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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 5, 2013.

I hereby appoint the Honorable RON DESANTIS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

WELCOMING THE 14TH ANNUAL BIKE SUMMIT

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

Mr. BLUMENAUER. Mr. Speaker, as we wait for the Congress and administration to deal with how to do business differently for defense, for health care, for the Tax Code, we can take a break today as we welcome over 750 men and women from every State in the Union who are here for the 14th Annual Bike Summit. They represent, as you might expect, people from cycling clubs and the mountain bike industry. There are also dedicated recreational cyclists, those who are involved with bike tourism, which has become very big business, by the way. And speaking of business, there are representatives of bicycle repair, bicycle manufacturers, and others who design, manufacture, and sell equipment and apparel. Bicycles mean business, in my hometown alone over $150 million of economic activity in a year, employing over 1,000 people.

As the Bike Summit attendees visit Capitol Hill later this week, we will have an opportunity to hear from people of all ages, all walks of life, communities large and small. They are firm in the belief that the Federal Government should be a stronger partner in capitalizing on the most efficient form of urban transportation ever designed.

Bicycles burn calories, not fossil fuel, and take up a 10th of the space of a car. More importantly, for those who drive, every bicycle in the protected bike lane next to you is not a car in front of you or competing for a scarce parking space.

The goal here is to give Americans more choices about how they move, making it safe for children to walk or bike to school. It helps those children, it relieves stress on the family, and can cut 30 percent of the rush-hour congestion. Bicycling helps kids stay active at a time where we are obsessing about a lack of physical activity for our children, a level that is already too low and declining. Bicycling is a natural remedy.

Cities of all size are participating in the bicycle revolution. It would not be nearly as advanced as it is, but for $8.9 billion of Federal investment since the original ISTEA reauthorization. It has accelerated programs, leveraged other investments and has increased transportation capacity for everybody, and done so more cost effectively than any other expenditure. By the way, $1 million invested in bicycle facilities creates more family-wage jobs than simply constructing more miles of highway.

It is also easier and faster to accomplish. At a time when America has an infrastructure deficit that is in the trillions of dollars, when that infrastructure is falling apart and unreliable, our coalition for policies and resources to rebuild and renew America will be stronger if it includes the millions of Americans who travel by bike.

I strongly urge my colleagues and their staff to take the time to visit with these advocates this week. Hear their stories about transforming communities of all sizes: rural, urban, suburban. Most important, learn how they are giving families safe transportation choices that they never had before. Visit with these cycling leaders. More important, at home, when you are back, get on a bike, walk a trail, join the volunteers, witness an event with your family and talk to the bike businesses and community partners. All of these stakeholders can help us visualize what the Federal partnership could mean in making communities across America more livable and our families safer, healthier, and more economically secure.

HONORING MRS. ANN MARIE KILCOURSE WILSON OF JOHNSTOWN, PENNSYLVANIA

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

Mr. ROTHFUS. Mr. Speaker, today I rise to recognize Ann Marie Kilcourse Wilson of Johnstown, Pennsylvania, an extraordinary woman. She passed away on February 19, 2013, at the all-too-young age of 47, following a brief and courageous battle with cancer.

Mrs. Wilson could have been anyone's daughter, anyone's wife, anyone's

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mother, co-worker, employer, or fellow church member. She was extraordinary because she excelled in each of these roles. She was a woman for all seasons.

Ann Wilson was born in 1965 in the Bronx of Irish stock, the daughter of Thomas and Francis Kilcourse. She graduated from St. John the Baptist High School in West Islip, New York, and earned a degree in political science from the Catholic University of America. She worked in New York City before moving to Johnstown, the hometown of her husband, Bill.

In the mountains of western Pennsylvania, this daughter of the Bronx became an adopted daughter of Johnstown, and she has thrived there. She brought into the world three beautiful children: Katie, Billy, and Clara, whom she and Bill loved dearly. And while she was raising her family, Ann pursued her professional calling with excellence and determination as the marketing director of The Gleason Agency.

Her energy was incomparable. The energy of her professional work could also be seen in her commitment to public service. In 2005, Ann made her first attempt at public office and won a 4-year term on the Johnstown City Council. She took the oath of office in January 2006 and was the first Republican woman elected to the council. Notably, Ann was the top vote-getter on the ticket, beating out seven incumbents. In a city where Democrats outnumber Republicans 7–3, she was the top vote-getter, demonstrating her broad bipartisan appeal.

□ 1010

She was reelected in 2009 and appointed deputy mayor of Johnstown in January of 2010. She also served as executive director and later chairman of the Cambria County Republican Committee. In 2012, Governor Tom Corbett appointed her to the Pennsylvania Commission for Women, and she was elected as a delegate to the 2012 Republican National Convention.

While her energy and professional accomplishments were remarkable, the two things that mattered most to her were her family and her church. Mrs. Wilson lived for her husband and children, and she rarely missed a sporting or school event that involved the kids. She loved family time and family vacations, and she was deeply committed to her Catholic faith. She was also a strong advocate for the right to life and compassion for all.

In a world and time given to cynicism and doubt, Ann Wilson stands out in stark contrast. She is a role model for excellence in family life, professional work, and community engagement. Indeed, she was full of passion for the things of life that really mattered.

It is a privilege to stand here today to remember Mrs. Ann Wilson of Johnstown, Pennsylvania. Her family's and Johnstown's loss is Heaven's gain. May she rest in peace and may her family be comforted in their loss. She will be missed not only by her husband and children, but by her community.

PROJECT EXILE

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

Mr. POE of Texas. Mr. Speaker, the talk around town is the paranoid gun control crowd that want more gun restrictions and more government control over guns.

If they had their way, some of them would actually outlaw the Second Amendment, and the result would be that the people would have no guns. The only ones that would have guns would be the government and, of course, criminals who ignore gun laws. I call it the ''Mexico model.''

Guns are outlawed in Mexico. The citizens cannot possess guns. There is no Second Amendment and so the government has guns and criminals have guns. Some of those criminals have guns thanks in part to the United States Government sending 2,000 assault weapons to them in Fast and Furious. But that's another story.

U.S. cities are moving toward the Mexico model. Chicago and Washington, D.C., have laws that make it very difficult for a citizen to exercise the Second Amendment. These cities make it difficult to even own a firearm. But all three places—Mexico, Chicago, Washington, D.C.—all have a reputation of being violent, unsafe places. Why? Because they are.

If D.C. was so safe, why are government guards everywhere in the city? Even here in this Capitol building, there are armed guards on the roof, at the doors, at the back doors, at the doors over to the east and to the west. It's hypocritical of the gun control crowd in this Chamber to say ''more guns for me, but not for thee.''

If these cities were safe, gun control laws would work, but they don't work. But there is a Federal law that the city of Richmond, Virginia, took advantage of, and it goes back to 1997. Richmond, Virginia, was one of the top five U.S. cities with the highest per capita murder rate in the United States. So the city used a Federal law to help them control the crime problem. Project Exile is the name. The local and State government voluntarily cooperated with the United States Attorney's Office in gun prosecutions.

Here's how it works: if a local or State law enforcement official arrested some criminal for a felony offense but the person also had a gun, the State official could voluntarily transfer the case to Federal court because in Federal court the person could be prosecuted by the U.S. Attorney's Office and get an additional 5 years in the Federal penitentiary because the criminal, the drug dealer, had a firearm in their possession.

It's a simple plan that worked quite well. In fact, it worked so well that in the first year Richmond, Virginia's homicide rate was down 33 percent. By 1999, homicides in Richmond, Virginia, were down 97 percent—all because the criminal was prosecuted for unlawfully possessing a firearm and the government put their resources where they should: prosecuting criminals that use guns in the commission of their offense.

The law held the criminal accountable and exiled him out of the community. That's where the phrase ''Project Exile'' comes from. He was exiled from the community to the Federal penitentiary where other criminals were.

Lock the gun-toting crooks up and send them away. What a novel idea: a law that's already on the books. Maybe violent cities like Chicago and Washington, D.C., should look at Project Exile and hold criminals accountable for the violence that they commit and not be misguided by some who continue to assault the Second Amendment and not punish criminals.

Maybe our system should focus on the person who commits the crime with the weapon as opposed to trying to punish really good folks that own firearms and exercise their right under the Second Amendment to bear arms.

And that's just the way it is.

RECESS

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

Accordingly (at 10 o'clock and 16 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

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

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

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live and for this great Nation which You have inspired in developing over so many years. Continue to inspire the American people, that through the difficulties of these days, we might keep liberty and justice alive in our Nation and in the world.

Grant an extra measure of wisdom and perseverance to the Members of this House, that the difficulties facing our Nation might be addressed to the benefit of all.

Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we

make our Nation great in goodness and good in its greatness.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Mrs. CAPPS) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPS led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

HEALTH CARE CONSCIENCE RIGHTS ACT

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

Mr. DAINES. Mr. Speaker, our Founders believed that conscience and religious rights occupied the highest rung on the civil liberty protection ladder. The Obama administration has fallen short of these expectations.

As a fifth-generation Montanan and a person of faith, I know that my faith does not begin and end at the doors of our church. Living the principles of what I believe is a key part of my faith.

But under the Affordable Care Act, religious institutions and employers, as well as health care providers who hold religious and moral convictions, are stripped of their religious freedoms. Religious institutions and employers are forced to pay for coverage of contraceptive methods. Health care providers do not have the protection to refuse to perform abortion services that they are morally opposed to. That is a violation of the First Amendment.

That is why I am proud to help introduce the Health Care Conscience Rights Act, which will uphold our constitutional rights of religious freedom and uphold our moral calling to practice life-affirming health care.

UPHOLDING VOTING RIGHTS ACT

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

Mr. HIGGINS. Mr. Speaker, this weekend I joined a trip led by Congressman JOHN LEWIS to some of the landmark sites of the civil rights struggle, culminating in a walk across the Edmund Pettus Bridge on the 48th anniversary of that historic march. The trip underscored the importance of the Voting Rights Act, which is responsible for much of the progress we have made toward eliminating voter discrimination, and the need for the Supreme Court to uphold section 5 of the law in the case pending before it.

Meanwhile, in Congress, we should be working to eliminate the inexcusably long lines at polling places across the country and ensure that every American who wants to cast a ballot is able to do so.

Decades ago, Congressman LEWIS helped lead the fight for the idea that all Americans should be able to participate in our democratic process. It is my hope that the Supreme Court and this Congress will honor that struggle in the years ahead.

SEQUESTER AND FEDERAL SPENDING

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

Mr. BENTIVOLIO. Mr. Speaker, before I came to Washington, I was a high school teacher. To be a good teacher, I had to make things understandable for my students in the classroom. With the budget, I knew that there had to be an easier way to explain the numbers I was looking at to the people who sent me to Washington. Thomas Jefferson once wrote that an informed public was vital to our continuing democracy. I would like to share with you how the sequester affects Federal spending.

Spending is expected to be around $3.8 trillion; that's the number 38 followed by 11 zeros. The sequester is $85 billion; that's the number 85 followed by nine zeros. That's a lot of money.

The best way to understand these numbers is to take eight zeros off of both of them. The President is complaining that we are taking an equivalent of $850 from a budget of $38,000. This is all pretty hypocritical after he forced hardworking Americans who actually have to live on $38,000 a year to pay another $760 or so in increased taxes as part of his fiscal cliff deal.

The people in my district want us to get serious about the enormous spending that's happening here in Congress. We should be able to have a reduction in the increase of spending without acting as it if will cause the end of the world.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HARRIS). The gentleman is reminded to avoid inappropriate references to the President.

SEQUESTRATION ISN'T A SOLUTION

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

Mr. CICILLINE. Mr. Speaker, yesterday I visited Core Composites, a company located in Bristol in my home State of Rhode Island. Because of sequestration, this small business has been notified that funding for a government contract will be reduced by hundreds of thousands of dollars.

I also recently met with Alexion, a pharmaceutical manufacturer in Rhode Island, whose FDA approval of a life-saving drug will likely be delayed because of sequestration. Countless other small businesses across our country are facing these same challenges today because Washington failed to take action to avoid sequestration.

Sequestration isn't a solution to our Federal deficit; it's a penalty that goes into effect because Republicans and Democrats failed to work together to responsibly reduce the deficit. And it's a penalty that will place a heavy toll on hardworking men and women across our country.

We spend a lot of time fighting in Washington. Now it's time for us to work together to reach a commonsense solution on this issue. Congressman CHRIS VAN HOLLEN has offered a very detailed alternative to sequestration that I'm proud to cosponsor that would cut spending responsibly, repeal subsidies to Big Oil, adopt the Buffett rule, and preserve the Medicare guarantee for seniors. Rather than pointing fingers, we should be looking at this and other reasonable alternatives that would provide critical relief for working families right now.

□ 1210

HONORING THE LIFE OF RALPH WALDO ELLISON

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

Mr. LANKFORD. Mr. Speaker, I rise to be able to pay honor to a man who deserves honor. March 1 would have been Ralph Waldo Ellison's—we know him as Ralph Ellison—100th birthday.

Ralph Ellison is a proud son of Oklahoma City. He's a graduate of Douglas High School in Oklahoma City. He hopped trains to Tuskegee to go to Tuskegee College on a music scholarship.

He's a musician, he's a sculptor, and he's the writer of the famous work, ''Invisible Man.'' It was the defining work of African American literature in the 1950s, and still continues today as being one of the defining works to be able to point our culture to not ignore racial injustice, social injustice, and economic injustice that still occurs in our Nation today.

His work ethic, his passion for education, and his passion for justice is a

great example to all Americans. I rise to be able to honor a great Oklahoma citizen, Ralph Ellison, and begin a one-year celebration of his 100th birthday.

THE NAGORNO-KARABAKH REGION OF AZERBAIJAN

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

Ms. CHU. This year marks the 25th anniversary of a critical turning point in the political freedom of the Armenian people of Azerbaijan. Let us take this occasion to remember their struggle for self-determination and freedom.

In 1988, the Nagorno-Karabakh region of Azerbaijan petitioned to become part of Armenia. For the next 2 years, the Armenian population was the target of racially motivated pogroms. Hundreds of Armenians were murdered and more wounded during three violent attacks in Sumgait, Kirovabad, and Baku.

In 1991, Nagorno-Karabakh officially declared independence, becoming a democratic state committed to freedom and respect for human rights. But today, the people of Nagorno-Karabakh are still forced to live under authoritarian rule. As we commemorate their century-long struggle, let us not forget their quest for autonomy and justice.

WE MUST RESTRAIN SPENDING

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this year the United States Treasury received more revenue than any year in the history of our Nation, yet we will spend a third more than we take in. Clearly, we do not have a revenue problem. We have a spending problem.

The Budget Control Act signed into law last year was a good first step towards deficit reduction, half of which has already been put in motion. With the Supercommittee's failure to achieve the other half, those cuts are now going into effect under sequestration.

Can these cuts be made smartly, targeting waste and overspending? Absolutely, but only if the President stops playing scare politics and begins working with Congress to make these reductions in a manner that best protects national defense and domestic priorities.

If the sequester takes full effect, the Nation's budget is still on a path to grow exponentially over the next 10 years. Unless we continue to restrain spending, our $17 trillion national debt will continue to grow, crowding out the Nation's ability to even provide for the most in need.

We have a spending problem, not a revenue problem. More taxes won't solve it, but a little more leadership sure would help.

NATIONAL SCHOOL BREAKFAST WEEK

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

Mrs. CAPPS. Mr. Speaker, I rise today in honor of National School Breakfast Week. We know that the simple act of a child eating a healthy breakfast can have dramatic effects, not only on their health, but on their academic performance.

I am cochair of the Congressional School Health and Safety Caucus, and I was honored to join the Share Our Strength's No Kid Hungry Campaign discussing last week, in a briefing, the importance of the School Breakfast Program.

I was proud to vote for the bipartisan Healthy, Hunger-Free Kids Act of 2010 that helped to expand the School Breakfast Program, but I'm disheartened that only about half of eligible students are participating in the program. We can do better.

I spent years as a school nurse, and I saw, firsthand, how hunger can cause children to lack focus in school, often get sick, and eventually fall behind. And that's why students are encouraged to eat, and often provided with a breakfast on the day of a big test. But we need to make sure they eat breakfast every day.

We've put the School Breakfast Program in place, and now we need to increase awareness and ensure access for all eligible students. That's why I encourage my colleagues to join me in recognizing National School Breakfast Week because, after all, breakfast is the most important meal of the day.

SEQUESTRATION IS AFFECTING US ALL

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

Mr. WEBER of Texas. Mr. Speaker, it doesn't seem like good leadership practice for the President to be going around the country reminding Americans that he failed to prevent his own sequestration, but to each his own.

Unfortunately, the President's sequestration is affecting us all. Why should he have shackled us all with the sequestration?

The truth is, the President's inability to lead has shackled us. The truth is, the President has not only a spending problem but a denial problem.

Well, make no mistake, Mr. Speaker. Sequestration is here. I implore the President to come back, work with Congress, and quit campaigning in the media.

SEQUESTRATION HAS BEGUN

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

Ms. HAHN. Mr. Speaker, Congress' failure to avert the sequestration with a balanced and responsible plan before the March 1 deadline is not just sad, it's inexcusable. The ramifications of failure are anything but artificial. They are real and they are severe. While the sequestration process has begun, it is not too late to work together to put us back on the right path.

Funny enough, Democrats and Republicans actually agree on one thing: that we can and must adjust the way we spend money. But we have dramatically different ideas about the best approach.

Democrats in Congress have a balanced approach, which includes spending cuts and revenue through closing tax loopholes to reduce our debt. This sequestration plan is not the answer to dealing with our deficits, and neither is another eleventh-hour temporary solution.

We owe it to the American people to move the needle forward and come to a compromise on a real plan that will increase revenue from sources other than just slashing critical programs.

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

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

GOVERNMENT SPENDING IS THE PROBLEM

(Mrs. MCMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCMORRIS RODGERS. Mr. Speaker, last week I sat around the table with a group of young people, Millennials, who wanted to talk with me about solving our Nation's spending problem. These Millennials want all the same thing: a solution to Washington's spending problem today to stop hurting America's youth tomorrow.

I heard from one young college student who had just recently graduated, and she said, you know, I was excited to embrace all the opportunities that America had to offer, only to have many people tell me to expect 5 years of unemployment.

Unfortunately, these challenges are not unique, and their experiences are not uncommon. The national debt is more than a $16 trillion pricetag. It's more than just a number.

Washington's out-of-control spending threatens the next generation of America's leaders from finding jobs after they graduate and having the tools they need to keep America competitive. Why?

Because spending is the problem. So we will continue to urge the Democrats

who run Washington to work with us to cut spending in a responsible way.

Republicans keep fighting for smarter spending cuts and, most of all, for an economy in which young people are afforded the opportunities they deserve.

SEQUESTRATION CUTS ARE TAKING EFFECT

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

Mr. KILDEE. Mr. Speaker, it's now March 5, and sequestration cuts are starting to take effect. Instead of working together to find a compromise that would avoid these automatic spending cuts, House Republicans stood by and watched the March 1 deadline come and go.

Now, $85 billion in deep, indiscriminate cuts that will eliminate 31,000 Michigan jobs are upon us. These cuts will harm Michigan families and slash programs that my constituents rely on every day. And many of the most dire consequences of the sequester won't be felt immediately. The truth is, due to Republican inaction, the wheels are now in motion, and we are on a course that has real negative impacts on millions of Americans.

Congress should be working to find a bipartisan solution to avoid these indiscriminate cuts. Democrats put forth a plan to stop the sequester. I know, I cosponsored it. House Republicans would not even let it come to the floor for a vote.

