive federal resources that can help keep them safe from harm.

Now is the time for the House to remove ideological roadblocks and send to the President a comprehensive VAWA bill that includes protections for all Americans. I encourage all of my colleagues to vote in favor of the Senate-passed Violence Against Women Act.

RECOGNIZING CHASKA HIGH SCHOOL'S CHAMPION GIRLS JAZZ AND HIGH KICK DANCE TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. PAULSEN. Mr. Speaker, congratulations to the Chaska High School Girls Jazz and High Kick dance teams.

The Chaska High School Dance teams—both High Kick and Jazz & Funk—took home repeat championship titles earlier this month with victories at the 2013 State Girls Dance Team Tournament.

Coach Krys Rydland complimented her team's drive to constantly improve as key to their success this season and at the state tournament.

Special congratulations to captains Amanda Stelten, Sammy White, and Emily Pulvermacher.

This team's ability to combine art with athleticism has returned quite impressive results.

All of these athletes and their coaches deserve praise for their dedication and determination.

It's an honor to be able to represent, and recognize, such all-star athletes. Congratulations.

IN RECOGNITION OF CLARK E. GUINAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Clark E. Guinan, better known as Gus, who is retiring after a remarkable legal and public service career that spanned over three decades. Gus was the City Attorney of the City of Burlingame for the last four years. His devotion to justice and the Bay Area are reflected in his work and passion for life.

Gus, a native San Franciscan and third generation Californian, was raised in Los Altos. He enrolled in the seminary in Menlo Park at the young age of 13 and studied there through high school and college until he was 24 years old. He received his B.A. in Philosophy from St. Patrick's College.

After eleven years in the seminary, Gus realized that he had a different calling. He wanted to follow in the footsteps of his grandfather who was his hero and a prominent attorney in the California Attorney General's office. Gus started law school and earned his J.D. from the University of Santa Clara.

Upon earning his degree, Gus became a deputy public defender in San Joaquin County from 1974–1984. Then he accepted the position of Senior Assistant City Attorney in Palo Alto where he served for five years.

In 1989, he faced a difficult decision. He and his wife Signe Harnett had adopted infant twin girls. They still lived in Stockton and the daily commute to Palo Alto would prevent Gus from seeing his two babies grow up. He left public service and became a litigation attorney with the law offices of Rishwain, Kakim and Ellis in Stockton from 1989–1991. Gus' love for San Francisco drew the family back to the Bay Area and in 1991 they moved to Berkeley and he joined the law office of Barry Balamuth in Orinda.

In 1993, Gus returned to public service and accepted the position of Assistant City Attorney for the City of San Rafael where he stayed until 2008 when he was appointed to his most recent position of City Attorney of Burlingame.

Gus is a member of the Public Law Section of the California State Bar Association, the Bay Area City Attorneys Association, the Marin Public Agency Attorneys and an alternate board member of the California Joint Powers Risk Management Authority. In the past, he served as a delegate at the State Bar Convention in Sacramento, as a section editor of the Municipal Law Handbook of the League

of California Cities and as a member of the board of governors of the San Joaquin County Bar Association. Gus has also lectured at the Delta Community College in Stockton and in the ''Bridging the Gap'' program. Last but not least, he has been a proud member of the San Rafael Elks Club since 2006.

In his well deserved retirement, Gus is looking forward to spending more time with his wife of 25 years, their now 24–year-old twin daughters Kate and Lindsey and their stepson Chris. He will finally have more time to lose himself in his passion for California history, hiking, travel, photography, reading and swimming.

Mr. Speaker, I ask the House of Representative to rise with me to honor Clark E. Guinan, a man with a brilliant legal mind and a big heart who has protected the rights and safety of the residents of Burlingame and other Bay Area communities.

RECOGNIZING ANN THOMPSON AS THE 2014 SANTA ROSA COUNTY, FLORIDA TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Ann Thompson as the 2014 Santa Rosa County, Florida Teacher of the Year. Ms. Thompson has been an inspiration to her students, her colleagues, and her community, and I am honored to recognize her success and her many achievements.

The best teachers are those who not only educate, but those who strive every day to actively engage their pupils. Ms. Thompson embodies this spirit—she is an educator, a mentor, and a role model to those she serves. As a founding parent of West Navarre Intermediate, Ms. Thompson has played an integral role with the school for more than 14 years, the last 7 of which as an educator.

Throughout her career, Ms. Thompson has served in various capacities. Before joining West Navarre Intermediate, Ms. Thompson had a successful medical career for 25 years. However, she recognized that her true calling was teaching. With the goal of ensuring all children leave school reading at least on grade level in mind, Ms. Thompson earned the required teaching certification from the University of West Florida. Wanting to work in the very school that she helped build, Ms. Thompson has seen her dreams come true as a third grade teacher at West Navarre Intermediate.

The perspectives she gained from raising three children and serving in the medical field give her a unique experience base to better enrich her students education. Ms. Thompson's instructional techniques are calculated, research-based, and focused on the needs of the individual student by using exhaustive data analysis as well as daily observation. In doing this, Ms. Thompson recognizes the reality that each student is different, and she tailors her instruction to her pupils resulting in enhanced academic achievement.