Mr. Speaker, we need to work on an approach that will fix sequestration while reducing the deficit responsibly. I stand ready to act. So do my Democratic colleagues. Let's get to work.

□ 1220

CHEN GUANGCHENG

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

Mr. PITTS. Mr. Speaker, today, Capitol Hill is hosting a great Chinese defender of human rights, blind lawyer Chen Guangcheng. A few moments ago, I had the honor of again meeting with Chen as he continues to advocate for the freedom of the Chinese people. His amazing story of escape from house arrest is a great encouragement for all in China suffering under political persecution. The authorities could not silence him as he sought justice for victims of forced abortions and environmental abuse.

The story of China's rise is not about the success of an autocratic government. It is instead the story of a people whose ingenuity and vigor have finally been unleashed after decades of repression. China has developed not because of smart planning, but because the people have used a relatively small amount of economic freedom to transform their nation. Given more freedom, I believe there's no limit to how China will grow and how her people will impact the world. We must support Chen and other human rights defenders as they seek justice for their people.

GUN VIOLENCE

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

Mr. RICHMOND. Mr. Speaker, as a resident of Louisiana, the sportsman's paradise, I'm a strong supporter of the Second Amendment. However, I do not subscribe to the belief that Congress has no role in responding to the gun violence epidemic plaguing communities like New Orleans, Chicago, and Detroit.

According to the FBI, 1,464 people were killed by a firearm in New Orleans between 2008 and 2011. That's 1,464 families who will never see their loved ones again. We can't afford to do nothing. We can no longer be the do-nothing Congress. We have a moral obligation to reduce the broad epidemic of gun violence in this country.

So I urge my colleagues in Congress to join with me in standing with the victims and families of gun violence to approve legislation that invests in our mental health system, institute more rigorous background checks, and place a ban on assault rifles and high-capacity magazines. Even incremental progress means fewer heart-broken families. I don't want to see another child fall victim to our selfish efforts to preserve what obviously needs to change. I would remind my colleagues that the life we save may be our own.

SPENDING PROBLEM IN THIS COUNTRY

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

Mr. HARRIS. Mr. Speaker, in January, the President asked hardworking taxpayers to contribute 2 percent more of their hard-earned paychecks to the Federal Government in the form of a payroll tax increase. They had to cut their household budgets by 2 percent. The President's sequester that went into effect last Friday called for a less-than-2-percent decrease in government spending, but the President now thinks that 2 percent is too much to cut from each Federal dollar. We all know the President's sequester is probably not the right way to control spending because it cuts programs across the board without any prioritization. But we all know this country has a spending problem, and we need to get it under control.

I can't help but think if the American people had to just cut 2 percent from their budgets, why can't the Federal Government? If hardworking taxpayers had to figure out how to manage with 2 percent less, can't the Federal Government figure out how to spend two less pennies out of every Federal dollar?

SEQUESTRATION IN NEW HAMPSHIRE

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

Ms. KUSTER. Mr. Speaker, because the Congress refuses to compromise, across-the-board spending cuts known as the sequester—and uncertainty around the Federal economy and the budget—are casting a cloud over our entire economy. In New Hampshire, we are already seeing the impacts of these cuts.

Right now, there's a Federal prison in Berlin, New Hampshire, with over 100 open jobs, but funding fights in Washington are preventing Granite Staters from filling them.

There's a Salem company, Micro-Precision Technologies, that wants to hire more workers; but sequestration is creating uncertainty and standing in the way.

There are technicians in New Hampshire's National Guard who want to do their jobs, but deep cuts to defense means they're facing the possibility of furloughs.

These are all examples of businesses that will have to delay hiring and people who will lose their jobs simply because Democrats and Republicans will not compromise. This is not what responsible governing looks like. We owe it to New Hampshire families to work across the aisle, responsibly reduce the deficit, and stop these mindless cuts.

CRYING WOLF

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

Ms. NORTON. Mr. Speaker, Republicans cry that the President and Democrats are crying wolf about sequester cuts and furloughs. But, the wolf is already biting. In my hand is a furlough notice from the U.S. Attorney for the District of Columbia. In D.C., the U.S. Attorney still handles major local crimes for this big city as well as some of the most important Federal matters, including terrorism suspects.

The U.S. Attorney's notice says there will be up to 14 days—that's 2 weeks—of furlough days for Assistant U.S. Attorneys and other personnel. On furlough days, the notice says, Assistant U.S. Attorneys and other staff are not permitted to even come to the office to volunteer.

Mr. Speaker, the problem with making sequester a budget rather than a prod, as intended, is not the 2 percent sequester cut. It's the compression upfront in a short period of time. The American people who depend on U.S. Attorneys deserve better than a deliberate and avoidable public safety furlough.

SEQUESTRATION WILL KILL JOBS

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

Ms. JACKSON LEE. Mr. Speaker, I enthusiastically rise to support JOHN CONYERS' H.R. 900, of which I'm an original cosponsor, which is a thoughtful response to legislation that was really hostage-taking, and that is the passage of sequestration almost 2 years ago. Everyone knows it was the need for the debt ceiling to be raised that generated it. But I'm not about excuses. H.R. 900 simply eliminates the sequester provision in the Budget Reconciliation Act. It is thoughtful and allows us to proceed.

However, we will not be able to pass it because our friends on the other side of the aisle are celebrating about the $85 billion in cuts across the board, hurting seniors, children, and families. And then they want to acknowledge this is the President's fault. Well, the President is willing to not look at poll numbers to be able to fight, to support, and enhance revenues and spending cuts. Thank you, Mr. President, for leading.

For those who say nothing has happened, it's because it has not happened yet, but I will tell you the continuation of sequester is going to hurt the American people and kill jobs. The continuing resolution that devastates those nondiscretionary projects of Head Start and education will also hurt the American people. Let's pass H.R. 900 and begin a process that the American people can buy into and a budget that is fair, with taxes and spending cuts that work on behalf of the American people.

SEQUESTRATION IS WRONG

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

Mr. GARCIA. Let me begin by saying that the district I have the honor to represent in south Florida is made up of middle class families in neighborhoods like Kendall, Westchester, and the Florida Keys. The families who live in this region don't care about ideological debates of the left or right. They simply know the difference between right and wrong. And, ladies and gentlemen, the sequestration is wrong.

The Keys Reporter reported that over 600 civilian workers at Key West Naval Base will be furloughed. This will hurt small businesses and families. Reports also say funding for work-study programs at schools like Miami Dade College, Florida International University, and Florida Keys Community College will be cut. The Miami Herald reported that air traffic control workers at Opa Locka Airport will be furloughed as of the beginning of April.

I respectfully ask my colleagues to put their differences aside and get to work. I urge the Speaker to bring up H.R. 699, a balanced bill to replace the sequester with spending cuts and revenues.

□ 1230

MARY LOU STOTT'S 80TH BIRTHDAY, VISIT TO U.S. CAPITOL

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

Ms. GABBARD. Mr. Speaker, I'm very proud to rise today to recognize a very special guest from Hawaii who is here visiting us in Washington this week.

One of my constituents, Tracey Stott Kelly, contacted me recently to set up a United States Capitol tour for her mother's 80th birthday. This wasn't like most other requests that we receive. Her mother Mary Lou's birthday wish was to visit the Capitol to see the work of her great-great-grandfather, who was an assistant to Constantino Brumidi. Mr. Brumidi was best known for the murals he painted in the Capitol over a 25-year period, including ''The Apotheosis of Washington,'' the ''Frieze of American History,'' and the walls of the Brumidi Corridors.

So this Friday, Mary Lou and her 'ohana will receive a very unique tour with Dr. Barbara Wolanin, the curator for the Architect of the Capitol, to highlight the beautiful paintings by Brumidi and to bring Mary Lou closer to her very talented great-great-grandfather.

Happy 80th birthday, Mary Lou. And thank you to Dr. Wolanin for helping to make this very special day a reality.

SEQUESTER

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

Mr. TAKANO. Mr. Speaker, the bill before us is a joke. It is only a few sentences, and all it does is ask the President to include in his budget a simple equation that divides the projected deficit by the number of taxpayers. It doesn't take a bill to do this; it just takes a calculator.

If the House Republican Conference wants us to do a math problem for the American people, I can save everyone some time and money. $845 billion, which is the estimated deficit projected by the CBO, divided by 158 million, which is the number of taxpayers, equals $5,300. Done.

Can't they do this arithmetic problem on their own? Why are we wasting taxpayers' money to operate this institution as we speak when we can solve this very simple math problem by just doing it. This is all an exercise in political theater.

I shouldn't have to come to the floor to do this. Any of my Republican friends could have called me, and I would have gladly walked them through that simple equation.

Mr. Speaker, my constituents in California's 41st District face an unemployment rate of 11 percent—higher than the national average. They need leadership from Congress to help them find jobs, not gimmicks disguised as legislation.

Our Founders didn't envision Congress assigning math homework. This is not elementary school. If my friends on the other side of the aisle want to talk about numbers, I would be happy to.

Zero, Mr. Speaker: that's the number of jobs this bill creates. Zero: the number or jobs bills the House Republican leadership has brought to the floor in the last 2 months. 750,000: the number of potential job losses if the Republicans refuse to stop the sequester.

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 3, 2013, of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WALZ, Minnesota.

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 motions 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.

Record votes on postponed questions will be taken later.

REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 668

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

SECTION 1. REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT.

Section 1105(a) of title 31, United States Code, is amended—

(1) redesignating paragraph (37) (relating to the list of outdated or duplicative plans and reports) as paragraph (39); and

(2) by adding at the end the following:

''(40) in the case of a fiscal year in which the budget is projected to result in a deficit, an estimate of the pro rata cost of such deficit for taxpayers who will file individual income tax returns for taxable years ending during such fiscal year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 668, currently under consideration.

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

There was no objection.

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

First, I want to thank Budget Committee Chairman PAUL RYAN and Ranking Member CHRIS VAN HOLLEN for allowing the House to consider this measure, which will require the President's annual budget submission to Congress to include the cost per taxpayer of the deficit for each year the budget is projected to result in a deficit.

This bill is based on one simple principle: that each hardworking American taxpayer deserves to know how much the deficit costs them each year. This requirement would be a powerful reminder to the President and Congress that our decisions have real-world consequences for hardworking taxpayers.

It's long past time to hold Washington accountable for its wasteful spending. The massive national debt has ballooned to an unsustainable level because Washington has refused to make tough choices, instead, simply spending money we don't have and ignoring the explosive growth of entitlements. This abdication of responsibility is delaying the inevitable until there may not be any good choices left.

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

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

As one of the earlier speakers said during the 1 minutes, this bill simply requires a math calculation, and we have absolutely no objection to doing that. As the gentleman may know, about a month ago we passed an amendment that did virtually the same thing.

I do wonder why it is we think the President is better with a calculator than Congress. Because what this does require simply is that you take the deficit and you divide it by the number of taxpayers. But we're certainly fine to have transparency and have the President put that in his budget as part of his submission as well.

Our concern is that this really doesn't address the fundamental question that we're facing here in the Congress: number one, making sure we get the economy kicked into full gear, and jobs; and, number two, reducing the deficit in a smart and balanced way over a period of time so that we're not balancing the budget on the backs of our seniors, that we're not violating commitments we've made to our seniors, that we're not cutting into education funding for our kids—which is important to making sure that the economy grows and that they have opportunities in their lives—and that we do that in a smart way that doesn't, in the process, result in fewer American jobs.

So the real number we should be focused on here today is 750,000, because 750,000 is the number of jobs that the independent, nonpartisan Congressional Budget Office says will be lost so long as the sequester that began March 1 remains in place through the end of this year.

So let me say that again. So long as the sequester that started on March 1 remains in place through the end of the calendar year, the independent, nonpartisan Congressional Budget Office says that we will have 750,000 fewer American jobs. That's not President Obama's number; it's not my number; it's an independent number.

The Chairman of the Federal Reserve, Ben Bernanke, was on the Hill testifying just last week and made similar predictions. They have both—both the Chairman of the Federal Reserve, Ben Bernanke, as well as the Congressional Budget Office—said that our economic growth between now and the end of the year will be reduced by a full one-third if the sequester remains in place. So that's what this House should be doing.

Today, a little later today, for the fourth time this year—for the fourth time this year, Mr. Speaker—I will go, on behalf of my colleagues in the Democratic Caucus, to the Rules Committee and ask for the opportunity to vote on a piece of legislation that would replace that sequester in a smart and balanced way and in a way that doesn't result in 750,000 fewer American jobs.

□ 1240

Now, you would think our colleagues would want to vote on something like that instead of voting on a bill that just requires a math calculation—which is fine—but it doesn't do anything about jobs, and it doesn't actually do anything to reduce the deficit. But we've not been given that opportunity.

So I would just ask my colleagues: Why is it so important to bring a bill to the floor that asks the President to do another math calculation—which we all can support—and not bring to the floor of the House a bill that actually would prevent the loss of 750,000 jobs and present a balanced plan to reducing the deficit in a way that doesn't harm the economy?

That really is the question here today, Mr. Speaker, and maybe at some point we'll get an answer. And maybe this House will live up to its promise of being the people's House and a transparent House, and we'll actually get a vote on our fourth request. I'm not holding my breath, but it would be nice if those commitments would be kept, as well.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I appreciate Representative VAN HOLLEN and his comments. As he well knows, this Chamber has twice considered sequester replacement bills put forward by the House Republican leadership, voted on and passed out of this Chamber.

The alternatives are clear. I appreciate his recognition that this simple little calculation, while admittedly not going to change the planet Earth, it is important in providing budget transparency and helping the American taxpayer understand how much money we're spending here.

We often hear, as you're out in townhall meetings, How much is $1 trillion? And what this bill simply shows is that if you take $1 trillion, if that's the deficit in a given year, and divide it by 145 million taxpayers we have, it adds up to about $6,800 per taxpayer that we are adding to our debt every year.

Back where I come from in Indiana's Sixth Congressional District, that's a lot of money. He cited the number 750,000, and I would concede that $85 billion is a lot of money; but it represents about 2 percent of what we spend as a Nation every year in our $3.6 billion budget.

I came to the House floor yesterday and held up two pennies representing the two cents—the two percent—the two cents out of every dollar that we're asking Congress to trim out of our Federal budget. Does anybody in America really believe that our Federal Government is so efficient and so effective that we can't afford to trim two cents out of every dollar?

Now, clearly, we can do this in a more sensible way. I know of no one in either Chamber who is not arguing that we ought to find a more sensible way to bring these reductions forward, but bring them forward we must.

Now, with that, Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman.

Right now, as we stand here, the national debt in this country stands over $16 trillion, and one-third of that was rung up just during this President Obama's administration. And some outside expert says, what does that translate to you and me? Well, the average taxpayer may be in debt of $111,000 to the U.S. Government because of that.

On top of that, do you know that this is the fourth time that this White

House, that this President, has failed to follow the law and to submit a budget to the House on time? But when he finally does, I really do hope that this budget differs from his other ones which were riddled with red ink and absolutely had no intent to balance, not in 5 years, 10 years, or 15 years. They never balanced. In short, his budgets have been an economic disaster. Maybe that's why there has been bipartisan opposition to these budgets.

In the Senate, which is Democratically controlled, he got absolutely zero support for his budgets in the past. So it's high time that this President gets serious about the deficits, acknowledges that frivolous spending is part of the problem, and addresses the issues with appropriate budgets.

I support this legislation before us.

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

The floor manager mentioned that two times our Republican colleagues had put forth an alternative to the sequester. I know the gentleman knows well that we're in a new Congress, and starting in January, all the bills that were put forward in the last Congress were wiped off the books. They don't have any meaning at this point in time. And this year, since we've been in a new Congress, since the election, the number of times our Republican colleagues have put forth a proposal to prevent that sequester to replace it is zero—zero times in this Congress—when it could actually make a difference. Yet, today, for the fourth time, we're going to go and ask for a vote on our proposal.

Now, we're not asking our colleagues to vote for a proposal, although I think that public surveys show the overwhelming majority of the American people would think that our alternative to replacing the sequester is a lot better than the sequester. We're not even asking our colleagues to vote for it. We're just asking for a vote on it. Let's let the people's House do its work.

Now, we talked about the deficit. There's no argument about the need to reduce our deficits. We just need to do it in a smart way and in a way that doesn't hurt the economy and doesn't cost jobs; and our proposal does have a balanced way. It combines additional, targeted cuts over a period of time with cutting tax loopholes that are in the Tax Code over a period of time.

Our Republican colleagues keep talking about how bad the deficit is. We say we agree with you on that, but it apparently isn't bad enough that you would close one single tax loophole in order to reduce the deficit. In fact, that Grover Norquist pledge that's been signed by over 90 percent of our House colleagues says that you promise not to close a single tax loophole for the purpose of reducing the deficit. You can't get rid of a tax break for corporate jets. You can't get rid of the special treatment of hedge fund managers under the Tax Code if it's part of an effort to reduce the deficit. How is that serious deficit reduction?

So what we've said is we need to do both. We need to eliminate a lot of those tax preferences and tax breaks for big oil companies and others; and we also need to make sensible, targeted cuts in other areas and reduce the deficit in a smart way. The alternative plan that we have proposed that we're asking for a vote on would accomplish the same amount of deficit reduction as the sequester through this calendar year, but do it in a way that does not cost 750,000 American jobs, because we don't do it so deeply, so quickly.

That's the difference, and that's why bipartisan commissions have recommended the balanced approach to reducing the deficit. So, again, the numbers for this year, which is the only thing that's relevant in terms of congressional action, is that there has been zero effort, zero times that our colleagues have brought to the floor a proposal to replace sequester. We're now asking our fourth time this afternoon simply to have a vote.

I hope that we can finally get one, Mr. Speaker.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Mr. Speaker, I thank the gentleman for yielding.

I rise today to speak in support of Congressman MESSER's bill, H.R. 668. This requirement would be a powerful reminder to the President and Congress on how the decisions regarding our government's spending impact the constituents that we serve.

Despite the fact that on the President's watch we have had 4 straight years of deficits exceeding $1 trillion and we still have nearly 23 million Americans who are struggling to find work, the President continues to champion more and more deficit spending as a cure to what ails our struggling economy.

But spending money we do not have is not an investment. It's a liability that limits the potential and the freedom of the American people and future generations. Every man, woman, and child in America currently owes $52,000 as their share of the national debt. It's time that the President and Congress level with the public about the burden of debt that's being placed on the American taxpayer each and every year.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Speaker, I rise today in support of this important legislation offered by my good friend from Indiana.

For more than 2 years now, my colleagues and I have led a family discussion across this country about our debt and deficits. Our current national debt stands at over $16.5 trillion and increases by $4 billion per day. We have $100 trillion, Mr. Speaker, in unfunded promises coming down the pike.

What many Americans, including some Members of this distinguished body, fail to understand is that these numbers have consequences. Our debt and deficits are not simply a series of numbers. They are a reflection of our morality as a people. And what our debt and deficits reveal is that, for the first time in the history of our country, this generation is preparing to leave the next worse off.

□ 1250

I always seem to be able to talk about, at least on one side of this body, how many times something was introduced last year versus this year, and somehow expecting a difference. Einstein had something to say about repeating something and expecting a different result.

Would anyone in this room be able to stand here and argue that this choice, leaving the next generation worse off, is morally correct? Of course not. The out-of-control spending coming from Washington will have a devastating impact on future generations, our children and grandchildren.

I recently received a letter from a Boy Scout in my district by the name of Michael Krane, who said he is ''concerned and disappointed in the job Congress has been doing in the handling of the budget.'' Unfortunately, Michael does not have a voice in this conversation. He is too young to vote. And, of course, his children that he will one day have have no voice, yet they will be paying this bill.