Ms. Thompson's greatness extends well beyond her title as Teacher of the Year—it lies in the hearts and minds of the students who have been deeply affected. and I am proud to recognize the accomplishments that place her among the best of Northwest Florida.

Mr. Speaker, I want to congratulate Ms. Ann Thompson as Teacher of the Year and thank her for her exemplary service in the Santa Rosa County School District. My wife Vicki joins me in congratulating Mrs. Thompson, and we wish her all the best for continued success.

ALLEGANY COUNTY ADMINISTRATOR RETIRES AFTER 21 YEARS OF SERVICE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the 21 years of dedicated service that John E. Margeson provided to Allegany County as County Administrator. Mr. Margeson began serving the Allegany County government over thirty years ago in 1977 as a probation officer. In 1982, he was appointed to be the administrative assistant to the chairman of the board and held that position until 1992 when he was appointed the county's first administrator. Mr. Margeson recently announced his retirement as Allegany County Administrator to be effective at the end of March 2013.

As the first county administrator in Allegany County, he spent over two decades making changes and updates as new federal and state mandates emerged. As a result of these mandates, the role of the Allegany County government has grown and reacted to the issues at hand. Mr. Margeson also helped oversee some of the largest capital projects in the county's history, including a new jail and a court annex. Making it a priority to attend every committee and full board meeting, Mr. Margeson provides extensive and invaluable knowledge to the board members.

Following his many years of dutiful work, Mr. Margeson looks forward to spending his retirement with his wife, two kids and his grandchildren. He also intends on playing many rounds of golf and his favorite card games in his hometown of Scio, New York.

I wish Mr. Margeson the very best in retirement and thank him for his public service.

HONORING ALPHA KAPPA ALPHA SORORITY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, each year we celebrate March as Women's History Month, and I wanted to take this opportunity to honor the women of the Alpha Kappa Alpha sorority for their decades of service and commitment to empowering their communities.

Alpha Kappa Alpha Sorority, Incorporated was founded on the campus of Howard University in Washington, D.C. in 1908. AKA is the oldest Greek organization established by African American college-educated women. From its humble beginnings, AKA has grown to 260,000 members with chapters in the U.S., the U.S. Virgin Islands, the Caribbean, Canada, Japan, Germany, Korea, and on the continent of Africa.

AKA membership is comprised of distinguished women who have excelled academically, and utilized the organization to promote our mission of ''Service to All Mankind.'' Through AKA's human rights outreach, the organization works to raise awareness of human trafficking and domestic violence. The sorority also works to promote social justice through voter empowerment, civic engagement, and expanding access to education in minority communities. Through the organization's global poverty initiatives, AKA has focused its efforts to end hunger throughout the world, and to promote sustainability and independence through women-owned businesses and sustainable agriculture practices.

Mr. Speaker, I am a proud member of Alpha Kappa Alpha, and I am proud to highlight the many accomplishments of the organization. Throughout the years, AKA's outreach has expanded as it strives to promote high academic standards, mentorship, global health services, and the advancement of human and civil rights.

CONGRATULATIONS MONTANA SPECIAL OLYMPIANS

HON. STEVE DAINES

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. DAINES. Mr. Speaker, two Montana athletes recently competed in the Special Olympics 2013 World Winter Games in South Korea, and I want to recognize them for their efforts.

Dan Hazen of Great Falls and Kathy Rose of Kalispell made Montana proud when they were chosen to represent our state on a national stage. Of the 2,300 other athletes from 110 countries in PyeongChang, South Korea, they were the only two from Montana.

But it's been a long journey, filled with hard work and perseverance.

Their tireless dedication to their sport paid off when they placed first in their events at the 2012 Special Olympics Montana State Winter Games at Whitefish Mountain Resort. Then, they were chosen from a field of other gold medal athletes as Montana's representatives to the Games.

Hazen competed in the slalom, giant slalom and super G, alpine skiing events.

And Rose competed in the 100-meter, 200-meter and 4 x 100-meter relay snowshoe races.

These events require a lot of work and a lot of commitment—and I'm happy that their efforts were rewarded when they were chosen to compete in South Korea.

These athletes are true examples of what makes Montana great—their positive attitudes and tireless dedication exemplifies the characteristics that we value in our state.

Thank you for your hard work, thank you for making Montana proud, and congratulations.

PAYING TRIBUTE TO ELLEN K. ANNALA, PRESIDENT AND CEO OF THE UNITED WAY OF CENTRAL INDIANA

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to pay tribute to Ellen K. Annala for her 23 years of service as President and CEO of the United Way of Central Indiana. The people of my Congressional district and the State of Indiana are forever grateful for Ellen's contributions and commitment to making the United Way what it is today, a powerful force for positive local development.

Over the years, Ellen's leadership has been critical in providing community leaders with the vision and necessary resources to discover new solutions and address the needs of our state and ensure the welfare of our citizens. As the first female leader of the United Way of Central Indiana, Ellen has been instrumental in bringing together Hoosier leaders from all walks of life to make our communities better places to live.

Due to Ellen's strong leadership, the United Way is making tomorrow a better place by helping children today. She has tirelessly promoted early childhood learning by partnering with Indianapolis Public Schools in an effort to dramatically increase the number of children performing at grade level by sixth grade.