That is why I support LUKE MESSER's bill, to continue this conversation with the American people by simply saying, to those of us who are taxpayers, what we bear in terms of the cost for the government that we now have, as inefficient and ineffective as it is.

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

As I pointed out earlier, but I think it bears emphasis, about 1 month ago we passed a virtually identical provision. So why are we back here on the floor of this House, again without opposition? I think everybody in this House voted to do this calculation and have it put on the books. So why we are here one month later when the sequester just kicked in, doing something that we already did, rather than focusing on the issue at hand, I think is a mystery to the American people. Folks who just read from letters they got and from constituents, I think those constituents are going to be asking, why are you doing now what you did 30 days ago when we have got all these other burning issues on our plate right now, and at a time when we are asking for a vote on a plan to replace the sequester in a balanced way for the fourth time.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished

gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman for the time.

Mr. Speaker, talking about burning issues, I don't know of anything that is more pressing than dealing with this Nation's debt. You can go back through the pages and look at what Admiral Mullen had to say on July 6, 2010:

> The greatest threat to our Nation's security is our Nation's debt.

That is the reason we are here. We are not here for ourselves. We are here for our children and our grandchildren, and making certain that the America that they have, the future that they have, hope and opportunity that they have, is going to be greater than anything that we ever possibly could have imagined for ourselves.

Isn't that what preserving freedom for prosperity is all about? It is about making certain that we hand over freedom in good shape for another generation.

I will tell you, if you are looking at the debt clock, it's a pretty telling story—over $16.5 trillion. And yesterday, the per citizen share of that debt was $52,818. The per taxpayer share was $147,238.

I know there are some in this body who would like to turn the debt clocks off in the hearing rooms. They just want to ignore it, and supposedly it would go away and we wouldn't have to talk about it. We could just pretend that we do not have a spending problem in Washington, D.C.

Mr. Speaker, that is not reality. That is being completely divorced from reality. In order to defeat a problem, you have to admit that there is a problem. There is a problem with spending in Washington. There is a problem with our Nation's debt.

I support the good work that has been done by my friend from Indiana and encourage all to vote for H.R. 668.

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

Listening to this debate on the floor you might think that this bill did something to reduce the deficit and the debt. Just in case anyone is confused, it does nothing to reduce the deficit and debt. It does ask for a calculation, which we agree with.

In fact, the gentlelady just did the calculation herself, which begs the question why you need to go through a bill to get somebody to do the calculation. In fact, this calculation changes, because as the gentleman and all of us have said, the deficit goes up. That number changes every day, and so you have got to do it every day.

The point is, we passed this a month ago. There is no objection to doing a calculation. But this bill does nothing, nothing to reduce the deficit. In fact, it is running up the deficit as we spend time, taxpayer time, right here on the floor of the House while we continue to ask for a vote, up or down vote, on our plan to replace the sequester so that we don't lose 750,000 American jobs.

Today will be the fourth time we have asked for this. Our Republican colleagues have not taken any action in this Congress, not one step, nothing, to replace the sequester.

That is what we should be dealing with. Not a bill that we passed a month ago, not a bill that the gentlelady did a calculation on the floor to achieve the result. Let's focus on jobs and reducing the deficit in a smart way, by targeting spending cuts in a smart way, but also getting rid of all those tax breaks that our colleagues seem so wedded to keeping in place.

With that, I yield 1 minute to the distinguished Democratic leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentleman for yielding and for giving me this opportunity to support his proposal, the CHRIS VAN HOLLEN proposal, as our ranking member on the Budget Committee, a proposal that is fair, responsible, and balanced.

Mr. VAN HOLLEN has put forth an initiative that cuts spending responsibly, ends unnecessary and wasteful tax breaks for special interests, and advances the Buffett rule, ensuring that millionaires pay their fair share.

I think it is really important to note, as he did, that this will be yet another time we are coming to the floor asking for the Republican leadership to allow a vote in what they boast of as an open Congress, open to other ideas, that has blocked over and over again the mere consideration of Mr. VAN HOLLEN's proposal on the floor.

Instead, today, we are engaged in subterfuge. What can we do instead of doing what we really need to do and make it look as if we are doing something responsible? Yes, okay, let's get the calculation. But let's reduce that deficit. Let's reduce that deficit.

And it is important to note that this debate happens in a week that we will be taking up the continuing resolution. It has been 4 days since the sequester went into effect. The continuing resolution that the Republicans are putting forth is a bill that reinforces the sequestration.

So what does that do? The Federal Reserve chairman, Ben Bernanke, told Congress last week that cuts of this size, made this quickly, would hurt hiring and incomes, slow the recovery, cost the economy 750,000 jobs this year, and keep deficits larger than otherwise.

So we are not reducing the deficit by what is really happening on the major legislation coming to this floor last week and this week in terms of sequester and continuing resolution. That is what we should be doing—figuring out a way to get rid of the sequestration.

What does sequestration mean? Whatever its Latin roots, it equals job loss—750,000 by the estimate of the chairman of the Fed.

And what is the point of all of this? There is an answer. We already have agreed in the continuing resolution—the President and the Congress have agreed to $1.2 trillion in spending cuts. We all recognize we must reduce the deficit. We have all agreed to spending cuts of that magnitude. That was in addition to $400 billion of other spending cuts in the last term of Congress. So $1.6 trillion in spending cuts, which dwarfs the $600 billion, as significant as that is, in the expiration of the Bush tax cuts at the end of last year.

□ 1300

But we need more revenue, and there is a place to get it.

Our distinguished Speaker said there is $100 billion in tax loopholes that could be closed. I think there is more than that, but many of the deductions that we would want people to take to strengthen the middle class I think we should separate out from what the Republicans want to do. The Republicans in Congress are protecting tax loopholes and wasteful spending in the Tax Code, which increases the deficit instead of solving problems.

Instead of closing tax loopholes for Big Oil, the Republicans want cuts for little children in Head Start—Big Oil over little children. Instead of closing tax loopholes for corporations that ship jobs overseas, 750,000 jobs will be lost here because of the sequester and the continuing resolution that contains the sequester, which is a fix that we're in because of the refusal of the Republican leadership to close those loopholes. Instead of ensuring millionaires pay their fair share, our military readiness will be impaired. We have kids who won't get the proper training when they're put into harm's way unless the Defense Department can reprogram the money; and health care for America's military families will be cut.

So there is an answer to all of this, and that is that we need to stop the spending in our Tax Code. Everybody talks about reducing spending, as our colleagues on the other side of the aisle do, and we all agree that we need to reduce it. That's why the $1.6 trillion in spending cuts, and we can try to find more. But why can't we stop the spending on the Tax Code, the spending of tax giveaways? They're called ''tax expenditures.'' They cost the taxpayer.

If you are so concerned about how much the deficit is costing every individual American, why don't we calculate how much the tax break is for Big Oil, corporations sending jobs overseas—the list goes on and on—and how much those tax expenditures cost America's working families. They do so by increasing the deficit and by not creating jobs in our own country.

Again, there is an answer here. To be hopeful, we can come together to say, okay, we all agree: let's reduce the deficit, cut spending, make some changes—those that we can—without hurting beneficiaries in mandatory spending. But why are these tax loopholes for special interests such sacred cows for the Republicans, such sacred

cows that they will not even allow Mr. VAN HOLLEN's bill to come to the floor? Are they afraid of the debate? Are they afraid of the outcome of their vote?

With that, I thank the gentleman again for his leadership and for putting forth a balanced, fair proposal to reduce the deficit in order to avoid sequestration, which we didn't, and as a counter to what the Republicans are putting forth. It's more than a counter. It's about leadership. It's about what is possible if we can work together in a bipartisan way to get the job done for the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentlewoman from California is reminded to address her remarks to the Chair.

Mr. MESSER. I yield myself such time as I may consume.

Mr. Speaker, let me make three quick points: first, as to the underlying merits of the bill, transparency matters. It matters that we let the American people know what is happening here. This calculation called for under the bill shows that in recent years we've been racking up $6,800 in debt for every American taxpayer each year. That's a lot of money; secondly, we've heard from folks on the other side of the aisle about the need to close loopholes. I would submit that there is broad consensus that we need major tax reform. There is broad consensus that the loopholes that our Tax Code is riddled with should go away. The question is: Then what do you do with the money that comes from those reductions? Do you put it back in the American economy to help grow the economy? The best way to balance our budget and get this House back in fiscal order is to have a growing economy with more taxpayers who can therefore pay additional tax revenue because they have a job,

There has been a lot of talk on the other side of the aisle about the need for a balanced approach, but that balanced approach seems to ignore the fact that we had a $600 billion tax increase that passed this body on January 1. The President promised in his campaign 4–1 spending reductions to tax increases. We're not yet even to 1–1, and we talk in this Chamber about balance.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. MESSER, and I appreciate you introducing this very good bill.

Mr. Speaker, Washington continues to spend money we don't have. As we all know, the Federal Government borrows nearly 46 cents on the dollar, much of it from China, and we are sending the tab to our children and our grandchildren. What a shame. Across America, working families have had to tighten their belts, and it is past time for Washington to do the same.

That's the bottom line.

Ignoring runaway deficits and out-of-control spending is not an option. With a national debt of more than $16 trillion, Mr. Speaker, every American now has a $52,000 share. We must control spending so Washington will not saddle future generations with burdensome debts that crowd out the private sector and lead to increased taxes and higher interest rates. The lack of fiscal discipline and the rising costs of the Federal debt have created a dangerous combination, necessitating action to prevent Washington from dipping into the bottomless cookie jar.

This legislation before us would simply require the President's budget submission to provide an estimate of the cost per taxpayer of the deficit the budget would run. This commonsense legislation forces us to face this fiscal danger with eyes wide open. I support this good bill, this effort by my colleague, and I urge my colleagues to do the same.

Mr. VAN HOLLEN. Mr. Speaker, may I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Maryland has 9 minutes, and the gentleman from Indiana has 8 minutes.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Again, I have to remind people as they listen to this debate that this bill does nothing—zero—to reduce the deficit—nothing. All it does is ask for a calculation, which we've said we welcome and which one of our Members actually did on the floor of the House here as she gave her presentation, and it's that which we can all do. But by all means, let's say to the President, Put that calculation in your budget—even though that calculation is out of date 3 days after the budget is submitted if we don't get control of the deficit and do it in a smart way.

I agree with the gentleman when he says the best way to deal with the deficit is to grow the economy. That's what we should be focused on, which is why we're asking today—for the fourth time—for a vote on our proposal to replace the sequester so that we don't lose 750,000 jobs; 750,000 jobs is the number of jobs that were created between October of last year and January of this year. According to the Chairman of the Federal Reserve, if we continue to allow that sequester to remain in place, we will see one-third less economic growth.

Now, if you don't believe the nonpartisan, independent head of the Congressional Budget Office, who does professional work, and if you don't believe the Chairman of the Federal Reserve, who is not a partisan, maybe our Republican colleagues will believe the House Republican leader, Mr. CANTOR. Here is what he said on the floor of this House, not that long ago, with respect to the sequester:

''Under the sequester, unemployment would soar from its current level . . . '' He goes on to say that it would set back ''any progress the economy has made.'' He then referred to a study that said, '' . . . the jobs of more than 200,000 Virginians, in my home State, are on the line.'' That's Mr. CANTOR.

Here is what the Republican chairman of the Armed Services Committee said about a month ago. This is what Mr. MCKEON said when we got the numbers from the last quarter showing the economy was slowing, in part, in anticipation of these cuts.

□ 1310

Mr. MCKEON said:

> This is just the first indicator of the extraordinary economic damage defense cuts will do.

And that's just the defense cuts. You've also got these across-the-board cuts in important investments in biomedical research to try and find treatments and cures to diseases that hit families throughout this country. You're going to be putting people out of work who do that important research for our country. And at the end of the day, in addition to the furloughs and the disruption that will cause in the economy, throughout the entire economy, 750,000 fewer jobs will result at the end of the calendar year.

So why in the world are we debating a bill that we've already passed—I believe unanimously—1 month ago that does nothing about jobs, nothing about the deficit, rather than take up the proposal that we put forward to replace the sequester in a smart and balanced way, through targeted cuts, but also the elimination of these tax breaks. And the answer is, unfortunately, that our Republican colleagues, many of whom have signed that Grover Norquist pledge, have said that they're not willing to close one tax loophole for the purpose of reducing the deficit. Not one penny.

We hear all of the talk about reducing the deficit, but no, you can't take away one tax break for a corporate jet to reduce the deficit. You can't say to a hedge fund manager: you're no longer going to get a special tax preference if it means we're going to take that away so we can reduce the deficit. So if we're really concerned about the deficit, as we should be, let's get at it in a balanced way, and not in the sequester way, which will result in 750,000 fewer American jobs. That's what we should be focused on today, Mr. Speaker.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I think in this debate today, you're seeing two very different philosophies of how we move forward as a country: one side of the aisle, who believes that the key to America's future is raising taxes and growing government; and our side, who believes that the key to America's future is controlling spending and giving families tax relief now. Let's use tax reform to put more money in the pocket of the American taxpayer so they can spend it out in the economy.

The gentleman mentions the CBO many, many times over and over again and fails to mention that the leadership of CBO has said that a balanced

budget in the long term will help grow our economy by as much as 1.7 percent each year annually if we balance this budget. He cites Majority Leader CANTOR's statements on the sequester. We have virtual unanimity in this caucus that we need to replace the structure of those $85 billion in cuts, but our side of the aisle believes we need to replace them with other, more sensible budget reductions that get this government under control.

Mr. Speaker, with those comments, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman for yielding.

My good friends across the aisle talk about loopholes and tax reform. They might forget that over the last 2 years, this House and this party have put forward legislation that does away with the loopholes as part of a larger tax reform proposal.

My friend across the aisle continually talks about a smart and balanced way to balance the budget. He talks about responsibility. But if you ask him, Mr. Speaker, for his legislation, when does the Democrat bill balance? When does their budget balance? It never does. Ask him: does it balance in 10, 20, 50 years? How about 100 years? Does your budget balance in 100 years? Never does it balance. That is not a balanced approach.

The Senate hasn't put forward a budget in 4 years. The President's budget, not one Democrat in this Chamber or the Senate voted for the President's budget. And that one, too, never, never balances. That's not a balanced approach. America deserves better.

But on this current legislation, America and Americans have a right to know how much their government is accumulating in debt in their name. Grandparents and parents, they have a right to know how much debt is going to be passed on to their grandchildren and their children. Those little preschoolers, those toddlers, those infants that are going to inherit this massive debt, they have a right to know. How about those young adults that are getting out of high school and tech school and out of college? They have a right to know as they look at their car loans, at their student loans, at that new house loan. They have a right to know how much they're going to inherit and pay back over the course of their working years for this irresponsible debt. Americans have a right to know.

This legislation is important because this is the first step to making sure that America knows the fiscal trouble we're in, and to encourage our friends across the aisle to get together and not use terminology of a balanced approach but actually give us a balanced budget.

Mr. VAN HOLLEN. Mr. Speaker, the American public does have a right to know. I don't know how many times we have to say this on the floor of this House: We passed virtually the identical bill 30 days ago, approximately, and I'm not objecting to this bill. People have a right to know. We should have transparency. We should reduce the deficit, and this bill does nothing to reduce the deficit.

What we need to do is make sure that we get our deficits under control, that we stabilize the debt, and that we make smart choices for the people in this country.

Yes, there is a difference of opinion. We believe that as part of reducing the deficit, we should make targeted smart cuts, but we should also cut some of those tax loopholes. Now the gentleman mentioned that we passed a tax increase on $600 billion over the next 10 years. That's right; we finally said, for higher income earners, you're going to go back to paying the same rates as you were during the Clinton administration.

But the gentleman suggested that budget history began on January 1 of this year. We were all here—not everybody, but most of us—when we passed the Budget Control Act in the summer of 2011. What did we do in that act? We capped spending—$1.5 trillion in spending reductions. That was the right thing to do. Now we've done $600 billion in revenue. So I think most people can do the math on this. We're not nearly close to the kind of ratios that the bipartisan commission, the bipartisan fiscal commission, Simpson-Bowles, we're not close to the balance that they talked about in terms of revenue and cuts, not even in the ballpark.

So let's focus on the fundamental question, which is, number one, getting the economy moving again, not losing 750,000 jobs this year, and then reducing our deficits in a smart and balanced way over a period of time. But yes, by all means, let's have the President do a calculation, which one of the earlier Republican speakers did on the floor of the House. We can all do that. Of course as indicated, that calculation changes day to day. But by all means, let's get it. But let's not pretend that this piece of legislation does one thing to create one job or reduce the deficit by one penny.

I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Speaker, I rise today in support of my friend, neighbor, colleague, and fellow Hoosier, Mr. MESSER, and his bill, H.R. 668.

This legislation would require the President's budget proposal to make clear the per-taxpayer cost of any budget deficits. We have repeatedly heard President Obama proclaim his desire to have the most transparent administration in history. In furtherance of that objective then, this should be welcome legislation to all parties.

To many Americans and to many of my colleagues, Federal budgeting might seem like an abstraction, and thus unimportant because dollar amounts in terms of billions and trillions of dollars are beyond normal human comprehension. Most people just don't think in those terms. In fairness, most of us don't think in those terms, so let's clarify this process by bringing these numbers down to the individual level. Let's tell the American people, for example, under the President's last budget, you owe $7,000 just to cover the deficit. That resonates. Folks get that. The math is pretty simple. The median income in Indiana is around $45,000. Income and payroll taxes will eat up about $9,000 of that.

□ 1320

People will understand what it means when you tell them that, under the President's budget, you need almost 20 percent more per year per Hoosier just to balance the budget.

Now, this is important. Contrary to some of the things we heard earlier, maybe this bill will even help incentivize those who are drafting budgets in the future to put together budgets that actually balance at some point in the distant future so that we don't have to rely on these suboptimal cutting gimmicks, like the President's sequester, to, in some way, get spending under control.

We know revenue will double over the next 10 years. We know we have a spending problem, not a revenue problem in this country, so it's time the Federal Government—and the White House, in particular—comes clean about the direct impact of our Federal deficits on our Nation's families.

So I urge my colleagues to support this measure of good government by voting ''yea'' for H.R. 668.

Mr. VAN HOLLEN. Mr. Speaker, may I ask how much time remains on each side?

The SPEAKER pro tempore (Mr. STUTZMAN). The gentleman from Maryland has 2 minutes, and the gentleman from Indiana has 3 minutes.

Mr. VAN HOLLEN. Does the gentleman have any other speakers?

Mr. MESSER. I think we've got one more.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. MESSER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. STUTZMAN), another very good friend of mine, the third Hoosier speaking on this bill today.

Mr. STUTZMAN. Thank you to my friend from Indiana. This is, I believe, the fifth speaker from Indiana. Maybe we're getting something right in Indiana—I don't know what it is—but thank you for sharing this bill.

We do have a balanced budget in Indiana. We have made sure that we have taken care of the children in education, we've made sure that our law enforcement is taken care of, but we've also made those difficult choices early on that Washington could really learn from in budgeting.

So I appreciate Congressman MESSER for bringing this particular bill. It's a good government bill.

And I know the other side of the aisle is talking about the sequester. I find it ironic that the Washington Times today has a headline that says 400 more jobs are created, in spite of the sequester. So I don't believe that the sky is falling here.

This legislation requires the President to do some simple math and include with his budget, should he choose to submit one, an estimate of the cost of the deficit per taxpayer. Taxpayers just simply deserve to know how much they owe for Washington's out-of-control spending. After all, every dime that the Federal Government borrows is saddled on this generation and the next generation and generations to follow.

Right now, the cost of Washington's $16 trillion of national debt totals more than $147,000 per taxpayer. In fact, approximately every minute, Mr. Speaker, the Federal Government borrows another $4 million per minute, leaving this generation empty promises and massive debt.