Today, the United Way of Central Indiana is even better equipped to support many of the region's rural communities as a result of Ellen's guidance. She has opened offices and brought resources to the five counties surrounding Indianapolis, giving the United Way the unique ability to respond to local needs.

On behalf of the grateful constituents of the Fifth Congressional District, I congratulate Ellen on the occasion of her retirement. Thank you, Ellen, for your 23 years of dedicated leadership with the United Way of Central Indiana. Best wishes to you as you pursue new challenges in the many bright years ahead of you.

IN RECOGNITION OF CASIMIR PULASKI DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Casimir Pulaski Day. I believe it is important that each year we celebrate and retell the story of this great Polish-American hero of the 18th century, and no one does it better than Illinois with our state holiday. But it is not just the story of one man. It is also true that when we celebrate the memory of Casimir Pulaski, we honor great principles and values that are just as true today.

Principles like the idea of sacrifice for something you believe in, something much bigger than yourself. Casimir Pulaski was willing to risk and ultimately sacrifice his life for the idea of creating a new democracy—and today, young men and women are doing that very thing around the world. When we honor Casimir Pulaski, we honor our young men and women in uniform who are in harm's way even today.

The lessons of this day include the importance of international cooperation, US—Poland friendship, and immigration reform.

Casimir Pulaski made an amazing journey, considering the difficulty of travel in those days. He became, not just a participant in an historic struggle, but a great leader, a general, and helped shape the future of the United States of America. Young Polish soldiers are serving right now as part of a US-led coalition in Afghanistan and deserve our thanks today for standing shoulder to shoulder with us. When we honor Casimir Pulaski, we honor them too.

And how many young Poles living here in Chicago are waiting for their chance to be Generals or simply wear the uniform of the United States or study so they can discover a cure for cancer or be the entrepreneur that develops the next new technology? But a broken immigration system is blocking their dreams. We can honor Casimir Pulaski by working to make this generation of Americans welcoming to the dreamers and all Polish immigrants who have embraced this country.

I don't think Casimir Pulaski was asked for his visa when he mounted his horse and picked up his weapon. Today, visitors to our country from Poland should not be asked either. That is why, once again, I am a vigorous advocate for the Visa Waiver program for Poland. And by pushing for this change, we all honor the memory and heroism of Casimir Pulaski.

I hope that this day will be one during which all Illinoisans and Americans will focus on the significance of this day and this one man on our lives in the 21st century.

JAMESTOWN COMMUNITY COLLEGE RECOGNIZED AS A ''TREE CAMPUS USA'' COLLEGE FOR THE FOURTH CONSECUTIVE YEAR

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I rise to congratulate Jamestown Community College and its faculty, staff, and student body whose commitment to the environment has earned them the distinguished award as a ''Tree Campus USA'' college for the fourth consecutive year. As the first community college in New York State to earn this distinction from the Arbor Day Foundation, JCC met the necessary criteria by fulfilling five standards: maintaining a campus tree advisory committee, campus tree care plan, providing annual expenditures to the tree program, observing Arbor Day, and service learning projects for students. By achieving these standards, Jamestown Community College displayed effective management of their campus trees and collaboration with the community to foster urban forests.

The Arbor Day Foundation created this national program to recognize colleges and universities who exhibit dedication to sustaining their campus and community forestry as well as engaging their student body and faculty in these conservation goals. With one million members, Arbor Day Foundation has grown to become the largest nonprofit organization dedicated to planting trees. It has helped campuses throughout the country plant hundreds of thousands of trees and last year ''Tree Campus USA'' colleges and universities invested $23 million in campus forest management.

Jamestown Community College stands as an example to the community and other colleges and universities for making initiatives to sustain the environment by protecting and maintaining trees.

I applaud their many efforts and look forward to Jamestown Community College's continued leadership on this front.

ACKNOWLEDGING ADVOCACY AND PUBLIC SERVICE OF MEMBERS OF THE LINKS, INCORPORATED

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, March is Women's History Month, and I wanted to take this opportunity to acknowledge the advocacy and public service of the members of The Links, Incorporated.

As an organization, The Links has made service to others the founding principle of the organization. Through friendship, we build relationships based on the premise that by our numbers, we are strong. With that strength, we can uplift others.

The Links, Incorporated had as its humble beginning the friendship of two women, Ms. Margaret Hawkins and Ms. Sarah Scott. Formed in 1946, these women worked to engage the African American community in Philadelphia in civic, educational, and cultural opportunities. Each friend invited a friend, and today The Links, Incorporated, is represented by 274 chapters and more than 12,000 professional women of color.

Through its various initiatives, The Links, Incorporated is breaking new ground in providing humanitarian support and closing the achievement gap in our schools. In my role as Chair of the National STEM Career Readiness Initiative, I have used my platform as a Member of Congress to raise awareness about the need for students' science and math literacy, and to increase the ranks of women and minority STEM students, engineers, scientists, and those in academia.

Throughout the history of The Links, we have focused our efforts on children, as they will be the future generations of leaders. Recent initiatives include tackling childhood obesity in our communities, increasing the retention and graduation rates of minority students, and facilitating international involvement and global awareness to serve the educational, health, and cultural needs of people of African descent throughout the world.