This is no way to run a government. If the President refuses to break the cycle of bailouts, borrowing, and tax hikes, taxpayers deserve to know the true cost of the President's irresponsible decisions. The American taxpayers deserve transparency, and that's exactly what this bill does.

Mr. Speaker, I applaud my colleague from Indiana, and I thank him for bringing this bill to the floor. I urge the support of all of my colleagues here in the House of Representatives.

Mr. VAN HOLLEN. Mr. Speaker, it's always good to see a show of Hoosier unity on the floor of the House, and I look forward to joining my colleagues in voting for this bill.

The State of Maryland also has a balanced budget, but we also have a capital budget and other parts that we do differently.

Look, Mr. Speaker, I'm going to support this bill. I support transparency. I supported virtually the identical provision 30 days ago. That's really not the issue. Yes, we want more information, and we'll get it.

But the real issue here is the loss of jobs. Now, the previous gentleman mentioned that the Washington Times has an article saying more jobs were created. Thank goodness we are finally seeing more and more jobs created.

We will have economic growth. There will be jobs created. The question is how many fewer jobs we will have as a result of the sequester. The CBO hasn't said it will stop every job from being created.

What the Chairman of the Federal Reserve has said, and what the nonpartisan Congressional Budget Office has said, is that this sequester, if it remains in place through the end of the year, will be a drag on growth, so we will have fewer jobs created. In fact, they estimate we will have 750,000 fewer American jobs by the end of the year if we don't do something about the sequester.

So, Mr. Speaker, I'd just go back to the original question: Why take up something we've already done, already passed virtually unanimously, when we have a much more pressing issue and when we, today, will ask for the fourth time this year, when it counts, to vote on a bill that would replace the sequester in a smart and balanced way without the loss of jobs? That's the fundamental question. And why this House is shirking that responsibility and refusing to hold a vote on a proposal that would prevent the loss of 750,000 jobs is a question I think the American people are asking themselves.

So, Mr. Speaker, let's get on to the pressing business. Let's focus on jobs and really reducing the deficit and not playing these kind of games on the floor of the House.

I yield back the balance of my time.

Mr. MESSER. Mr. Speaker, I appreciate the gentleman's help and comments on this bill. It's a good government bill. It's transparency. It makes sure that taxpayers know how much the Federal Government is racking up on their dime, and I'm hopeful that it will pass.

The gentleman makes a very important point, that this bill is not the cure-all of the world, and we have lots of work to do. Far too many families in this economy have had to come home and deal with a job loss.

I remind everybody in this Chamber that the $85 billion that we're talking about in this sequester, while a lot of money, is 2 percent of our total Federal Government $3.6 trillion budget. It's two pennies on every dollar.

We agree that this sequester should be replaced; we disagree on how. Surely we can find two pennies to save instead of raising taxes and taking more money out of the pocket of the American taxpayer.

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to question H.R. 668, a bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit. What does this bill accomplish—very little.

More specifically, H.R. 668 requires the President to submit the pro rata cost for taxpayers for any deficit projected in the President's budget for a given fiscal year.

While I support genuine bipartisan efforts to resolve our fiscal and budgetary issues, it is difficult to see how this bill proposes a productive use of the House's time and taxpayer dollars.

H.R. 668 appears to be a politically motivated bill aimed at placing blame on the President for our deficit issues rather than proposing a sound, bipartisan solution that would provide a balanced approach to turning our annual budgets deficits into surpluses.

This Congress cannot absolve itself of the duty to reach a bipartisan deal to mitigate the devastating effects of the sequester now imposed on the federal government.

We must remember that this sequester was intended to be harmful to our nation's progress in the eyes of both parties, in order to incentivize this Congress to make the difficult choices necessary to forge a sustainable economic future.

The cuts are arbitrary and are no substitute for sound policy: $42.7 billion in defense cuts (a 7.9 percent cut); $28.7 billion in domestic discretionary cuts (a 5.3 percent cut); $9.9 billion in Medicare cuts (a 2 percent cut); and $4 billion in other mandatory cuts (a 5.8 percent cut to nondefense programs, and a 7.8 percent cut to mandatory defense programs).

Each day that passes under the sequester, it imperils our security, our economic recovery, and our families across this nation.

From military readiness, to disaster and terrorism preparedness, to law enforcement and emergency responders, to education, to small business, to veterans care, to travel, to food safety, to vital research and innovation; there is virtually no facet of our way of life that will avoid being negatively impacted by the sequester.

Aircraft purchases by the Air Force and Navy are cut by $3.5 billion.

Military operations across the services are cut by about $13.5 billion.

Military research is cut by $6.3 billion.

The National Institutes of Health get cut by $1.6 billion.

The Centers for Disease Control and Prevention are cut by about $323 million.

Border security is cut by about $581 million.

Immigration enforcement is cut by about $323 million.

Airport security is cut by about $323 million.

Head Start gets cut by $406 million, kicking 70,000 kids out of the program.

FEMA's disaster relief budget is cut by $375 million.

Public housing support is cut by about $1.94 billion.

The FDA is cut by $206 million.

NASA gets cut by $970 million.

Special education is cut by $840 million.

The Energy Department's program for securing our nuclear materials is cut by $650 million.

The National Science Foundation gets cut by about $388 million.

The FBI gets cut by $480 million.

The federal prison system gets cut by $355 million.

State Department diplomatic functions are cut by $650 million.

Global health programs are cut by $433 million; the Millennium Challenge Corp. sees a $46 million cut, and USAID a cut of about $291 million.

The Nuclear Regulatory Commission is cut by $55 million.

The SEC is cut by $75.6 million.

The United States Holocaust Memorial Museum is cut by $2.6 million.

The Library of Congress is cut by $31 million.

The Patent and Trademark office is cut by $156 million.

This is neither the way to govern, nor is it a permissible path forward. We cannot continue along this path of perpetual, self-imposed destruction—moving from manufactured crisis to manufactured crisis without providing the American people with certainty and clarity as to the future.

In just three short weeks, the federal government faces another manufactured crisis; a shutdown that threatens to compound the effects of the sequester and further damage our

economy, making it harder for families to endure.

We must focus our efforts on working together to enact a continuing resolution in order to avoid a government shutdown, and to enact a plan that provides a healthy balance of revenues and spending cuts that will move us forward without devastating the middle class.

Bills that do not serve any ostensible practical purpose and are simply meant to advance an ideological position should not occupy the House's time, and the American people expect more of their elected representatives.

We must remember that the faces of those who are negatively impacted by the sequester are not of millionaires or billionaires; they are of average Americans who, through no fault of their own, have struggled through a tough economy and fiscal adversity.

As we work together to get our Nation's fiscal house in order, we should strive to carefully consider the impact of decisions—or in this case, the lack of decisions—on the millions of middle and low-income Americans who are counting on us to come to an agreement.

I look forward to working with my colleagues in Congress on both sides of the aisle on a long-term debt and deficit solution, and am confident that we can reach an agreement that will work for the benefit of all Americans.

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of this legislation and I thank the gentleman from Indiana for his continued leadership on this issue.

Last month, this administration stated that it was the most transparent in history. According to recent polls, only 26 percent of Americans agree.

H.R. 668 requires this administration, and future administrations, to include a cost-per-taxpayer calculation of the Federal deficit in their annual budget submission.

Transparency is not a political issue. Regardless of which side of the aisle we sit on, our constituents deserve to know how they are impacted by the decisions we make here in Washington.

This legislation removes the excuses from those who wish to pretend that our country is not facing a fiscal crisis. It replaces rhetoric with fact.

Hard-working men and women in my district, and across America, should know what our out-of-control spending here in Washington is costing them.

The administration recently released their budget for Fiscal Year 2013. It forecasts a $901 billion deficit this year alone.

My friends in the other body, on the other side of the aisle recently proposed a sequester replacement bill that would add $41.5 billion to the deficit in 2013. Over 10 years, the bill would add another $7.2 billion to the deficit.

Taxpayers deserve to know what such proposals would cost them individually. This is a commonsense bill that already passed the House in the form of an amendment. This isn't a political issue, it is reasonable and rational legislation that lets the American people know we can be serious about their financial future, and the financial future of the country.

I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 668.

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. MESSER. 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.

STOP TOBACCO SMUGGLING IN THE TERRITORIES ACT OF 2013

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 338) to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 338

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Tobacco Smuggling in the Territories Act of 2013''.

SEC. 2. TERRITORIES AND POSSESSIONS OF THE UNITED STATES INCLUDED IN THE DEFINITION OF STATE FOR THE PURPOSES OF THE PROHIBITION AGAINST TRAFFICKING IN CONTRABAND CIGARETTES AND SMOKELESS TOBACCO.

Paragraph (4) of section 2341 of title 18, United States Code, is amended by striking ''or the Virgin Islands'' and inserting ''the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, or Guam''.

The SPEAKER pro tempore (Mr. MESSER). Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 338, currently under consideration.

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

There was no objection.

□ 1330

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

Cigarette trafficking is a very lucrative crime both here in the United States and abroad. It is estimated that illicit cigarettes account for over 10 percent of the more than 5.7 trillion cigarettes sold globally each year. Here in the United States alone, approximately 4 billion of the cigarettes sold each year are illicit.

Cigarette smuggling is generally carried out by large criminal organizations that take advantage of the significant disparity between the taxes levied on cigarettes across the States. These differences create a highly lucrative market for individuals to evade State and local sales taxes by purchasing cigarettes in one locality and transporting them to another for resale below market value. It is estimated that criminals can make a profit of as much as $1 million on just a single truckload of illicit cigarettes.

Cigarette smuggling is not just profitable for criminal networks; this crime also harms State and Federal revenues. According to the Justice Department, this illicit activity costs the States and the Federal Government an estimated $5 billion each year. This is money that could and should be put to better use.

In 2009, Congress took steps to curb contraband cigarettes with the Prevent All Cigarette Trafficking, or PACT, Act. The PACT Act prohibits the sale of cigarettes and other tobacco products over the Internet and made changes to the criminal anticigarette smuggling statutes.

H.R. 338, the Stop Tobacco Smuggling in the Territories Act of 2013, provides a technical correction to ensure that the criminal prohibitions against cigarette smuggling apply to the U.S. territories of American Samoa, Guam, and the Northern Mariana Islands just as they do in the rest of the country. Without this fix, cigarettes sold in these territories without evidence that taxes were paid do not fall within the definition of ''contraband cigarettes.'' This is a modest but important change that will help to discourage crime and increase tax revenues in these United States territories.

I want to thank Mr. FALEOMAVAEGA for his work on this issue, as well as the ranking member on the full committee and the subcommittee for their support of this effort, and the chairman of the Crime Subcommittee, Mr. SENSENBRENNER, as well, and I urge my colleagues to join me in support of this bill.

I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 338, the Stop Tobacco Smuggling in the Territories Act of 2013. This bill is simple and straightforward. It amends the Contraband Cigarette Trafficking Act by including American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam in this act.

Currently, the Contraband Cigarette Trafficking Act makes it illegal to knowingly ship, transport, receive, possess, sell, distribute, or purchase 10,000 or more contraband cigarettes that do not have a State or territorial tax stamp. The act similarly applies to the sale of contraband smokeless tobacco

in excess of certain specified quantities. With respect to both activities, the act authorizes the imposition of criminal penalties and fines.

As drafted, however, the bill does not apply to American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam. Thus, the Bureau of Alcohol, Tobacco, Firearms, and Explosives is prohibited from investigating Contraband Cigarette Trafficking Act violations in those territories. H.R. 338 will cure this obvious oversight.

Mr. Speaker, cigarettes are believed to be the most illegally trafficked product in the world. In 2006 alone, more than 10 percent of worldwide sales, or 600 billion cigarettes, were counterfeited.

Contraband cigarettes actually present numerous issues. Legally manufactured cigarettes are diverted from legal trade channels in the underworld for resale, evading the imposition of appropriate taxes, costing territorial governments a significant amount of cigarette excess tax revenue each year. They also facilitate unfair competition that hurts the bottom line of legitimate businesses.

Counterfeit cigarettes are also not subjected to any manufacturing safeguards, therefore presenting the potential for products containing toxic ingredients that can seriously jeopardize the health and safety of the smoker.

The lower price also facilitates easier affordability for our youth, resulting in addiction at earlier ages. The illicit trade therefore adds steadily to the health care costs of worker productivity losses and the growing death from tobacco use. Currently, the use of tobacco claims 5.4 million lives a year. This number is projected to rise to 8 million by 2013.

For these reasons, I strongly support H.R. 338 and thank our colleague from American Samoa, Delegate FALEOMAVAEGA, for his leadership in spearheading this issue.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the delegate from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. I thank the gentleman for yielding, Mr. Speaker, and I especially want to thank my good friend, the chairman of the House Judiciary committee, Mr. GOODLATTE, and Mr. JOHN CONYERS, the senior ranking member, for their support of this proposed bill. I would especially also like to thank JIM SENSENBRENNER, the chairman of the subcommittee, and the gentleman from Virginia, my good friend, for their support in the subcommittee. I also want to acknowledge Speaker JOHN BOEHNER, Majority Leader CANTOR, and our Democratic leader, NANCY PELOSI, for their support.

Mr. Speaker, my district faces a serious problem with tobacco smuggling. According to a recent study, in 2010 alone, as many as 5.8 million cigarettes were smuggled into the territory. The study found that tobacco smuggling resulted in the loss of about $725,000 in revenues to the territory. If continued undeterred, tobacco smuggling in the territory will lead to heavier losses in local tax revenues, especially if the cigarette excise tax rate were to be increased. Mr. Speaker, securing and sustaining stable sources of local revenue stream is essential and must be encouraged for the territories, as it has already done for the States.

It was for this reason I began to look into this important issue. I was disappointed, however, to find that under the current law prohibiting cigarette smuggling, not all the territories were included. Under the Contraband Cigarette Trafficking Act that Congress passed in 1978, it is illegal to ship, sell, transport, or possess more than 10,000 cigarettes per month not bearing the tax stamp of the jurisdiction in which they are found. Violation is a felony punishable by up to 5 years in prison and seizure of the contraband cigarettes and/or both.

The Contraband Cigarette Trafficking Act currently, however, does not apply to American Samoa, the territory of Guam, and the Northern Mariana Islands. Historically, when Congress considered the bill in 1978, the Senate version defined ''State'' to include the 50 States, the District of Columbia, Puerto Rico, or a territory or possession of the United States; however, the House provision excluded the smaller territories. For some reason unbeknownst to me, the conference substitute adopted the House provision. The conference report describes the House provision as ''more accurately delineating the practical scope of the legislation.''

Mr. Speaker, the bill before us today will correct this oversight under the current law. This important piece of legislation will amend the Contraband Cigarette Trafficking Act to include these territories.

I urge my colleagues to support this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. I will close simply by saying cigarette smuggling is a serious problem and revenues lost to the territories that Mr. FALEOMAVAEGA and others represent are lost revenues that they can use to meet legitimate obligations, and we want to help them combat that. So I strongly support the legislation and urge my colleagues to do the same, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today to support H.R. 338, the ''Stop Tobacco Smuggling in the Territories Act of 2013,'' which adds previously uncovered American territories to the Contraband Cigarette Trafficking Act.

Specifically, H.R. 338 provides that American Samoa, the Commonwealth of the Northern Marianas and Guam will be covered by the current Contraband Cigarette Trafficking Act, which makes it illegal to knowingly ship, transport, receive, possess, sell, distribute, or purchase 10,000 or more contraband cigarettes that do not have a state or territorial tax stamp.

Currently, only the 50 states, Washington, DC, Puerto Rico, and the Virgin Islands are covered by the Contraband Cigarette Trafficking Act.

We all understand the dangers associated with cigarette smoking and its prevalence in the United States. This bill seeks to treat the aforementioned territories like any other state when it comes to trafficking.

Roughly 23 percent of American adults and 30 percent of adolescents are current smokers. Every day, 3,500 minors try smoking for the first time, one thousand of whom go on to become regular, daily smokers. Moreover, more than 15.5 million children are exposed to secondhand smoke at home.

Smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined, with thousands more dying from spit tobacco use.

About one of every five American deaths is related to smoking, or about 400,000 Americans each year. Tragically, about 50,000 adult nonsmokers in the nation die each year from exposure to secondhand smoke.

More deaths are caused each year by tobacco use than by all deaths from HIV, illegal drug use, alcohol use, car accidents, suicides, and murders combined.

More than 8.6 million Americans currently suffer from smoking-caused illness, and over six million Americans under the age of 18 who are alive today are estimated to ultimately die from smoking. In addition, smokers lose an average of 13 to 14 years of life because of their smoking.

We must do more to dissuade people from smoking.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 338.

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. GOODLATTE. 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.

RECESS

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

Accordingly (at 1 o'clock and 39 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. ROONEY) at 2 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 668, by the yeas and nays;

H.R. 338, by the yeas and nays;

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

REQUIREMENT IN BUDGET SUBMISSION WITH RESPECT TO THE COST PER TAXPAYER OF THE DEFICIT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (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, 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 Indiana (Mr. MESSER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 392, nays 28, answered ''present'' 1, not voting 10, as follows:

[Roll No. 57]

YEAS—392

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

NAYS—28

Capuano
Cartwright
Cohen
Ellison
Farr
Fudge
Gutierrez
Jackson Lee
Johnson, E. B.
Larsen (WA)
Lee (CA)
McDermott
McGovern
Meeks
Nadler
Negrete McLeod
Pocan
Sanchez, Loretta
Schakowsky
Serrano
Swalwell (CA)
Takano
Thompson (MS)
Vargas
Velázquez
Waters
Watt
Wilson (FL)

ANSWERED ''PRESENT''—1

Johnson (GA)

NOT VOTING—10

Coble
Davis (CA)
Grijalva
Hinojosa
Lynch
Maloney, Carolyn
McIntyre
Rush
Sires
Young (AK)

□ 1428

Messrs. GUTIERREZ and COHEN changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 57, had I been present, I would have voted "yea."

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 57, had I been present, I would have voted "yea."

STOP TOBACCO SMUGGLING IN THE TERRITORIES ACT OF 2013

The SPEAKER pro tempore (Mr. WOMACK). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 338) to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco, 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 Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 5, not voting 5, as follows:

[Roll No. 58]

YEAS—421

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley

Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (FL)
Young (IN)

NAYS—5

Amash
Duncan (SC)
Massie
Radel
Ribble

NOT VOTING—5

Coble
Lynch
McIntyre
Sires
Young (AK)

□ 1436

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1440

MORE MONEY FOR PAKISTAN, LESS FOR SCHOOLS

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

Mr. POE of Texas. Madam Speaker, the President's sequester has gone into effect and, according to the White House, the sky is falling. The administration is on a tour de fear with the American people, yet it has the power to prioritize spending.

Who made the priority list? Pakistan. That's right, Madam Speaker. In the midst of doom and gloom of sequestration, the administration is quietly shelling out an additional $37 million to Pakistan. That's over half of the $67 million being cut from public education in Texas.

Pakistan is the Benedict Arnold nation in the list of countries we call allies. Pakistani leaders are continuing to vilify the United States on one hand and, with the sleight of hand, take our money—money I believe ends up in the hands of radical extremists. Pakistan plays the game of dangerous, dishonest deceit by pretending to be our ally in the war on terror while simultaneously giving a wink and a nod to extremism.

Mr. President, fund our schools, not a disloyal ally.

And that's just the way it is.

MINIMUM WAGE

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

Ms. DELAURO. I rise in strong support of the Fair Minimum Wage Act, introduced by Congressman GEORGE MILLER, which will raise the minimum wage over 3 years to $10.10 per hour and then index the wage to inflation. It is long past time to get this done.