Mr. Speaker, throughout the month of March we will be acknowledging women in history who have taken courageous steps and made significant impacts in their communities. The Links, Incorporated, have taken up the call for more than six decades, and through their efforts have transformed the lives of individuals and communities throughout the world.

HONORING JERRY BARBER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous volunteer firefighter, Mr. Jerry Barber.

In addition to serving his community as a volunteer firefighter, Mr. Barber is a member of the Leland High School Class of 1978, the cook for the Leland High School Booster Club, and he is also a carpenter.

Mr. Barber got his inspiration to be a volunteer firefighter from former Chief James Hasting of Leland, Mississippi. Mr. Barber thought he was brave and wanted to be like him. So, he started asking Chief Hasting about being a firefighter. Chief Hasting told him, ''it's not about the money, it's about the life and property you save for others.''

In 2006, Chief Michael Johnson of the Leland Fire Department hired Mr. Barber as a volunteer firefighter, where he is still employed. Since then he has taken great pride in being a fireman through training and certification. He is certified in Cardiopulmonary resuscitation (CPR). He is also trained and licensed to drive fire trucks along with mechanical knowledge and equipment maintenance of the truck. In addition to that, Mr. Barber has undergone training in other fire equipment operation and safety. Mr. Barber has excelled up the ranks since 2006 to become the Assistant Chief of the Leland Fire Department.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Jerry Barber for his dedication and passion for serving the city of Leland, Mississippi.

JOHN ''JACK'' HEIDECKER HAZLETON LODGE #200 ''2012/13 ELK OF THE YEAR''

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor John ''Jack'' Heidecker as the Hazleton Lodge #200 ''2012/13 Elk of the Year'' for his loyal service to the Benevolent and Protective Order of Elks.

Originally from the Lehigh Valley area, Jack served in the U.S. Navy from 1960 to 1963 on the USS *Compton* DD705 out of Newport, Rhode Island. He later attended both Lehigh County Community College and then Temple University, graduating cum laude with a baccalaureate degree in Business Administration. Jack moved to the greater Hazleton area in 1986 and became a member of the Hazleton Lodge BPOE #200 in November of that same year.

Since joining the Hazleton Lodge BPOE #200, Jack has been an active and important member of the organization. He was Co–Chairman of the Lodge's House Committee as well as a trustee and currently serves as Chair of the Lodge Bulletin Committee. Jack is also a member of the Veteran's committee and Breakfast committee.

Mr. Speaker, I commend John ''Jack'' Heidecker for his committed service to the Benevolent and Protective Order of the Elks and congratulate him for being named the Hazleton Lodge #200 ''2012/13 Elk of the Year.''

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 4, 2013

Mr. REED. Mr. Speaker, I am writing to inform you that I was detained on February 28, 2013, and was unable to be on the House floor to vote. Had I been there, I would have voted as follows: rollcall 54—McMorris Rodgers Amendment: ''no,'' rollcall 55—Passage of S. 47: ''yes.''

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 5, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

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 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

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 America, 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

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 Banking, Housing, and Urban Affairs

To hold hearings to examine patterns of abuse, focusing on assessing ''Bank Secrecy Act'' compliance and enforcement.

SD–538

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

Committee on Foreign Relations

To hold hearings to examine United States policy toward North Korea.

SD–419

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine safe and supportive schools, focusing on lessons from the field.

SD–430

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 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.

SD–226

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold a joint hearing with the Committee on Homeland Security and Governmental Affairs to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security.

SD–G50

Committee on Homeland Security and Governmental Affairs

To hold a joint hearing with the Committee on Commerce, Science, and Transportation to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security.

SD–G50

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

2:30 p.m.

Committee on Health, Education, Labor, and Pensions

Subcommittee on Employment and Workplace Safety

To hold hearings to examine Job Corps budget shortfall, focusing on safeguarding workforce training for America's disconnected youth.

SD–430

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

2 p.m.

Special Committee on Aging

To hold hearings to examine Jamaican phone fraud targeting seniors.

SD–562

MARCH 19

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. European Command, U.S. Northern Command, and U.S. Southern 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.

SH–216

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 9

9:30 a.m.

Committee on Armed Services

To hold hearings to examine U.S. Pacific Command and U.S. Forces Korea 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 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

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S1075–S1094

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 434–445, and S.J. Res. 9. **Page S1088**

Measures Reported:

Special Report entitled "Report on the Activities of the Committee on Banking, Housing, and Urban Affairs of the United States Senate During the 112th Congress pursuant to Rule XXVI of the Standing Rules of the United States Senate". (S. Rept. No. 113–2) **Page S1088**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the continuation of the national emergency originally declared in executive order 13288 on March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions, as received during recess of the Senate on March 1, 2013; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–4) **Page S1086**

Halligan Nomination—Cloture: Senate began consideration of the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit. **Page S1084**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, March 6, 2013. **Page S1084**

Nominations Confirmed: Senate confirmed the following nominations:

Pamela Ki Mai Chen, of New York, to be United States District Judge for the Eastern District of New York. **Pages S1078–82, S1094**

By a unanimous vote of 91 yeas (Vote No. EX. 28), Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York. **Pages S1078–82, S1094**

Messages from the House: **Page S1086**

Enrolled Bills Presented: **Page S1086**

Executive Communications: **Pages S1086–88**

Additional Cosponsors: **Pages S1088–89**

Statements on Introduced Bills/Resolutions: **Pages S1089–93**

Additional Statements: **Pages S1085–86**

Amendments Submitted: **Page S1093**

Notices of Hearings/Meetings: **Page S1093**

Record Votes: One record vote was taken today. (Total—28) **Page S1082**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:32 p.m., until 10 a.m. on Tuesday, March 5, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1094.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 933–945; and 3 resolutions, H. Con. Res. 20; and H. Res. 95–96 were introduced.

Pages H948–49

Additional Cosponsors: **Pages H950–51**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Messer to act as Speaker pro tempore for today. **Page H819**

Recess: The House recessed at 12:16 p.m. and reconvened at 2 p.m. **Page H821**

Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise—Appointment: Read a letter from Representative Pelosi, Democratic Leader, in which she appointed former Representative Ellen Tauscher of Washington, DC to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise. **Page H822**

United States Group of the NATO Parliamentary Assembly—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly: Representative Poe (TX), Vice Chair; Representatives Shimkus, Miller (FL), Guthrie, Marino, and Cotton. **Page H822**

Recess: The House recessed at 2:18 p.m. and reconvened at 5:15 p.m. **Page H823**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Pandemic and All-Hazards Preparedness Reauthorization Act of 2013: Concurred in the Senate amendment to 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, by a ⅔ yea-and-nay vote of 370 yeas to 28 nays, Roll No. 56. **Pages H823–36, H836–37**

Advisory Committee on the Records of Congress—Appointment: Read a letter from Representative Pelosi, Democratic Leader, in which she appointed Mr. John A. Lawrence of Washington, DC to the Advisory Committee on the Records of Congress. **Page H836**

Recess: The House recessed at 5:31 p.m. and reconvened at 6:30 p.m. **Page H836**

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Shuster wherein he transmitted copies of resolutions to authorize 16 lease prospectuses included in the General Services Administration's FY2012 and FY2013 Capital Investment and Leasing Programs and two resolutions to authorize alteration projects for space consolidations and exigent needs. The resolutions were adopted by the Committee on Transportation and Infrastructure on February 28, 2013. **Pages H837–H938**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation beyond March 6, 2013 of the national emergency declared with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions—referred to the Committee on Foreign Affairs and ordered to be printed (H. Rept. 113–14). **Pages H822–23**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H822 and H823.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page H837. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 8:28 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 5, 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., SH–216.

Committee on the Budget: to hold hearings to examine reducing the deficit by eliminating wasteful spending in the tax code, 10:30 a.m., SD–608.

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), 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 Agriculture: Full Committee, hearing entitled "To Review the State of the Rural Economy", 10 a.m., 1300 Longworth.

Committee on Appropriations: Subcommittee on Financial Services and General Government, hearing on Department of the Treasury Oversight, 10 a.m., B–308 Rayburn.

Committee on Appropriations: Subcommittee on Energy and Water Development, hearing on Department of Energy FY 2014 Budget, 10 a.m., 2362B Rayburn.

Committee on Appropriations: Subcommittee on Legislative Branch, hearing on Architect of the Capitol FY 2014 Budget, 10 a.m., HT–2 Capitol.

Committee on Appropriations: Subcommittee on Legislative Branch, hearing on Open World Leadership Center FY 2014 Budget, 11:30 a.m., HT–2 Capitol.

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, hearing on Public Health and Research Organization, Oversight, 10 a.m., 2358–C Rayburn.

Committee on Appropriations: Subcommittee on Commerce, Justice, and Science, hearing on Oversight of the Department of Commerce, 10 a.m., H–309 Capitol.

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, hearing on Force Structure Issues and the Impact on Military Construction, 10:30 a.m., 2359 Rayburn.

Committee on Armed Services: Full Committee, hearing on the posture of the U.S. Pacific Command and U.S. Strategic Command, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor and Pensions, hearing entitled "Challenges Facing Multiemployer Pension Plans: Reviewing the Latest Findings by PBGC and GAO", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce: Subcommittee on Energy and Power, hearing entitled "American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio", 10 a.m., 2322 Rayburn.

Committee on Financial Services: Subcommittee on Monetary Policy and Trade, hearing entitled "Near-Zero Rate, Near-Zero Effect? Is 'Unconventional' Monetary Policy Really Working?", 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs: Full Committee, hearing entitled "North Korea's Criminal Activities: Financing the Regime", 10 a.m., 2172 Rayburn.

Committee on House Administration: Full Committee, hearing on Committee Funding for the 113th Congress, 10:30 a.m., 1310 Longworth.

Committee on the Judiciary: Subcommittee on Immigration and Border Security, hearing entitled "Enhancing American Competitiveness through Skilled Immigration", 10 a.m., 2141 Rayburn.

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on H.R. 367, the "REINS Act: Promoting Jobs, Growth and American Competitiveness", 11:30 a.m., 2237 Rayburn.

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice, hearing entitled "Excessive Litigation's Impact on America's Global Competitiveness", 2 p.m., 2141 Rayburn.