The minimum wage in America used to be equal to about half of average wages. Today, at $7.25 an hour, it is barely a third. The purchasing power of the minimum wage has been dropping steadily since 1968. If the minimum wage kept up with inflation over the last 40 years, it would be at $10.55 an hour.

This failure to keep pace particularly hurts women, who make up nearly two out of three workers making the minimum wage. At that rate, a year of full-time work comes out to $14,500 a year. For a mom with two kids, it's over $3,000 below the poverty line. For tipped workers, the situation is even worse. They make only $2.13 an hour.

Low minimum wage is not just bad for workers. It's bad for business and the economy. Low wages limit consumer demand, which stalls our country's economic growth. It hurts everyone. Raising the minimum wage would not just mean a raise for 21 million workers, it would create 140,000 new jobs and boost our GDP by $33 billion.

We've waited long enough. It's time to make sure all our workers make a decent pay for a hard day's work. I urge my colleagues to pass this legislation.

MINNETONKA GIRLS HOCKEY WINS STATE TITLE

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

Mr. PAULSEN. Madam Speaker, I want to congratulate the Minnetonka High School girls hockey team who recently won the Minnesota State High School Hockey Tournament, the first girls hockey team to win three consecutive State championships.

The path to achieving greatness is never uncontested, as the girls found out. The night before the championship, Madam Speaker, the Minnetonka girls played Lakeville North in a 4-hour, 17-minute marathon semifinal game that finally ended in a Minnetonka win after a goal from Amy Peterson in the sixth overtime period.

The hard work of this impressive team exemplifies what it means to be great student athletes who excel both on the ice and in the classroom. All the players and their coaches deserve great praise for their determination this season. It's an honor to represent, and recognize, such all-star athletes.

Congratulations, and go Skippers.

RETHINK THE SEQUESTER

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

Mr. BUTTERFIELD. Madam Speaker, we are merely 5 days into the sequester, this totally engineered crisis that did not need to happen. We're already beginning to feel the impacts of sequestration.

My home State of North Carolina hosts the third largest military population in the country. Coast Guard Station Elizabeth City, Seymour Johnson Air Force Base, and Cherry Point Marine Corps Air Station are integral parts of their local communities and also help to form the backbone of our national defense.

The sequester has already impacted the Coast Guard, with air operations being cut by 11 percent and maritime operations cut by 24 percent. These cuts have reduced maritime safety and security in the waters off of our coastline.

Furlough notices have already gone out to thousands of civilian employees at Fleet Readiness Center, where maintenance is conducted on Navy and Marine Corps aircraft. The furlough amounts to a loss of $81 million.

The 848 employees at Butner Federal Correctional Center, located in my district, received furlough notices and will lose up to 10 percent of their salaries because of sequestration.

The impacts of the sequester are already being felt in Martin County, where the public school system has lost $400,000. This means that teachers are stretched even thinner and are forced to do more with significantly less.

Madam Speaker, we need to rethink the sequester.

TIME TO GET SERIOUS ABOUT CLIMATE CHANGE

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

Mr. HUFFMAN. Madam Speaker, last week, in a Friday afternoon announcement designed to bury the news, the State Department released a very troubling supplemental environmental document regarding the Keystone XL pipeline, a project that would undo the progress our country has been making in recent years in showing leadership on climate change, in reducing gas emissions and transitioning to a clean energy economy.

Unfortunately, environmental protection seems to be a ''foreign'' policy to our State Department. But even this pro-industry report cannot gloss over the fact that Keystone XL would unlock development of some of the dirtiest, most climate-damaging fuel on Earth, and it would lock the United States into deeper dependence on expensive tar sands fuel that would take this country in the wrong direction for our environment and our economy.

Just this morning in the Subcommittee on Energy and Mineral Resources, we heard about the enormous potential for wind energy to generate jobs and also cost-effectively improve energy independence. Other forms of clean energy hold the same promise.

Madam Speaker, it's time to get serious about climate change and clean energy job creation. Importing dirty, expensive tar sands fuel is the wrong way to do that.

□ 1450

HOUSE GOP DOCTORS CAUCUS

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

Mr. GINGREY of Georgia. Madam Speaker, I thank the majority leader for yielding this time to discuss an extremely important issue facing the patients in this great country of ours that are going to have a very difficult time in finding a physician.

Madam Speaker, in March of 2010, when the so-called Affordable Care Act, or PPACA, was passed into law, the purpose, of course, was to increase access to physicians for all patients across this country and also to bring down the cost of health care. Well, we're 2 years into this bill—which will become fully effective in January 2014—and what are we seeing?

Madam Speaker, the CBO reported just recently that some 7 million people have actually lost their health insurance, the health insurance provided by their employer. For those who do still have health insurance—particularly those who get it maybe not from their employer but from the individual market, a small group policy—the cost has actually increased some $2,500 a year instead of coming down, as anticipated and predicted and promised, in fact, by President Obama, but that just absolutely is not happening.

So what we're going to be talking about, Madam Speaker, is, again, what needs to be done to correct this situation. Because the thing that was never really discussed to my satisfaction when this bill was crafted was, how are you going to get the best and the brightest young men and women in this country to continue to go into the field of medicine, to become the doctors—particularly in primary care, internal medicine, and the pediatricians—to provide that care when the reimbursement system under Medicare, called the sustainable growth rate, year after year after year for the last 6 or 8 years we have actually cut the income to the providers, to the point, Madam Speaker, where they can't provide this care, they can't even break even? So this is what we're going to be talking about, this flawed sustainable growth system. It has certainly contributed to the physician shortage crisis that we see today.

Now, I have a number of slides that I want to present to my colleagues, and we'll go with some specifics on that. But I'm very pleased to be joined today in this House with the cochair of the House GOP Doctors Caucus, my good friend and fellow physician Member from Tennessee, Dr. PHIL ROE, and I yield to Dr. ROE at this point.

Mr. ROE of Tennessee. Dr. GINGREY, thank you, and it's good to see you moving your arm well and recovering from your surgery so well.

I think the question that comes up, and Dr. GINGREY and other Members and I have discussed this, when I got here—and I've been here 4 years, and Dr. GINGREY came a couple terms before I did—we did this for a reason because we wanted to impact the health care system in our country. The problem with the health care system in our country was that costs were exploding.

If you look, as he pointed out, the Affordable Care Act has been anything but affordable. It's suggested that by 2016 the average family of four, when you have to buy an essential benefits package—which the government will determine what that is—will cost a family of four $20,000. That's unbelievable when you think that the per capita income in my district is $33,000. So I think we're at a point or we're going to be at a point where no one can afford it.

Well, what Dr. GINGREY is mentioning in the SGR, sustainable growth rate, what is that? What does that mean, and why should I care if I'm a senior? And Dr. GINGREY and I both have Medicare as our primary source of insurance. Well, Medicare started back in 1965, a great program for seniors who did not have access to care. It met a great need there and has met a great need since then. It started as a $3 billion program. The estimates were from the government estimators that in 25 years this program would be a $12 billion program—we don't do millions here, billions—and the real number in 1990, Madam Speaker, was $110 billion instead of $12 billion. They missed it almost 10 times.

So there have been various schemes throughout this time in which to control the cost, always by reducing the payments to providers. And who are providers? Well, those are the folks who take care of us when we go to the doctor's office—nurse practitioners, it may be a chiropractor, it could be a podiatrist, and it can be your hospital. So when you say providers, those are the folks and institutions that care for us when we're ill.

So in 1997, the Ways and Means Committee brought together something called the Budget Control Act. This is a very complex formula based on how you're going to pay doctors—their zip code, where they live, the cost of an office, the humidity in the air—I know it's an incredibly complicated scheme to pay doctors. The idea is this: We have this much money to spend in Medicare, and so we've put a formula together to only spend this much money. If we spend less than that money, that will go as a savings. If we spend more than that much money, then we will cut the doctors and the providers that amount of money to make that line balance.

Mr. GINGREY of Georgia. Dr. ROE, if you would yield just for a second, I wanted to point out to my colleagues and to Dr. ROE the poster that we have before us. Because this is exactly what the good doctor is talking about right

now in regard to what's been going on since the year 2000. Dr. ROE, you may want to refer to this slide.

I yield to the gentleman.

Mr. ROE of Tennessee. Well, the particular slide that Dr. GINGREY has down there is very telling. Basically what it says is that each year that we've recalculated what our physicians will be paid, we haven't met those metrics, which means that we have to cut.

Well, what has Congress done? Well, Congress has realized that what we're talking about is not payments to doctors; what we're talking about is access to care for patients. What happens is if you go back to 2003—I think it was 2003—when there was a 5 percent cut in Medicare payments, we realized at that point right there that if you continue to do that, that access would be lost.

So let's fast forward to 2013, what we're just facing. Doctors were facing a 26.5 percent cut, the providers were.

Mr. GINGREY of Georgia. Dr. ROE, that would be right here.

Mr. ROE of Tennessee. That's correct, that number right there. That was avoided by a 1-year so-called ''doc fix.''

What has happened over the last 15 or so, 16 now, years is that the Ways and Means Committee line—now law—says we have to spend this much money, but we've actually spent this much. That is a deficit in spending that we've got to make up somewhere in our budget or add it to the budget deficit.

Now, I go back to when I was in practice just 5 years ago now in Johnson City, Tennessee. Dr. GINGREY, I don't know about you, but I was having a harder and harder time finding primary care access for my patients that I had operated on, or maybe someone who had been my patient for 30 years—if she was 40 years old when I started taking care of her, in 30 years she's 70 years old and needed a primary care doctor. That was getting harder and harder and harder to do.

Now, when you look at today's young medical students, we're having a much harder time convincing these young people to go into primary care. What is primary care? Well, it's pediatrics. If you want someone to take care of your baby, it's family medicine. It's also internal medicine and also OB/GYN. I certainly served as a primary care doctor, as Dr. GINGREY did for his patients, for many, many years. That would be the only doctor that they would see. But that's getting harder for our patients to do. And Dr. GINGREY, that's my primary concern—access for seniors to their doctors.

Mr. GINGREY of Georgia. Dr. ROE, if you will yield for just a second and then I will return to you, again, I wanted to point out to our colleagues that this poster, this slide that's on the easel before us is exactly what the gentleman from Tennessee is talking about in regard to shortage of primary care physicians. And as he pointed out, primary care is a family practitioner, is a general internist—of course pediatricians provide primary care to our children. But so many of these doctors are the very ones that take the Medicare, take the Medicaid, take the SCHIP, the State Health Insurance Program for children. They see them.

□ 1500

And what Dr. ROE is referring to, before I yield back to him, on this poster it shows in the dark blue the areas of these States, several States, including my own of Georgia—Tennessee is not quite as bad—but in my State of Georgia, there are anywhere from 145 to 508 areas of the State of Georgia where there are an insufficient number of doctors to take care of these folks. Tennessee is a little bit better. There are only 67 to 99 areas. But all of this blue are critical areas, are they not, Dr. ROE? And I yield back to you.

Mr. ROE of Tennessee. That is correct. And so much so that in California, what they're recommending, I don't know whether they've carried it out or not, but they've recommended expanding the definition of ''primary care'' to a lower-level provider, that would be a nurse or nurse practitioner or PA or this sort of thing, this sort of designation.

I think the other thing, Dr. GINGREY, that we haven't talked about, and we probably should spend some time on, is the age of our practitioners. In our State of Tennessee—where you see that we're not quite as dire in need as Georgia, our friends to the south—the problem with it is that 45 percent of our practicing physicians in the State of Tennessee are over 50 years of age. I'm concerned that with the advent of the Affordable Care Act, the complexity of that, the frustration that I see when I go out and talk to our providers is that I'm afraid that many of them are going to punch the button for the door.

I know in my own practice, where we have now about 100 primary care providers in my program, in my OB/GYN group, in the last several years we've had over 120 years of experience walk out the door and retire. That's not a good thing for the American health care system that just lost access. Quite frankly, the crux of it all is that access. If you do not have access, you will decrease quality, and you will increase cost. That is our concern. Ultimately, the cost will go up if our patients can't get in to see us.

Mr. GINGREY of Georgia. I thank the gentleman, because what the gentleman from Tennessee is talking about is having an insurance card, a health insurance card—and indeed even having a Medicare card—does you very little good if you have to spend 2 hours going through the Yellow Pages trying to find some physician, primary care doctor in your area that you wouldn't have to get in your car and drive 50 miles—if you could even drive. If you don't have that access, then you don't have anything.

So here again, this bill, this massive bill was passed 2 years ago at the cost of almost $1 trillion. Unfortunately, a lot of that money was taken out of Medicare to create this new entitlement program, if you will, for younger people so that they can have health insurance. But what we've done is we've just made the crisis in the Medicare system that much more difficult.

What Dr. ROE was talking about, colleagues, is in regard to not just a shortage of the physicians, but what happens in the waiting rooms all across our country. This slide shows the number of primary care physicians per 1,000 population, the number of primary care physicians per 1,000 population.

Now, we've already gone over, we're talking about, again, general internists and family practitioners, primarily, and pediatricians for SCHIP and Medicaid. If you look at that map across the country, again, look at my State of Georgia in the deep red, and there are several States, Texas, Oklahoma, Mississippi, Alabama, Utah, Nevada and Idaho in the West where the number of primary care physicians per 1,000 of the population is fewer than one. So less than one doctor per 1,000 people that need that care. Many other States, including Tennessee, it is somewhere between one and 1.2. Now, I don't know how you get 1.2 physicians. I don't know exactly what that provider looks like. But you know how that math is calculated. Clearly, the shortage is acute, and it's only going to get worse and worse.

With that, I want to yield to one of my good colleagues, good friends on the Energy and Commerce Committee whose father actually was the chairman of the Health Subcommittee of the Energy and Commerce Committee for many, many years before he retired and his son took his place, and now the gentleman from Florida, GUS BILIRAKIS, is serving on that Health Subcommittee with me on Energy and Commerce.

I yield to Representative BILIRAKIS.

Mr. BILIRAKIS. Thank you, I appreciate it, Dr. GINGREY. Thank you, Dr. ROE, I appreciate it. Thanks for bringing up and sponsoring this Special Order that is so very important to our constituents. Thank you for informing them.

This is a very, very serious issue. We must repeal this SGR and replace it. Again, since coming to Congress more than 6 years ago, doctors in my district have consistently stressed the unsustainability of the SGR and how it impedes them from developing long-term business models.

Each year, Congress has implemented, of course, a temporary stopgap measure to avert the payment cliff, but the doctors have to have certainty. Again, we have a shortage of doctors in the State of Florida, and it's only going to get worse. We must repeal this SGR and replace it. It has led to uncertainty for medical providers, again, as I said, which threatens patient care. Again, access to care is what it's all about. I'm glad that the chairman of

the Energy and Commerce Committee, of course, Chairman UPTON, has made this a top priority in fixing, again, the SGR.

Again, not only is the uncertainty associated with reimbursement rates impacting physician practices; it also impacts how the Centers for Medicare and Medicaid Services plans to update Medicare Advantage rates for 2014. That's a huge issue. I know that the seniors in my district love their Medicare Advantage. Even though, year after year, Congress has not only allowed the devastating SGR cuts to take effect, CMS is assuming these cuts will take place as it determines the Medicare Advantage adjustment. So in other words, we always fix it at the end of the year, but they're assuming that the cuts will take place. I worry this will result in reduced benefits and increased premiums for the many seniors who like—really love—their Medicare Advantage.

Mr. GINGREY of Georgia. If the gentleman would yield, I want to thank the gentleman from Florida because what he is addressing right now goes back to the creation of this law, the Affordable Care Act, PPACA—sometimes referred to as ObamaCare—where money was taken out of the Medicare program, the existing Medicare program, which is already strained almost to the bursting point, and the Medicare Advantage program. Probably 20 percent of Medicare recipients select that model because it gives them more bang for the buck. It gives them more coverage, and it includes things—and the gentleman from Florida knows this, and this is what he is referencing—it includes more than just an annual physical when you turn 65. It includes more than being able to go to see a doctor and have it reimbursed under Medicare when you have an episode of illness.

There is a strong emphasis on Medicare Advantage to wellness. Let's say you do go and see the doctor because of an episode of illness, and maybe several prescriptions were written. It's very important that the patient take the medication on a regular basis and not run out of medication. So under Medicare Advantage, there would be a nurse maybe in the doctor's office who within just a few days of that encounter would call the patient to make sure that he or she could afford to get those prescriptions filled and they were taking them in the right way. That's what the word ''Advantage'' was all about, Medicare Advantage, rather than just a traditional fee-for-service Medicare.

But this new law created 2 years ago, and will go into full effect in January, 2014, literately gutted that Medicare Advantage part, did it not, Representative BILIRAKIS? It cut that program 12 to 14 percent. I mean, it's just literally gutted. I'm talking about $130 billion was taken out of that one program.

□ 1510

So now seniors that were on Medicare Advantage are having to look for new doctors, look for new programs, try to again go through those Yellow Pages and find somebody that will see their momma who's been going to this other group for years and is totally satisfied.

When the President said to the American public, If you like the health insurance plan you have, don't worry, you can keep it; you will not lose it, that just wasn't true. I don't think he deliberately told an untruth, but it clearly is not true. And as I said at the outset of this hour, some 7 million people have already lost insurance provided by their employer, and many more of these people that were getting their Medicare through the Advantage program, they have lost that through no choice, Madam Speaker, of their own. They have been forced out of those programs.

I yield back to my colleague, and we will continue this colloquy.

Mr. BILIRAKIS. I couldn't have said it better myself, Dr. GINGREY.

Again, I have constituents in Florida, and it's above 20 percent in my district and closer to 40 percent, who have chosen Medicare Advantage.

It's all about choices, as far as I'm concerned. If I want to get hearing aids, if I want to get a gym membership or eyeglasses, I should have the choice to choose my plan. It works so very well in our area, and we want to continue to give seniors that choice.

I want to thank you guys.

My father, as you referenced, worked so many years to fix this SGR, and I'm very proud now to serve on the Health Committee to contribute.

But I appreciate the two doctors here and all the doctors who have really sacrificed to run for Congress and do what's good for our people, patients. Treating patients is what it's all about. So thank you very much for allowing me to participate.

Mr. GINGREY of Georgia. I thank the gentleman from Florida and I thank his dad, Representative Mike Bilirakis, Madam Speaker, who served in this body for so many years with distinction. I hope that he is enjoying a happy and healthy retirement in the Sunshine State. And I hope he's able to find care, but I bet you it's not under Medicare Advantage, as his son just told us.

At this point, I would like to yield back to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank you.

And thank you, Mr. BILIRAKIS, for being here. I appreciate your leadership on the committee, too.

Why should I be concerned about this, and what experience do I have to say that if this is not fixed it will affect access and quality? I've had, I guess I could say, the misfortune in Tennessee of going through health care reform 20 years ago.

What happened? What happened was we had a large group of people in our State who didn't have access to quality, affordable health care. We reformed our Medicaid program and opened it up. We had an open enrollment time where we were going to have these various plans compete against each other. It was very much like the public option I heard discussed during the debates 4 years ago.

What happened? What happened to us was that our costs tripled in 10 years in that plan. It went up three times. And you can already see in the Affordable Care Act, even before it's been fully implemented, the estimates of costs have already doubled. The costs to patients are going up and the costs to businesses are going up. It didn't do what it had to do to really help solve the problem, which is lower the cost, bend the cost curve down. It did not do that.

When we saw those costs go up, what did we do? We started cutting our providers, and we cut our providers and we cut our hospitals and our doctors and our nurse anesthetists and our nurse practitioners and PAs and so forth. Guess what happened? Access got cut off. They stopped seeing those patients.