Committee on Natural Resources: Subcommittee on Water and Power, hearing on H.R. 254, the Bonneville Unit Clean Hydropower Facilitation Act; and H.R. 678, the "Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act", 2 p.m., 1324 Longworth.

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources, hearing entitled "America's Offshore Energy Resources: Creating Jobs, Securing America, and Lowering Prices", 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform: Full Committee, hearing entitled "Reducing Waste and Mismanagement: Implementing Agency Watchdogs' Recommendation Could Save Taxpayers Billions", 10 a.m., 2154 Rayburn.

Committee on Rules: Full Committee, hearing on H.R. 933, Department of Defense, Military Construction and Veterans Affairs, and Full-Year Funding Continuing Appropriations Act, 2013, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology: Subcommittee on Research, hearing entitled "Scientific Integrity & Transparency", 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure: Subcommittee on Railroad, Pipelines and Hazardous Materials, hearing entitled "Freight and Passenger Rail in America's Transportation System", 11 a.m., 2167 Rayburn.

Committee on Ways and Means: Subcommittee on Oversight, organizational meeting, 11 a.m., 1100 Longworth.

Committee on Ways and Means: Subcommittee on Oversight, hearing entitled "Tax-Related Provisions in the President's Health Care Law", 11 a.m., 1100 Longworth.

Committee on Ways and Means: Subcommittee on Trade, organizational meeting, 4 p.m., 1105 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of March 5 through March 8, 2013

Senate Chamber

On *Tuesday*, at approximately 11:45 a.m., Senate will begin consideration of S. Res. 64, Committee Expenditure Authorization, with a vote on or in relation to the Paul amendment, at approximately 12:15 p.m. Upon disposition of the Paul amendment, Senate will vote on adoption of the resolution.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: March 5, 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., SH–216.

March 7, Full Committee, 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, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: March 7, to hold hearings to examine patterns of abuse, focusing on assessing ''Bank Secrecy Act'' compliance and enforcement, 10 a.m., SD–538.

Committee on the Budget: March 5, to hold hearings to examine reducing the deficit by eliminating wasteful spending in the tax code, 10:30 a.m., SD–608.

Committee on Commerce, Science, and Transportation: March 7, to hold a joint hearing with the Committee on Homeland Security and Governmental Affairs to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security, 2:30 p.m., SD–G50.

Committee on Energy and Natural Resources: March 7, to hold hearings to examine the nomination of Sarah Jewell, of Washington, to be Secretary of the Interior, 10 a.m., SD–366.

Committee on Foreign Relations: March 7, to hold hearings to examine United States policy toward North Korea, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: March 7, to hold hearings to examine safe and supportive schools, focusing on lessons from the field, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: March 6, to hold hearings to examine the Department of Homeland Security at 10 years, focusing on a progress report on management, 10 a.m., SD–342.

March 7, Full Committee, to hold a joint hearing with the Committee on Commerce, Science, and Transportation to examine the cybersecurity partnership between the private sector and our government, focusing on protecting our national and economic security, 2:30 p.m., SD–G50.

Committee on the Judiciary: March 6, to hold an oversight hearing to examine the Department of Justice, 9:30 a.m., SD–226.

March 7, Full Committee, 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 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–226.

Committee on Veterans' Affairs: March 5, to hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Veterans of Foreign Wars (VFW), 10 a.m., SD–G50.

March 6, Full Committee, to hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of the Paralyzed Veterans of America, Vietnam Veterans of America, National Association of State Directors of Veterans Affairs, Fleet Reserve Association, Gold Star Wives, Air Force Sergeants Association, and AMVETS, 10 a.m., 345, Cannon Building.

Select Committee on Intelligence: March 5, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

March 7, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, March 5, Full Committee, hearing entitled ''To Review the State of the Rural Economy'', 10 a.m., 1300 Longworth.

Committee on Appropriations, March 5, Subcommittee on Financial Services and General Government, hearing on Department of the Treasury Oversight, 10 a.m., B–308 Rayburn.

March 5, Subcommittee on Energy and Water Development, hearing on Department of Energy FY 2014 Budget, 10 a.m., 2362B Rayburn.

March 5, Subcommittee on Legislative Branch, hearing on Architect of the Capitol FY 2014 Budget, 10 a.m., HT–2 Capitol.

March 5, Subcommittee on Legislative Branch, hearing on Open World Leadership Center FY 2014 Budget, 11:30 a.m., HT–2 Capitol.

March 5, Subcommittee on Labor, Health and Human Services, and Education, hearing on Public Health and Research Organization, Oversight, 10 a.m., 2358–C Rayburn.

March 5, Subcommittee on Commerce, Justice, and Science, and Related Agencies, hearing on Oversight of the Department of Commerce, 10 a.m., H–309 Capitol.

March 5, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on Force Structure Issues and the Impact on Military Construction, 10:30 a.m., 2359 Rayburn.

March 6, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on Commodity Futures Trading Commission FY 2014 Budget, 10 a.m., 2362–A Rayburn.

March 6, Subcommittee on Legislative Branch, hearing on the United States Capitol Police, 10 a.m., HT–2 Capitol.

March 6, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, hearing on Sandy Disaster Relief and Recovery, 10 a.m., 2358–A Rayburn.