Now, our practice where we were, we, as an obstetrician as you were, we took everyone, because pregnancy is one of those conditions where you either are or you're not. We felt like if those folks needed care, we kept seeing those critical-care patients like that. But many elective-type things—orthopedics and dermatology and those kinds of things—got cut off, and people would have to drive hours to see a specialist.

So I saw access get denied in that system when the cost of the whole system went up to where no longer the State could afford it. I've seen that happen. That's why patients should be worried.

Dr. GINGREY, you and I know these numbers. We have 10,000 people a day hitting Medicare age. That's 3½ million people this year that are going to be Medicare age. These are new people on the plan with less money. And if we have more people and we're not producing more doctors, do the math. In 10 years, we're going to have 35-plus more people on Medicare, and who is going to care for those people?

Another thing I want to bring up is that we're not just talking about how doctors are paid. We're talking about increasing quality. One of the measures we're going to look at when we look at the new payment formula—right now the way you and I were paid when we were in practice was a patient came in and you got a fee for that visit. That's called fee-for-service medicine. That's going to change. We're going to look at quality outcomes and measures. I'll give you an example about why that's important.

One percent of our Medicare recipients use 20 percent of all Medicare dollars, so we have to look at how we manage the care of those patients better. For instance, with congestive heart failure, when someone leaves the hospital, we know that certain metrics are taking place: weights are taken

every day, blood pressure and so on. If you check in with a provider, you can prevent rehospitalizations and save tremendous morbidity, mortality, and cost. It also increases the quality of life that patient has and the quality of care they receive. So doctors are going to be evaluated on the kind of outcomes we have and the quality of care we provide our patients, which we all agree should be done.

I think coordinating care, hopefully, with better electronic records—and I could spend an hour talking about that. If we have a coordinated electronic system where, when you order a test at your office or the hospital, we have access to it so that test is not repeated and duplicated, that will make a huge difference in cost.

I just had a duplicated test, myself, done. You may have, too, when you had your procedure. I had a surgical procedure done 2 weeks ago this last Monday, and there was some testing on myself that really didn't have to be done. But because of various rules and regulations and the inability to get that information easily, it was easier to repeat it and pay for it than it was to go find it. I think that happens to 300 million people. Actually, it is 47 million of us who get Medicare now. We need to do that, better coordinate that information with sharing and transparency.

Mr. GINGREY of Georgia. If the gentleman will yield for just a second, I want to weigh in on that issue of electronic medical records.

I'm normally, as the good doctor from Tennessee knows, walking around here in a sling, as I have been for the last couple of weeks. Madam Speaker, I probably should have it on right now, but I'm resting my arm on the podium.

But I just recently had rotator cuff surgery back home in Marietta, Georgia. Madam Speaker, I was blessed with a great physician who did a wonderful job and has a fabulous staff, but going through the process of doing the paperwork, I bet I filled out the exact same form four different times. That was wasting my time and that was wasting their time. Of course, what they want to make sure is that no mistakes are made. Obviously, they want to make sure they operate on the correct arm. So I understand why, and I'm sure many of you, your parents, your grandparents, and you yourselves, my colleagues, as patients have gone through all of that.

But what Dr. ROE is talking about—and I will yield back to him—electronic records are indeed, in my opinion, the wave of the future. Honestly, I believe if we had concentrated on that 2 years ago to make sure that it was fully implemented so that duplication of testing, unnecessary procedures, maybe medications prescribed to which the patient had a dangerous allergy, you really do ultimately save lives and save money by having an electronic medical record system.

The other thing is if we had had medical liability reform. The President promised that before this ObamaCare bill of 2,700 pages was put into law, but there was nothing in there about medical liability reform.

Here again, those were two things, and I think the gentleman from Tennessee would agree with me on that.

I just wanted to interject my thoughts about electronic medical records, and I yield back to the gentleman.

Mr. ROE of Tennessee. I had the misfortune of going from paper to an electronic record. I was in the process, at our practice, of converting. It's a very difficult conversion. I think if you started with just an electronic medical record, it would be much easier than transferring tens of thousands of patient charts to an EMR. But when you start from scratch, it's a little easier.

Certainly I think the electronic ePrescribe, which I like, I didn't have the pharmacist call me and tell—I can't believe he couldn't read my prescription. Anyway, they claimed they couldn't, and this solves that problem.

□ 1520

I think there are some disadvantages to it, but overall, I think it is the wave of the future. I think you are correct.

I'm going to bring up something now about: let's say we go ahead and we do fix the SGR payment that's based on quality and that's based on outcomes and transparency, on hospital re-admissions, and so forth—on all those metrics we've talked about to better serve our patients. There will still be fee-for-service. I'm sure, Dr. GINGREY, you're a rural Georgia Representative as I'm a rural east Tennessee Representative. I have counties that have one doctor, and you can't do an accountable care organization—or all of these things—in a small, rural county. So fee-for-service medicine will still be there for those patients so they can have access in small, rural counties and don't have to drive long distances.

Let's say we do all of this wonderful stuff and that we fix this payment model and that it all looks good. The Affordable Care Act has in it one little thing called the Independent Payment Advisory Board. This Independent Payment Advisory Board trumps what we just did—all of the things that you're going to do in your Energy and Commerce. Also, thank you very much for what you're doing on that. As to all of these cuts that you see right here, let me just give you the data.

Mr. GINGREY of Georgia. The top of the green line is where we in the Congress mitigated these cuts because we can do that. That's what it says in the Constitution, that we're in charge of the purse strings. So, when there is a recommendation, as Dr. ROE is referring to, Madam Speaker, of the cuts in the pink—below the line, from 2001 to 2012, there is almost every year a 5 percent, 3 percent, 4 percent, 10 percent—then in the aggregate, that number just keeps getting bigger and bigger.

What Dr. ROE is about to explain to us is how we were heretofore able to mitigate, which is by making these changes above the line and by saying, no, we're not going to cut the doctors because we know, if we do that, they won't be there, that they won't be there for our parents and our grandparents and ourselves and our children.

Mr. ROE of Tennessee. I think correctly the Congress, in its constitutional authority, has overridden the SGR 15 times since 2002. I think that's the correct data.

What this IPAB does in the Affordable Care Act—it sets the same metric. It has a very complicated formula, which is the same as SGR, and if you have expenditures above those projections, cuts will be made. There is no judicial review, no administrative review, and it takes a 60-vote margin in the Senate to override this. Let me tell you how important this is, what Dr. GINGREY just pointed out.

Whether you agree with the plan or don't agree with the plan, there was a great article in the New England Journal of Medicine, one of our premier medical journals, that was published in June of 2011. I would recommend this for anyone to read as it will take you 30 minutes or less. They went back with the CMS and looked at the last 25 years and said, What if we had IPAB then? What would it do? In 21 of the 25 years, cuts would have occurred to providers—and I know exactly. Because of what I have seen in Tennessee, I know exactly what would happen. What would happen is you cut those providers right there. As you're seeing up there, Dr. GINGREY, I can tell you that, as to the access to care, that entire map of the United States right there would be a bright red because you would not have the providers to take care of those patients.

That is a tremendous concern for me because it is current law. This year, those 15 bureaucrats are supposed to be nominated by the President. What happens if he doesn't nominate those 15 people? One person—that's the HHS Secretary, Secretary Sebelius—makes those decisions and recommendations. I hear it all the time. I go on the talk shows like you do, and they say, Well, in the bill right here, it says that you cannot ration care. That's true. This board can't ration care. What they can do is just not pay the providers. In 2017, I think, or in 2018, the hospitals are included in this. They're not included first, but they will be in 5 short years.

Mr. GINGREY of Georgia. Dr. ROE, what will happen in reference to this slide right here—if you look at these blue areas, these States that have the acute shortage areas, like Georgia and Florida—is that this whole map of the United States will be blue.

Mr. ROE of Tennessee. That is correct, Dr. GINGREY.

Unless you are very deeply buried into this—meaning, if you're a Medicare recipient out there today—you don't see this. I go home, and I see my physician friends and talk to my friends who are on Medicare. They

don't know this has happened or that it could potentially happen to them, but it can and it will, and it is the law right now unless we change the law.

I would strongly encourage my colleagues on both sides of the aisle—and we have bipartisan support for the appeal of the IPAB—to put that constitutional authority back in the hands of the people who are directly responsible and responsive to the American people—us, the Representatives. Let us make those changes and, the Senate, the same thing.

Mr. GINGREY of Georgia. I thank the gentleman, and I want to continue a colloquy with him and maybe even ask a question of him. Dr. ROE, Madam Speaker, explained very clearly how that is a section of ObamaCare, a very important section of a group of 15 bureaucrats appointed by the President.

In regard to the IPAB, they basically can now say from year to year, Well, the doctors and the hospitals are going to be cut so much reimbursement. These cuts are going to occur.

We showed in the first slide how over the years Congress has been able to mitigate. Read the Constitution. We, the Members of the Congress, control the purse strings. So, fortunately, we were able to make these changes into what was suggested; but this IPAB board of 15 bureaucrats, they're not making a suggestion. They're telling us what has to be done.

The question I wanted to ask of Dr. ROE, Madam Speaker, was: when this case went before the Supreme Court, questioning the constitutionality of the law and saying that if a Governor of a State, like the Governor of Georgia, Governor Nathan Deal—an 18-year Member of this body, by the way—makes a decision not to expand Medicaid because the State can't afford it as the State's already going broke on the current Medicaid program, is it constitutional for the Federal Government to say, If you won't expand the Medicaid program, we're going to make sure that you can't participate at all and that all of your current recipients of Medicaid in the State of Georgia are out on the street?

That was a question that was asked of the Supreme Court as well as: was it constitutional to force people to engage in health care if they didn't want to, if they did not want to purchase health insurance? Now, I'm not recommending that they don't; but the question before the Supremes was: is it constitutional under the Commerce Clause to make people engage in commerce if they don't want to do it? The Supremes said, in a very pained, strained, pretzel-like decision, that that was constitutional.

Dr. ROE, do you know whether or not this question about IPAB was addressed by the Supremes: is it constitutional or not? I'm not sure. I'm thinking it wasn't addressed. Would you speak to that.

Mr. ROE of Tennessee. That's correct.

I had the privilege of being in the chambers when a good part of this health care debate was going on in front of the Supreme Court. It was the first time I'd ever been there. Fascinating. I'd totally misread it.

As you pointed out, it was the first time in American history that the Supreme Court said that you had to purchase a good or service—even if it's good for you, that you had to purchase it. We've never forced anybody into commerce before like this. As an individual, I think you have a right to make good decisions and bad decisions. I agree with you. I think a good decision is, if you can afford health insurance coverage, you should purchase it. I think there is no question. I have for my family my entire life, and I would recommend it strongly and encourage people to protect themselves in that way.

But does the government have the right to do it?

This Court said 5–4 that they did. The Court also said that they did not have the right to force States into expanding their Medicaid if they did not want to, and the IPAB specifically was not brought up.

I believe it will be challenged and should be. No one has standing yet because it hasn't gone into effect. In other words, they haven't issued any rulings—or the Secretary hasn't—to say that I've been harmed by that ruling so that, therefore, now I have standing in the Court and that I can bring a case.

□ 1530

Mr. GINGREY of Georgia. So you're saying that it's in the law, but because it hasn't been applied yet. And, in fact, indeed, as Dr. ROE pointed out, Madam Speaker, the board, the IPAB board, 15 bureaucrats, have not even—not even one of them, their salary has been set, I think they're scheduled to make $150,000 a year and probably have a car and a driver and health insurance and retirement plan, and not too bad a gig if you can get it, but not so far I don't think any have been appointed. And so that's what Dr. ROE, Madam Speaker, was referring to when he said there's not standing yet. If you went to the Supreme Court, they would say the case is not ripe. I'm standing here as a physician trying to sound like an attorney, and I'm going to get myself in a lot of trouble here in a minute, Madam Speaker, and Dr. ROE explained that very well, but I do agree with him, colleagues. I do agree with Dr. ROE that that will be challenged and certainly should be struck down. You look at the Constitution, our fifth and sixth graders probably could make that decision, and it wouldn't be a 5–4 split decision; it would be 9–0.

Mr. ROE of Tennessee. Actually, the IPAB board of 15 bureaucrats will make $165,000 a year with a 6-year term, and they can be appointed twice to that term. And it's something, and what bothers me about it is, no, it says in the bill you can't ration care, but we are the elected representatives. We should be able to go back home, as Congressman BILIRAKIS said, we should be able to go back home and face our constituents, and they're going to say: Dr. ROE, we have a situation where I can't go see my doctor. I can't go in and see them because they aren't accepting patients, and they aren't accepting patients because of this particular board that's cut their reimbursements enough to where they can't afford to see patients.

Now, another couple of things I want to talk about in the Affordable Care Act, not just SGR formula effects, but there is a tax out there in the Affordable Care Act that hasn't been very well discussed, and that tax is on individual insurance accounts. For instance, there are companies out there that are self-insured, and they're going to get a bill for each person that has insurance. Let's say a family of four or five, they'll get a bill for four or five people, and one company in particular, this will add—and they have no reinsurance. They cover everything. They're totally self-insured, but this basically is a tax that will go into a fund to indemnify insurance companies so that they won't have a loss of more than $60,000 a year, and this is billions of dollars when you stretch it across the country.

And these insurance companies are going to not have the loss to encourage them to accept patients on the exchange. That's as wrong as it gets to take a company that is doing everything right, they're going ahead and providing the health insurance coverage for their employees, and to penalize them for that.

So there are many, many issues in the Affordable Care Act we could talk about, but I want to basically finish my comments on the sustainable growth rate by saying in the past, since 2001, just so that our viewers out there will understand this, since 2001, your Medicare doctor at home has gotten an average increase in his or her payments when you come see them of 0.29 percent per year, 0.29 percent per year. When you look at all that graph that Dr. GINGREY has down there and you do all the math, that's how much of an increase. It's a very minimal increase. It hasn't even come near to covering the cost of inflation.

So again, Dr. GINGREY, I want to conclude by saying that the major concern I have, and I saw it in my practice, is the cost of care, and, number two, access to care. I'm concerned as our patients age and our population ages—and look, a good thing is happening in America: almost every 10 years we live, we're adding 3 years to our life expectancy. In 1908, the life expectancy in America was 48 years old, 47–48. In 1922 when my mother was born—and she's still living, I might add. She's living alone, by herself, doing great. She has Medicare. And I'm going to tell my mother now that later today I'm going

to call her prescription in. She notified me today that she needed some medicine called in, and so I will do that for her today. I look at her and I think about her need for access to care, and if it's cut off, what does she do.

Mr. GINGREY of Georgia. I thank the gentleman, Madam Speaker. And as he talked about his mom, I stand here thinking about my own mom, who's 95 years old. Her body is getting a little frail, but Mom's mind is perfect. Perfect, Madam Speaker. She has enjoyed the benefit of Medicare and Social Security for many years. Many years. So these legacy programs are hugely important. They're hugely important to our side of the aisle.

Madam Speaker and my colleagues, all of this Mediscare stuff, and things that you get all of this rhetoric about, they don't care about seniors and they're going to push somebody's grandmother over the cliff in a wheelchair, that's just a bunch of bull. I think every Member of this body and every Member of Congress cares about seniors and cares about these programs.

But I also, Madam Speaker, have 13 grandchildren. I have 13 grandchildren, and I want this Medicare program to be there for them some day, just like it has been there for Mom all these years.

So as we talk about these issues, we would do nothing to harm current recipients of Medicare and Social Security. We used the term, the phrase I guess you'd say, ''hold harmless.'' Hold harmless. Any changes that we would make, whether it is the payment system to our doctors and our hospitals for providing the care, it would not take away any benefit. It would not cause our current seniors to have to pay a higher premium or copay or deductible. All we're doing is trying to come up with something that would save the program for them, but, most importantly, for these youngsters that are coming behind us, the next two generations. So that's what we're all about.

My colleague, if he has some more comments, I would like to refer back to him, the gentleman from Tennessee.

Mr. ROE of Tennessee. Dr. GINGREY, I think one of the things I know you did and I know one of the things that I did was to come here to this body, this great body, to work on the repair of our health care system and improve on it.

One of the major pieces of our health care system is our Medicare system. I cannot tell you the patients I have seen in my career that have benefited, whose lives have been helped and saved by the Medicare system and by the doctors and nurses and hospitals and other providers who've cared for them. You have, too. I've operated on them, and I've seen them get cardiac care, renal, whatever it may be, that has improved the quality, improved and lengthened the quality of their life, not just to live longer, but to live better.

My goodness, look at the number of patients that we see of our orthopedic friends that we have that are mobile, that are active who've had joint replacements and so forth. Look, if you're 80 years old, 75 or 80 years old, you understand that your life is not going to be that much longer, but you also want the quality of that life to be the absolute best it can be. And it cannot be if you can't get your knee fixed if you're in pain, or your hip fixed if you're in pain. One of the things that I think our side of the aisle is committed to, I believe the other side, we may have differences of opinion, but one of the things I want to do is to be sure that we shore up and save this great system of Medicare.

I had a meeting today just after lunch about the Medicare part D program that was passed by the Republicans at some political risk for them. That's been a plan that has actually come in under-budget. It came in under-budget because seniors are able to go shop and purchase exactly what they want that meets their needs. That is exactly what we want to do in the Medicare system.

And when our budget is published next week, we are going to look at a system where we help fix and save and sustain Medicare, as you pointed out, not only for your mother, who's 95, and my mother who is 90, but for my two grandchildren who are 7 and 9. They also deserve the same great system, and we're going to have to change it; but I think we can make it better. I really believe it can be more responsive. You see what patients do when they get Medicare Advantage. You saw what they did. There was a little confusion, I admit, when Medicare part D first came out. There is no confusion now. People shop for the best value that meets their needs, and that's exactly what we should do.

Let me give you an example, Dr. GINGREY. I turned 65 a very short time ago. What happened to me when I turned 65? Nothing. I got one day older. Except what happened was I had a plan now that had an alphabet soup—A, B, C, D.

□ 1540

The day before I had a health care plan. Why, when you turn 65 years of age, don't you have a health care plan? And in that health care plan I can pick out I don't need fertility coverage at age 65, thank you very much. And I think that's the kind of thing—allow seniors to be able to pick what meets their needs and meets their family's needs at that particular point in their life; not just one-size-fits-all, but what they need.

And seniors have done that. They do it with everything else in their life. There's no reason it should change when you hit 65. You should pick out what plan—just like you and I can do up here with the Federal Employees Health Benefits plan. There's no reason that a senior shouldn't have exactly the same plan. It will be cheaper. It will be a better plan for them, and that's one of the things I think we're going to be discussing in the next several months when the Republican budget is published.

Mr. GINGREY of Georgia. I thank the gentleman.

Madam Speaker, as we get near the closing of the hour, I wanted to just mention several things. Dr. ROE has alluded to these, talking about the Medicare Advantage and what a beneficial program that was. Unfortunately, it's now been gutted, literally gutted, cut at least 12 percent, $130 billion, to create this whole new program that we call PPACA, or ObamaCare.

Medicare Part D, Madam Speaker, the gentleman from Tennessee is talking about the prescription drug part of Medicare that we did my first year, when I first came here in 2003, the Medicare Modernization and Prescription Drug Act.

Seniors, for many, many years, have wanted to be able to get their prescription drugs covered by Medicare but they couldn't. And of course, when you have to go to the drugstore and get five prescriptions filled, and most of them, brand name, not generic, some generic, maybe, but these brand name drugs are so expensive. And so we finally did this for our seniors.

Now, we spent what—I don't know, maybe $750 billion—creating that program, and we got criticized for it because it wasn't paid for. We didn't offset by cutting spending somewhere else. And I think maybe that criticism, under the current system, is legitimate.

But really, when you think about it, if you scored dynamically, and you realize that if people, seniors, all of a sudden could take their blood pressure medicine and not have to worry about a stroke, could take their diabetes medicine and not have to worry about eventually having renal failure from diabetes or an amputation, in the long run, what I'm saying, Madam Speaker, is this program, Medicare Part D, Medicare Advantage, electronic medical records, if we scored things in the right way, dynamically, at the end of the day, 10 years, 20 years, whatever, we're going to save money because people are not going to have coronary bypass surgery, they're not going to have to have these amputations, they're not going to end up the rest of their lives in a nursing home because they've had a catastrophic stroke that has left them totally incapacitated.

I'm going to yield back to the gentleman from Tennessee to close us out.

Mr. ROE of Tennessee. I have just one quick statement, Dr. GINGREY. And when you brought this up in 2003—and I want to thank you, because I can remember sitting at my desk in my office in 2003 working, and I could take this pen right here, and in about a minute or a minute and a half, I could write two or three prescriptions that might take up a patient's entire monthly income. That was the decision patients were having to have.

And Republicans stepped up to the plate, made a very difficult decision. Like you said, maybe we should have some criticism for not having offsets. But seniors out there today don't have to make that decision about whether I break this pill in half or whether I don't take it today or whether I buy food.

And you ran across that in your practice. I mean, I would look in our area, many widows that I would see would have a $600, $700 a month Social Security check and maybe a $100 or $200 a month pension. And you write three prescriptions, and the first thing they say is, Dr. ROE, it's gone. And you could easily do that. So I want to thank you for your vote.

Mr. GINGREY of Georgia. I thank my colleague.

And Madam Speaker, I thank you, and I thank the leadership of the Republican Party for allowing us to bring this information to our colleagues in a bipartisan way.

We are all about solving these problems. We talked basically about the sustainable growth formula, the way we pay doctors for a volume of care.

Clearly, we're going to have to go to paying for quality of care. We don't have time to get into all the details of that today, but in the next Special Order hour that the Doctors' Caucus leads, we'll get into more details about what we're going to recommend to our committees, to our leadership, to both sides of the aisle in regard to solving this program.

And with that, I yield back the balance of my time.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 423

Mr. COFFMAN. Madam Speaker, I ask unanimous consent to remove as cosponsors from H.R. 423 the following representatives: Representative ILEANA ROS-LEHTINEN, Representative JANICE SCHAKOWSKY, and Representative STEVE STIVERS.

On February 26, 2013, three names were added as cosponsors that were not intended to be included. They were meant to be added to another bill I introduced, H.R. 435.

Their removal is only necessary due to a clerical error on the part of my office, rather than a decision by the four offices.

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

There was no objection.

HOLLOW IDEOLOGIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Madam Speaker, it's always my honor to be recognized to speak here on the floor of the United States House of Representatives, and I'm privileged to hear from the ''Dr. Phil Show'' that we've just listened to over this past 60 minutes.

I have a few things on my mind that I'd like to inform you of, Madam Speaker. And I'd start with this: that sometimes we need to take a look at the bigger, broader direction that this Congress is going and this country is going.

And one of the things that I've learned, being involved in the legislative process, in fact, back in the Iowa State Senate some years ago, one of my colleagues said we're so busy doing that which is urgent that we're not addressing those things that are important. And that should frame all the things that we do.

We should have a long-term plan. We should have a big picture plan, and the things that we do should fit into that. We should be putting the pieces of the jigsaw puzzle together under that broader view.

And how does that broader view fit?

Our Founding Fathers understood it. They understood the perspective of history. They knew where they stood in history, and they acted accordingly. They understood human nature. They understood human universals.

They watched the continuum of history to get up to their point, and they made deep, long-term, broad, deliberative decisions that were difficult and debated, they were hard-fought out, and they put those pieces in place for us. It's clear to me when I read through the documents of our Founding Fathers that they understood history and human nature.

It's not as clear to me, Madam Speaker, when I serve here in this Congress and engage in debates here on the floor and in committee and in subcommittee and around in the places where we're often called upon to comment or listen to the comment of others, that we're looking at this from the big picture.

So something that brought this home for me was on a trip that I was involved in dealing with negotiations with the Europeans, and one of the speakers who was an expert on the Middle East made a presentation about the Muslim Brotherhood. And I'm not here to speak about the Muslim Brotherhood except this: that part of his presentation was that the Muslim Brotherhood is, according to the speaker, a hollow ideology. I put that in quotes, ''a hollow ideology.''

Now he said that they can't sustain themselves over the long term because their belief system isn't anchored in those things that are timeless and real, those things like the core—now, I'm going to expand a little bit—the core of faith, the core of human nature, but a hollow ideology.

So when he used that term and professed that hollow ideologies cannot continue, that they will eventually expire because they're sunk by their own weight, rather than buoyed by a belief system, then I began to look at our Western civilization.

And we are, here in the United States, Madam Speaker, the leaders of Western civilization.

□ 1550

And so when the allegation of a hollow ideology is placed upon the Muslim Brotherhood, I have to wonder: can I make the argument that our ideology is full and wholesome and identifies our values that are timeless? And are the pillars of American exceptionalism restored with the ideology we carry here? And do we strengthen this Nation so that the next generation has the opportunities we had or do we just ignorantly wallow through the day-to-day urgent decisions of Congress without dealing with the broader picture of who we are and, particularly, how we got here?

I look back to the time when I first ran for office. I was putting together a document that I wanted to hand out to my, hopefully, future constituents. I believed that I should put a quote in there that sounded wise, and hopefully was wise.

As I sat in my construction office about 1:30 in the morning, I wrote up this little quote. Part of it is naive; another part of it, I think, is appropriate. And the quote was this: that human nature doesn't change; that if we ever get the fundamental structure of government correct, the only reason we need to reconvene our legislative bodies are to make appropriations for coming years or adjustments for new technology.

Madam Speaker, when you think about what that means, if we ever get government right, if we ever get our laws in place, our regulations in place so that they reflect and bring about the best of human nature, since human nature doesn't change and it hasn't changed throughout the generations, then just make the adjustments for appropriations in new technology, that is a correct statement, I believe. But it is pretty naive about the reality of coming to a consensus on getting the fundamental structure of law correct, let alone the fundamental structure of regulations correct, without regard to the changing technology that always is thrust upon us here.

We are continually going to be in an argument, in a debate, about the fundamental human nature, how people react to public policy and about where we would like to see society go. Those of us on my side of the aisle believe that we have values that are timeless. Whatever was true 2,000 years ago is true today, and whatever was sin 2,000 years ago is sin today.

There are those on the other aside of the aisle, many of them would advocate that society isn't going in the right direction unless you are constantly changing things, without regard to the values we are changing, without having to grasp for a higher ideal, just grasping for change. If

change is the mission and they are launched upon that mission, they believe they are doing good because they are eliminating the things that we have had and adopting something different, not necessarily something better. And they don't even argue that it is better, but they argue for change.

I would say this, Madam Speaker: that we have fundamental values, that these fundamental values have been clear to our Founding Fathers. They are rooted in human history. They go back to the time of Adam and Eve. But the things that we should keep track of here are those things that our Founding Fathers looked at as well, that being the rule of law is one of the essential pillars of American exceptionalism. Without it, we can't be a great country. Most of the pillars of American exceptionalism are listed in the Bill of Rights.

Our Founding Fathers got it right. When they guaranteed us, in the First Amendment, the freedom of speech, religion, assembly, and the press, all of that rolled up in one amendment, think what that means.

And I would argue, especially to our young people, Madam Speaker, that if we don't exercise these rights—and our Founding Fathers made it very clear, these are God-given rights. Thomas Jefferson wrote it in the Declaration, as signed by the hands of those Founding Fathers that pledged their lives, their fortunes, and their sacred honor, that these rights come from God. And it is the first time that concept had been argued, established, and put down as a foundation of this Republic. It is not the beginning of these God-given rights; it is the most defensible version of it.

I would take us back to the origins of the rule of law, which seems to be getting eroded here in this Congress—in the House and in the Senate and in the White House. I don't have that same charge to the Supreme Court these days, but I would test them in a couple of places, perhaps in a different venue, Madam Speaker.

The rule of law, the foundation of the rule of law, I will say that was handed down by Moses, Mosaic Law. And as that law was handed down and we went through those times after the birth of Christ—and we saw during that period of time of Christ that the Greeks and the Romans had embraced Mosaic Law, even though they sometimes good-naturedly teased each other about borrowing their ideas about the rule of law from Moses—it is true, Mosaic Law flowed into Greek law and Roman law.

If you look at history, the Romans flowed across Western Europe all the way up into England up into Ireland. They established themselves in a big way because of the rule of law.

That rule of law was torn asunder about the time that the Dark Ages began, around 406 AD to around 410 AD, when Rome was sacked and we saw ourselves go into the Dark Ages. And, I will say, the uncivilized began to destroy anything that they saw that was evidence of the civilizations of the Greeks and the Romans. They tore down the buildings. They tore down the symbols, those things that reminded them of the former civilization.

Out of that, the Roman church collected and protected many of those documents of the classics and the Irish monks collected and protected many of the classics of the era of the Greeks and the Romans. And we went through those hundreds of years of the Dark Ages when people forgot how to think about the age of reason, how to apply deductive and inductive reasoning, rational thought. That disappeared, and it became the rule of emotion rather than the rule of law, the society driven by instinct and emotion rather than a society that was ordered by rational thought.

And how did this come back together? We think we couldn't lose this again today, Madam Speaker. It was lost at one time, and it was reconstructed again after hundreds of years.

I think about how that was bridged. There are a number of symbols of the bridging of the classical period of the Greeks and the Romans through the Dark Ages into the Middle Ages and into today.

One of those symbols would be the Cologne Cathedral dome in Germany. Now, if I have my history right—and I am going to speak generally, Madam Speaker, because I didn't commit this to precise memory for the purposes of delivering it, but conceptually I will—the origins of that cathedral and that church and that diocese there began about 330 AD or so.

Can you imagine, before the fall of the Roman Empire, the Christian faith was building gothic edifices in Western Europe as monuments and symbols of the deep core of their belief system, not a hollow ideology, but a full ideology driven by a Christian faith and followed along by individual rights.

The foundation of the Cologne Cathedral dome began to be laid around 330 AD. The architectural plans, as I recall them, for the church that exists today was about 832 AD. Then they began to build for a few hundred years. Around about 1100 AD or so, they ran out of money.

Now, we haven't yet emerged from the Dark Ages, but it is beginning. Hundreds of years of Dark Ages and the construction of this church had stopped. They ran out of money. The Dark Ages had suppressed it, and the image and the vision of this not hollow but full ideology had to weather through centuries.

Then coming out of the Dark Ages in 1100 AD or so, they began their fundraising drive again. For 600 years they raised money to finish the cathedral that was planned. Architectural drawings were put down on parchment about 832 AD.

They picked up those plans 600 years later, the same plans, to complete the church that was completed in the late part of the 19th century and exists today.

That is an idea of the length of time that a vision can sustain itself. A not hollow but a full ideology can drive itself through the collapse of the Roman Empire, through the Dark Ages, through the reconstruction period, into the modern era and survive, in fact, survive all the allied bombers that went over it in World War II. That is a vision of not a hollow ideology but a full ideology that is driven by culture, by civilization, by faith.

Here we are today. As I listen to that presentation about the hollow ideology of the Muslim Brotherhood, I thought: what is our agenda here in Congress? Does this agenda reflect our value system? Does it anchor in these core beliefs that go back in a timeless way? Does it recognize that there are human universals that never will change? And does it recognize that we are motivated by those human universals and that it is anchored in our value system?

I don't know that our agenda reflects that these days. It seems as though we are running herky-jerky from one economic issue to another economic issue, not with a long view picture, but with the idea that we are going to get past this crisis and then somehow we are going to put this back together on the other side of the crisis.

□ 1600

That's the case with the fiscal cliff. That's the case with reordering the issues of sequestration, continuing resolution, and, later on, the debt ceiling. These are the urgencies that are being addressed, sometimes at the expense of the bigger picture.

It would be different if we were dealing with urgencies that were fitting the jigsaw puzzle pieces into the big picture, but I don't believe that we are. I think that we are starting to lose sight of who we are as a people and we're starting to lose our grip on those fundamentals.

There is a big difference going on in this country that we have not seen in the history of the United States of America, Madam Speaker, and the difference is this: those of us who believe that we have timeless values and that we need to be reconstructing and refurbishing the pillars of American exceptionalism competing against those who believe that chiselling those pillars of American exceptionalism down and replacing them with something or nothing is preferable to restoring them. I think that that is being driven out of the White House and the people that share common cause, Madam Speaker, with the President of the United States.

This movement that he is driving, it divides people against each other. When you see this concept of multiculturalism—which is something that I embraced when it emerged on the public scene because I believed it was a good tool for us to respect all people of all races and all ethnicities,

whatever their behaviors might be in life. But I began to see that the people on the other side were using it as a tool to divide, not to unite, a tool to pit people against each other rather than to draw them together. I've seen the President use that in his politics repeatedly to the extent that I've never seen in the history of this country. I did, though, recognize it.

When Bill Clinton was elected President, I wrote an op-ed about the method that he used to appoint his Cabinet. That method was: I'm going to put together a multicultural formula and I am going to—and he said this: I'm going to appoint a Cabinet that looks like America. That would be the quote from Bill Clinton after he was elected, before he was inaugurated, as he put the Cabinet together.

I thought at that time, the President of the United States should be putting together a Cabinet that best serves America, regardless of what they look like. But that wasn't what happened under the Clinton administration, and I'm not convinced that's what's happened under any subsequent administration, Republican or Democrat, since then. But this President has pitted us against each other along the lines of race, along the lines of ethnicity, with sometimes little comments that are made that aren't so subtle. These things divide us as a people rather than unite us as a people.

When you hear the promise out there that people won't have to worry about their rent check or won't have to worry about their car payment, that somebody will take care of you—this idea that government is going to step in and lift the burden off people and take away individual responsibility is something that was pervasive in the last two Presidential races, particularly in the last one, and it undermines the efficiency of the American people.

We should be thinking, Madam Speaker, about a Nation of over 300 million people that has some of the longest and the highest and most sustained unemployment rates in the history of this country—the Great Depression would be the exception—and a Nation with around 313 million people in it, a little over 13 million people who have signed up for unemployment, another number of people that approaches that of about 20 million people that are definably underemployed, and that's just a piece of those who are not engaged.

When we look at the Department of Labor's Web site and we start to add up those unemployed to those who are of working age simply not in the workforce, we come to a number of over 100 million Americans, Madam Speaker, that are not contributing to the gross domestic product, that are of the age group that one would think we would get some work out of some of them. Now, I recognize in that group of over 100 million there are some that are retired, some are early retired, some are in school, some are homemakers. It's difficult for me to complete the list of reasons why people would not be contributing to our economy.

But we seem to think that 100 million Americans not in the workforce doesn't seem to trouble very many people in this Congress, but it's okay for us to be looking at 11 or 12 or 20 million people that are in this country unlawfully, who are working unlawfully, and who are, at least theoretically, taking jobs that Americans might take.

At one point, Madam Speaker, I wrote an op-ed that laid out an analogy. It described the United States as analogous to a huge cruise ship—it would also be a sailing cruise ship—with 300 million people on it. You need some people that will pull on the oars and swab the deck and trim the sails and work in the galley and clean out the cabins and do those kind of things up in steerage and in first class and wherever else, and somebody there to man the navigation and take care of the captain. That's all jobs that happen on a cruise ship. And our whole economy and our society is tied together, 50 States and 300 million people.

What kind of people, if they needed somebody else to pull on the oars or swab the deck or trim the sails or calculate the navigation, what kind of people would say, We've got 300 million people on this ship and we've got 100 million of them that are sitting up in steerage, but we need somebody else to do the work that those people in steerage won't do, so let's pull off on this continent and load another 10 or 20 million more people on to do the work that people on this cruise ship won't do? No captain in his right mind would sail that ship over there and load a bunch more people on to do work if he had 100 million people up in steerage that had opted out because somebody is taking care of delivering the food, cleaning their cabin, and making sure they have a place where they can stay. That's what happens to human nature when you have a domestic policy that makes it easy to turn the safety net into a hammock.

That's something that Phil Graham used to discuss about how it's one thing to create a safety net—and we're for a safety net in here almost universally—but to turn the safety net into a hammock and then ask somebody else to come do work that Americans aren't willing to do is a reach that I'm not willing to accept.

Neither do I accept the idea that there's work that Americans won't do. Every single job category has Americans working in it in a majority of that job category. We saw some of that data today, Madam Speaker.

So I'd say this instead. We are a country that is richer than any country ever in the history of the world. We have more technology than ever in the history of the world. We have more capital created. We have more human capital, more know-how, more can-do people out there to pull on the oars and trim the sails and navigate the ship and do all of the things that need to happen. This country has all of those assets and all of those resources in greater number and supply by any measure than any civilization in the history of the world, and Madam Speaker, we can't live within our means? We have to run a deficit of $1 to $1.2 trillion and borrow money from the Chinese and the Saudis—and, by the way, about half of this debt is held by domestic debt, the American people that are buying bonds and T-bills.

But a Nation that's the richest Nation, the richest culture, the richest economy, the richest civilization in the history of the world has to borrow over $1 trillion a year just to sustain this lifestyle that we have, while we have 100 million—a third of our population—that is of working age that is not contributing to the gross domestic product. Think of what that means. Think how posterity will judge us if we don't step up to our responsibilities, get our spending under control, bring more of the people into the workforce that are, I will say, living off of public benefits.

I would be willing to submit that you won't find someone on the streets of America that can name for you all of the means-tested welfare programs—Federal programs that are means tested—that we have. That number used to be 72. Then it went to 80. This is a number that has been calculated and pulled together by Robert Rector of the Heritage Foundation. I asked him, you know, I used to quote you at 72, now you say 80. What happened? He said, I found some more. I said, Is 80 the finite number, 80 different means-tested Federal welfare programs? He said, Well, there are at least 80; why don't you say a minimum of 80.

So 80, a minimum of 80 different means-tested Federal welfare programs, some of them competing with each other, and no one can list them from memory, and no one has the capability of understanding how they interrelate with each other nor how they motivate or demotivate the people that they are designed to help. What kind of a country would do that?

And why would we have 100 million people of working age not in our workforce while we're running up a debt of $1.2 trillion a year? We've seen that the per capita national debt now for a baby born in the United States—babies born today, their share of the national debt is $53,000. It went over $53,000 just the other day. So, welcome to the world. You're an American citizen born here by birthright citizenship, but you don't have a right not to contribute to paying off the national debt, and your share is $53,000.

□ 1610

What kind of a country would do that and not tighten its belt and not put some of its people to work? And then I end up with these economic discussions, Madam Speaker. They come from smart people who will say, well,

the labor force should be determined by supply and demand. Why don't we let human migration follow where the jobs are? Well, Milton Friedman had the answer to that. He said that you cannot have open borders and a welfare system, especially one that is as generous as our welfare system is.

So which one can you fix? Can you fix the border problem? Can you fix the welfare problem? I'd like to fix them both, Madam Speaker. One of them is a little easier than the other. We can control the borders and shut off the jobs magnet easier than we can make the case that we should be tightening down the welfare system in this country. But we need to do both. We need to bring the country back within its means. The entitlement system that's out there that fits within those 80 different means-tested welfare programs needs to be completely reexamined.

I think Congressman LOUIS GOHMERT is correct when he said we need to put all of the welfare into a single committee so they're responsible for all of the programs that we have. It's the only way we can begin to get a handle on it. The committee jurisdiction is scattered out through multiple committees, and he knows that better than I.