March 6, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing on addressing Social Security Administration's Management Challenges in a Fiscally Constrained Environment, 10 a.m., 2358–C Rayburn.

March 6, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on National Science Foundation, 11 a.m., H–309 Capitol.

March 6, Subcommittee on Financial Services and General Government, hearing on Small Business Administration, 2 p.m., 2359 Rayburn.

March 7, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on Department of Agriculture, 10 a.m., 2362–A Rayburn.

March 7, Subcommittee on Military Construction, Veterans Affairs and Related Agencies, hearing on Quality of Life in the Military, 10:30 a.m., 2358–A Rayburn.

Committee on Armed Services, March 5, Full Committee, hearing on the posture of the U.S. Strategic Command and U.S. Pacific Command, 10 a.m., 2118 Rayburn.

March 6, Full Committee, hearing on posture of the U.S. Central Command, U.S. Special Operations Command, and U.S. Transportation Command, 10 a.m., 2118 Rayburn.

March 6, Subcommittee on Military Personnel, hearing on military suicide prevention, 2 p.m., 2212 Rayburn.

March 6, Subcommittee on Strategic Forces, hearing on the U.S. Nuclear Deterrent: What Are the Requirements for a Strong Deterrent in an Era of Defense Sequester?, 3:30 p.m., 2118 Rayburn.

March 7, Full Committee, hearing on the posture of the U.S. Northern Command and U.S. Southern Command, 10 a.m., 2118 Rayburn.

Committee on the Budget, March 7, Full Committee, hearing entitled ''Member's Day'', 10 a.m., 210 Cannon.

Committee on Education and the Workforce, March 5, Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled ''Challenges Facing Multiemployer Pension Plans: Reviewing the Latest Findings by PBGC and GAO'', 10 a.m., 2175 Rayburn.

March 6, Full Committee, markup on H.R. 803, the ''Supporting Knowledge and Investing in Lifelong Skills Act'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, March 5, Subcommittee on Energy and Power, hearing entitled ''American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio'', 10 a.m., 2322 Rayburn.

March 6, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Our Nation of Builders: Powering U.S. Automobile Manufacturing Forward'', 10 a.m., 2123 Rayburn.

March 6, Subcommittee on Health, hearing entitled ''Saving Seniors and Our Most Vulnerable Citizens from an Entitlement Crisis'', 10:15 a.m., 2322 Rayburn.

March 7, Subcommittee on Health, hearing entitled ''Unaffordable: Impact of Obamacare on Americans' Health Insurance Premiums'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, March 5, Subcommittee on Monetary Policy and Trade, hearing entitled ''Near-Zero Rate, Near-Zero Effect? Is 'Unconventional' Monetary Policy Really Working?'', 10 a.m., 2128 Rayburn.

March 6, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled ''Fannie Mae and Freddie Mac: How Government Housing Policy Failed Homeowners and Taxpayers and Led to the Financial Crisis'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, March 5, Full Committee, hearing entitled ''North Korea's Criminal Activities: Financing the Regime'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, March 6, Full Committee, hearing entitled ''DHS Cybersecurity: Roles and Responsibilities to Protect the Nation's Critical Infrastructure'', 10:30 a.m., 311 Cannon.

Committee on House Administration, March 5, Full Committee, hearing on Committee Funding for the 113th Congress, 10:30 a.m., 1310 Longworth.

March 6, Full Committee, hearing on Committee Funding for the 113th Congress, 10:30 a.m., 1310 Longworth.

Committee on the Judiciary, March 5, Subcommittee on Immigration and Border Security, hearing entitled ''Enhancing American Competitiveness through Skilled Immigration'', 10 a.m., 2141 Rayburn.

March 5, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on H.R. 367, the ''REINS Act: Promoting Jobs, Growth and American Competitiveness'', 11:30 a.m., 2237 Rayburn.

March 5, Subcommittee on the Constitution and Civil Justice, hearing entitled ''Excessive Litigation's Impact on America's Global Competitiveness'', 2 p.m., 2141 Rayburn.

March 7, Subcommittee on Courts, Intellectual Property and the Internet, hearing entitled ''Abusive Patent Litigation: The Impact on American Innovation and Jobs, and Potential Solutions'', 9 a.m., 2141 Rayburn.

Committee on Natural Resources, March 5, Subcommittee on Water and Power, hearing on H.R. 254, the ''Bonneville Unit Clean Hydropower Facilitation Act''; and H.R. 678, the ''Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act'', 2 p.m., 1324 Longworth.

March 5, Subcommittee on Energy and Mineral Resources, hearing entitled ''America's Offshore Energy Resources: Creating Jobs, Securing America, and Lowering Prices'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, March 5, Full Committee, hearing entitled ''Reducing Waste and Mismanagement: Implementing Agency Watchdogs' Recommendation Could Save Taxpayers Billions'', 10 a.m., 2154 Rayburn.

Committee on Rules, March 5, Full Committee, hearing on H.R. 933, Department of Defense, Military Construction and Veterans Affairs, and Full-Year Funding Continuing Appropriations Act, 2013, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, March 5, Subcommittee on Research, hearing entitled ''Scientific Integrity and Transparency'', 10 a.m., 2318 Rayburn.

March 6, Full Committee, hearing entitled ''Threats from Space: Meteors and Comets, Part I'', 2 p.m., 2318 Rayburn.

March 6, Subcommittee on the Environment, hearing entitled ''Policy-Relevant Climate Issues in Context'', 10 a.m., 2318 Rayburn.

Committee on Small Business, March 6, Full Committee, hearing entitled ''The Health Care Law: Implementation and Small Businesses'', 1 p.m., 2360 Rayburn.

March 7, Subcommittee on Contracting and Workforce; and Subcommittee on Oversight and Investigation, joint subcommittee hearing entitled ''Consistently Inconsistent: Challenges for Service-Disabled Veteran-Owned Small Businesses'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 5, Subcommittee on Railroad, Pipelines, and Hazardous Materials, hearing entitled ''Freight and Passenger Rail in America's Transportation System'', 11 a.m., 2167 Rayburn.

March 6, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing entitled ''FBI Headquarters Consolidation'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, March 6, Subcommittee on Oversight and Investigations, hearing entitled ''Waiting for Care: Examining Patient Wait Times at VA'', 1:30 p.m., 334 Cannon.

March 7, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled ''Sustaining the Sacred Trust: An Update on our National Cemeteries'', 10 a.m., 334 Cannon.

Committee on Ways and Means, March 5, Subcommittee on Oversight, organizational meeting, 11 a.m., 1100 Longworth.

March 5, Subcommittee on Oversight, hearing entitled ''Tax-Related Provisions in the President's Health Care Law'', 11 a.m., 1100 Longworth.

March 5, Subcommittee on Trade, organizational meeting, 4 p.m., 1105 Longworth.

March 6, Full Committee, markup on H.R. 890, ''Preserving Work Requirements for Welfare Programs Act of 2013'', 9:30 a.m., 1100 Longworth.

March 7, Subcommittee on Social Security, hearing entitled ''Financing Challenges Facing the Social Security Disability Insurance Program'', 9 a.m., B–318 Rayburn.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED THIRTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through February 28, 2013

	Senate	*House*	*Total*
Days in session	21	23	..
Time in session	129 hrs., 33′	77 hrs., 25′	..
Congressional Record:			
Pages of proceedings	1,073	818	..
Extensions of Remarks	..	231	..
Public bills enacted into law	..	3	3
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	42	45	87
Senate bills	3	1	..
House bills	4	14	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	3	3	..
House concurrent resolutions	2	3	..
Simple resolutions	30	24	..
Measures reported, total	*23	*10	33
Senate bills	2	..	..
House bills	1	5	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	20	5	..
Special reports	1	..	..
Conference reports	..	..	..
Measures pending on calendar	15	..	..
Measures introduced, total	511	1,077	1,588
Bills	433	932	..
Joint resolutions	8	32	..
Concurrent resolutions	4	19	..
Simple resolutions	66	94	..
Quorum calls	1	1	..
Yea-and-nay votes	27	35	..
Recorded votes	..	19	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 1 written report has been filed in the Senate, 10 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through February 28, 2013

Civilian nominations, totaling 81, disposed of as follows:	
Confirmed	5
Unconfirmed	76
Other Civilian nominations, totaling 5, disposed of as follows:	
Unconfirmed	5
Air Force nominations, totaling 322, disposed of as follows:	
Confirmed	248
Unconfirmed	74
Army nominations, totaling 723, disposed of as follows:	
Confirmed	623
Unconfirmed	100
Navy nominations, totaling 50, disposed of as follows:	
Confirmed	33
Unconfirmed	17
Marine Corps nominations, totaling 751, disposed of as follows:	
Confirmed	50
Unconfirmed	701

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	1,932
Total confirmed	959
Total unconfirmed	973
Total withdrawn	0
Total returned to the White House	0

Next Meeting of the SENATE

10:00 a.m., Tuesday, March 5

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11:45 a.m.), Senate will begin consideration of S. Res. 64, Committee Expenditure Authorization, with votes on or in relation to a Paul amendment and on adoption of the resolution at approximately 12:15 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, March 5

House Chamber

Program for Tuesday: Consideration of the following measures under suspension of the rules: 1) H.R. 668—To amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit and 2) H.R. 338—The Stop Tobacco Smuggling in the Territories Act of 2013.

Extensions of Remarks, as inserted in this issue

HOUSE

Barletta, Lou, Pa., E239
Brooks, Susan W., Ind., E238
Capps, Lois, Calif., E233
Cartwright, Matt, Pa., E233
Crenshaw, Ander, Fla., E233
Daines, Steve, Mont., E237
Farr, Sam, Calif., E233
Israel, Steve, N.Y., E235
Johnson, Eddie Bernice, Tex., E237, E238
Michaud, Michael H., Me., E235
Miller, Jeff, Fla., E237
Moran, James P., Va., E236
Pallone, Frank, Jr., N.J., E235
Paulsen, Erik, Minn., E234, E236
Reed, Tom, N.Y., E237, E238, E239
Schakowsky, Janice D., Ill., E238
Shimkus, John, Ill., E233
Simpson, Michael K., Idaho, E235
Speier, Jackie, Calif., E236
Thompson, Bennie G., Miss., E239
Thompson, Mike, Calif., E236
Titus, Dina, Nev., E234
Young, Don, Alaska, E234

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.