The big picture that I started to talk about in the beginning, Madam Speaker, is that we need to identify the pillars of American exceptionalism and we need to refurbish those pillars. The identification of them become the things that we've inherited from far back in the origins of Western Civilization. Mosaic law flowed through Greek and Roman law, and the Magna Carta that was signed in 1215 established individual freedom from the monarch or the despot that no subject could be—let's say no one other than a serf at that time—could be punished arbitrarily. They had to have the right and the protection of the rule of law.

We have these guarantees in our Constitution, freedom of speech, and I'm exercising it now, Madam Speaker, and I encourage all to do so. If we stopped exercising freedom of speech, we would eventually lose it because it would be defined away from us. Freedom of religion fits the same category. If we don't exercise our freedom of religion, it becomes redefined away from us. How about freedom of the press? I would submit, Madam Speaker, that those who abuse freedom of the press, those who do not have journalistic integrity, are undermining our First Amendment right. If every newspaper out there printed things that they knew were dishonest, if they just drove purely a political agenda on the front page, on the side where they're held accountable for journalism, or in their commentary when they print falsehoods as fact, it undermines all of our freedom, because when someone abuses a freedom, they diminish that freedom for all of us.

Now, think in terms of this—if that's hard to understand for some folks, Madam Speaker, I'll put it this way: If everybody went out there and abused the Second Amendment right, it wouldn't be long before we wouldn't have the right to keep and bear arms, regardless of what the Constitution says. We have to utilize those rights, and we have to exercise them in a responsible way. The abuse of God-given rights, the abuse of these rights, especially in the Bill of Rights, undermines the rights that we have.

But we do have freedom of speech, religion, and the press and assembly. If we stopped exercising them, we would lose them. We have the right to keep and bear arms, not for hunting, not for target, not for self-defense, and not for collection. All of those four reasons to keep and bear arms are—I'll say they are additional rights; it's just the bonus that comes along with it because our Founding Fathers understood that a well-armed populace was a protection against tyranny. I agree with that and defend the Second Amendment because that is what allows us to defend ourselves against tyrants.

You can go on up through the Bill of Rights, the right to property in the Fifth Amendment—nor shall private property be taken for public use without just compensation. The Kelo decision took that phrase out of there, ''for public use.'' I think one day, a Supreme Court, if we raise an adequate objection, will have to go back and revisit the Kelo decision. It was an unjust decision that didn't reflect the language in the Fifth Amendment. Property rights is another core of American exceptionalism.

Without these rights, freedom of speech, religion, and the press, and the Second Amendment rights to keep and bear arms, without property rights, without being tried by a jury of our peers and the right to face our accusers, without the concepts of federalism and these enumerated powers in the Constitution, that being reserved for the Congress and the balance of them that revert to the States or the people respectively, without those components, we would not have emerged as the country that we are. We can't sustain ourselves as a country that we are to be if we don't protect those pillars of American exceptionalism.

In the core of those pillars of American exceptionalism is, as I said earlier, the rule of law. When the rule of law is usurped by a king or a despot or a President of the United States, it diminishes us all, and it diminishes the potential destiny of the United States of America. We've seen, as the President of the United States has decided, that he will enforce the law that he sees fit, and he will not enforce the law that he doesn't agree with. And it's clear in a number of ways, Madam Speaker. The President suspended No Child Left Behind. He won't enforce that. He essentially has waived it off the books.

Now, he took an oath to take care that the laws be faithfully executed. That is in the Constitution, and it's a requirement. He took the oath, he understands it, he taught constitutional law, but he simply set aside No Child Left Behind. It isn't the issue that I'm advocating here; it is that a President must take care that the laws be faithfully executed.

Behind that, he suspended welfare to work. In the middle 1990s, there were three times that President Clinton vetoed the welfare reform law. He finally signed it and took credit for it—okay, that's politics—but one component of that was welfare to work. And only one of all of our more than 80 different means-tested welfare programs that we have, or a minimum of 80 different means-tested welfare programs that we have, of all of them, there's only one, Madam Speaker, that requires work. That one is the TANF program, Temporary Assistance for Needy Families. And it says in there that it specifically prohibits the President from suspending or waiving the work requirement. The President did so anyway.

Sticking with this rule of law that has been so damaged by our President, it's also true with immigration law. The immigration law requires that people who are in violation of it be put into the process for deportation. The President has decided he won't do that. Now, it's one thing to have prosecutorial discretion. I agree that the executive branch has to be able to decide which highest priorities are there for the resources of law enforcement. But when the executive branch—the prosecutorial discretion is always on an individual basis, not on a group basis, not on a clear-the-board basis. But look what the President has done. He has issued a memorandum, actually a memorandum that was written by Secretary Napolitano of the Department of Homeland Security, that said that we're not going to enforce immigration law. So I'm here to endorse the rule of law and stand up and defend the Constitution. I appreciate your attention.

I yield back the balance of my time.

SUFFERING UNDER SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, the sequestration has taken place that we were told a year and a half ago would not. The President said during the debates last fall it would not, but it has taken place, as the President traveled around the country demonizing those of us back here that were hoping for a better way to cut, hoping that something could be reached in the way of an agreement that would have given more flexibility, but that didn't happen. People were too busy going off doing other things to be here in Washington with us and work out some kind of an agreement.

One bit of good news, though: We had heard from the Secretary of Homeland

Security that the lines would be long in the airport, there would be delays and there would be all kinds of problems. Initially, it was announced that FAA officials would be pulled from between 150 to 200 airports. They were going to make America feel as much pain as possible. But with all the tough news for travelers, we can all be comforted. This is dated March 5, a story by Elizabeth Harrington: The TSA was able to seal a $50-million sequester-eve deal to buy new uniforms.

So the lines will be longer traveling. We are told by Homeland Security they are going to make America feel pain because we managed to cut less than 2 percent of government spending when it's increased over 20 percent over the last 4 years, when every American who works and pays taxes had their taxes go up 2 percent on January 1. This was merely taxes going up 2 percent, giving basically a tax on government for 2 percent, the same one America suffered.

□ 1620

That is the same amount basically, and yet we have officials in this administration who say, Oh, no. We can't stand a 2 percent cut. Heck, here at the House itself, our budgets have been cut 11½ percent over the last 2 years. We did it. And you've got TSA, you've got FAA, you've got Homeland Security, you've got people being released from custody that will put American citizens in jeopardy all to make the point that we can't live with a 2 percent cut like every hardworking American taxpayer has. At least we know that TSA will have new uniforms while the lines are getting longer.

It also is worth noting a story here by Terence Jeffrey March 4 of this year, that President Obama borrowed nearly six times as much in February as the sequester cuts all year. I recall in 2006, the last year Republicans were in the majority before Speaker PELOSI took the gavel, Democrats on this side of the aisle appropriately beat up Republicans because we had a budget, an appropriations that year that spent $160 billion more than we brought in, and we should have gotten it balanced. They were right.

I would never have dreamed that within a few years and with a Democrat in the White House, with a Democratic majority in the House and a Democratic majority in the Senate, that they wouldn't spend $160 billion more than we took in; they'd spend $1.6 trillion more than we took in. And here, with all the gloom and doom and claims of how bad it's going to be—oh, it's going to be horrible—we find out that the President borrowed $253.5 billion in one month, the shortest month of the year, February, six times more than the sequester was with all the complaints.

I have an interesting story here in Townhall.com by Heather Ginsberg: ''President Obama's Golf Trip Could Have Saved 341 Furloughed Jobs.'' She goes on to outline the millions of dollars it cost for the last golf outing. That's pretty tragic.

I think we have one of the most gracious and graceful First Ladies that we've ever had. She made a wonderful quote previously. She said:

> This is really what the White House is all about. It's the people's house. It's a place that is steeped in history, but it's also a place where everyone should feel welcome. And that's why my husband and I have made it our mission to open up the house to as many people as we can.

That was our First Lady, and that was a wonderful position to take.

So I'm sure she was not consulted today when the White House in its frustration that all of us in Congress—heck, the cut we are having in Congress is going to put us around a 20 percent cut of our budget in the House. The Senate hadn't cut themselves 11½ percent like we have, but we will have cut our own budget in the House of Representatives in every office at least 20 percent in 3 years' time. The President, even though his government has grown about 20 percent in 4 years, could not live with just pulling back 2 percent of that 20 percent increase.

So, today, as the story indicates from today—this is from the Washington Examiner:

> Never say the White House isn't affected by sequestration. The Visitors Office just notified Congress that tours of the White House are canceled until further notice.
>
> Due to staffing reductions resulting from sequestration, we regret to inform you that White House Tours will be canceled effective Saturday, March 9, 2013 until further notice, the White House email to legislative offices explains. Unfortunately, we will not be able to reschedule affected tours. We very much regret having to take this action, particularly during the popular spring touring season.

Well, knowing that, as the story reports here, we could have had 341 Federal employees that could have kept their jobs and not been furloughed if the President had not taken his last golf outing. It seems to me that since there are so many people coming to Washington—it appears to me as many Democrats as Republicans, possibly more—they have wanted, they have counted on the quote from the first lady. They were so looking forward to touring the White House.

I filed an amendment with the Rules Committee this afternoon so that we can work together. The amendment to the continuing resolution of funds—and I'm hoping and begging and pleading that the Rules Committee will make this amendment in order. It's an amendment to H.R. 933 offered by Mr. GOHMERT of Texas:

> At the end of division C (before the short title), insert the following:
>
> None of the funds made available by a division of this act may be used to transport the President to or from a golf course until public tours of the White House resume.

That way we will both work together so the President will not be able to take a golf outing that causes 341 more Federal officials to be furloughed and lose their job, at least temporarily. Then perhaps by avoiding furloughing all these Federal employees, we'll be able to get the Democrats and Republicans across America, people that didn't even have a party because they're just Americans, they'll be able to get their tour of the White House, and all it will cost is one or two golf trips less.

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

RECESS

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

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess.

□ 1736

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 5 o'clock and 36 minutes p.m.

HOUR OF MEETING ON TOMORROW

Mr. COLE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 933, DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113–12) on the resolution (H. Res. 99) providing for consideration of the bill (H.R. 933) 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, which was referred to the House Calendar and ordered to be printed.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

> H.R. 307. An act 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.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 6, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

576. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations (St. Helena Parish, LA, et al.) [Docket ID: FEMA–2013–0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

577. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations (Unincorporated Areas of Craven County, North Carolina) [Docket ID: FEMA–2013–0002] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

578. A letter from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting the 2013 Recommendations of the Public Members of the Advisory Council on Alzheimer's Research, Care, and Services to the Committee on Energy and Commerce.

579. A letter from the Secretary, Department of Health and Human Services, transmitting fiscal year 2012 Performance Report to Congress for the Animal Drug User Fee Act to the Committee on Energy and Commerce.

580. A letter from the Secretary, Department of Homeland Security, transmitting fiscal year 2012 Performance Report to Congress for the Animal Generic Drug User Fee Act to the Committee on Energy and Commerce.

581. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–479, ''Compassionate Release Authorization Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

582. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–654, ''Council Notification on Enforcement of Laws Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

583. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–649, ''Schedule H Property Tax Relief Act of 2012'' to the Committee on Oversight and Government Reform.

584. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–655, ''Retail Incentive Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

585. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–652, ''Israel Senior Residences Tax Exemption Act of 2012'' to the Committee on Oversight and Government Reform.

586. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–656, ''Sign Regulation Authorization Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

587. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–657, ''Re-entry Facilitation Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

588. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–653, ''Washington Metropolitan Area Transit Authority Board of Directors Act of 2012'' to the Committee on Oversight and Government Reform.

589. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–658, ''Motorized Bicycle Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

590. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–659, ''Service Animals Access Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

591. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–668, ''Workplace Fraud Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

592. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–660, ''Bloomingdale and LeDroit Park Backwater Valve and Sandbag Act of 2012'' to the Committee on Oversight and Government Reform.

593. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–667, ''Uniform Commercial Code Revision Act of 2012'' to the Committee on Oversight and Government Reform.

594. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–661, ''District of Columbia Flood Assistance Fund Act of 2012'' to the Committee on Oversight and Government Reform.

595. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–662, ''Construction and Demolition Waste Recycling Accountability Act of 2012'' to the Committee on Oversight and Government Reform.

596. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–666, ''Bad Actor Debarment and Suspension Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

597. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–663, ''Administrative Disposition for Weapons Offenses Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

598. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–664, ''United House of Prayer for All People Real Property Tax Exemption Technical Temporary Act of 2012'' to the Committee on Oversight and Government Reform.

599. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–665, ''Beulah Baptist Church Real Property Equitable Tax Relief Temporary Act of 2013'' to the Committee on Oversight and Government Reform.

600. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19–651, ''State Board of Education Personnel Authority Amendment Act of 2012'' to the Committee on Oversight and Government Reform.

601. A letter from the Human Resources Specialist, Department of Defense, transmitting nineteen reports pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

602. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the Report of the Judicial Conference of the United States for the September 2012 session to the Committee on the Judiciary.

603. A letter from the Federal Register and Regulatory Liaison Officer, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Information Security Protection [Document No.: NASA–2012–0006] (RIN: 2700–AD61) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

604. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Modification of the Port Limits of Green Bay, WI [Docket No.: USCBP–2011–0031] (CBP Dec. 13–2) received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

605. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Revised Exhibit: Sample Notice to Interested Parties (Announcement 2013–15) received February 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. Billions on Oversight and Government Reform. Billions of Federal Tax Dollars Misspent on New York's Medicaid Program (Rept. 113–11). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on rules. H. Res. 99. A resolution providing for consideration of the bill (H.R. 933) 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 (Rept. 113–12). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KING of Iowa (for himself, Mrs. BACHMANN, Mr. BACHUS, Mr. BARR, Mr. BARTON, Mrs. BLACK, Mr. BONNER, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. BUCSHON, Mr. CHABOT, Mr. COLE, Mr. COTTON, Mr. CRAMER, Mr. CRAWFORD, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. FLEMING, Ms. FOXX, Mr. GARDNER, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. GRIFFIN of Arkansas, Mr. GRIFFITH of Virginia, Mr. HARPER, Mr. HARRIS, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Ms. JENKINS, Mr. JORDAN, Mr. LAMALFA, Mr. LAMBORN, Mr. LONG, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MEADOWS, Mr. MULVANEY, Mr.

NUGENT, Mr. NUNNELEE, Mr. PALAZZO, Mr. PERRY, Mr. PITTENGER, Mr. POE of Texas, Mr. ROE of Tennessee, Mr. ROSS, Mr. SALMON, Mr. SCALISE, Mr. SCHWEIKERT, Mr. STOCKMAN, Mr. WALBERG, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. YOHO):

H.R. 946. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and the Workforce.

By Mr. SCHOCK (for himself and Mr. THOMPSON of California):

H.R. 947. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the cash method of accounting for small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. REED (for himself, Mr. DOGGETT, Mr. REICHERT, Mr. LEWIS, Mr. BOUSTANY, Mr. YOUNG of Indiana, Mr. GRIFFIN of Arkansas, Mr. RENACCI, Mr. DANNY K. DAVIS of Illinois, Mr. TIBERI, and Mr. PAULSEN):

H.R. 948. A bill to establish consistent requirements for the electronic content and format of data used in the administration of certain human services programs under the Social Security Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself, Mr. DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. LARSEN of Washington, Mr. CAPUANO, Mr. BISHOP of New York, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. WALZ, Mr. COHEN, Mr. SIRES, Ms. EDWARDS, Mr. GARAMENDI, Mr. CARSON of Indiana, Mr. NOLAN, Mrs. KIRKPATRICK, Mr. SEAN PATRICK MALONEY of New York, Ms. ESTY, Mrs. BUSTOS, Mr. LOEBSACK, Ms. SLAUGHTER, Mr. HIGGINS, Mr. PETERS of Michigan, Mr. VISCLOSKY, and Mr. CICILLINE):

H.R. 949. A bill to ensure that transportation and infrastructure projects carried out using Federal financial assistance are constructed with steel, iron, and manufactured goods that are produced in the United States, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD:

H.R. 950. A bill to require the Director of the Office of Management and Budget to send a report to Congress indicating how amounts could be transferred within agencies and departments for fiscal year 2013 to avoid all furloughs or reductions in force; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Ms. DELAURO, Mr. CONYERS, Ms. DEGETTE, Mr. GRIJALVA, Ms. MOORE, Ms. NORTON, Mr. LANGEVIN, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Mr. SIRES, Mr. BLUMENAUER, Ms. ROYBAL-ALLARD, Mr. LEWIS, Ms. WILSON of Florida, Mr. HASTINGS of Florida, Ms. SLAUGHTER, Mr. ELLISON, Mr. GARAMENDI, Mr. CICILLINE, Mr. MORAN, and Ms. WATERS):

H.R. 951. A bill to promote the economic self-sufficiency of low-income women through their increased participation in high-wage, high-demand occupations where they currently represent 25 percent or less of the workforce; to the Committee on Education and the Workforce.

By Mr. SWALWELL of California:

H.R. 952. A bill to amend the Internal Revenue Code of 1986 to allow small businesses to defer the payment of certain employment taxes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 953. A bill to improve security at State and local courthouses; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI (for herself, Mr. GEORGE MILLER of California, Mr. BLUMENAUER, Mr. RUSH, and Mrs. DAVIS of California):

H.R. 954. A bill to amend the Workforce Investment Act of 1998 to provide for the establishment of the Small Business Liaison Pilot Program; to the Committee on Education and the Workforce.

By Mr. RUSH (for himself and Ms. KAPTUR):

H.R. 955. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Mr. KIND:

H.R. 956. A bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care; to the Committee on Ways and Means.

By Mrs. LUMMIS (for herself, Mr. HIMES, Ms. BONAMICI, Mr. MCCARTHY of California, and Mr. COOK):

H.R. 957. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSEN of Washington (for himself, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Ms. CHU, Mr. CONYERS, Mrs. DAVIS of California, Ms. DELBENE, Ms. HANABUSA, Mr. HECK of Washington, Ms. MCCOLLUM, Mrs. NAPOLITANO, Ms. NORTON, Ms. SLAUGHTER, Mr. STIVERS, and Ms. WASSERMAN SCHULTZ):

H.R. 958. A bill to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on the Budget, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself, Mr. BARROW of Georgia, Mr. GRIFFITH of Virginia, Mr. MCKINLEY, Mr. MURPHY of Pennsylvania, Mrs. ELLMERS, Mr. POMPEO, Mr. BURGESS, Mr. TERRY, Mr. GUTHRIE, and Mr. OLSON):

H.R. 959. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding any grant, contract, cooperative agreement, or other financial assistance under section 103 of the Clean Air Act for any program, project, or activity to occur outside the United States and its territories and possessions; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. KING of New York, Mrs. MCCARTHY of New York, and Mr. MEEKS):

H.R. 960. A bill to amend the National Flood Insurance Act of 1968 to provide relief from increased flood insurance premium rates for homes in disaster areas; to the Committee on Financial Services.

By Mr. LYNCH:

H.R. 961. A bill to amend title 5, United States Code, to provide for the computation of normal-cost percentage for postal employees as a separate and distinct class, and to provide for the disposition of certain excess retirement contributions made by the United States Postal Service; to the Committee on Oversight and Government Reform.

By Mrs. DAVIS of California (for herself and Mr. VELA):

H.R. 962. A bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DEGETTE (for herself and Mr. STIVERS):

H.R. 963. A bill to assist low-income individuals in obtaining medically recommended dental care; to the Committee on Energy and Commerce.

By Ms. DEGETTE (for herself and Mr. COFFMAN):

H.R. 964. A bill to amend the Controlled Substances Act to provide that Federal law shall not preempt State law; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTIERREZ:

H.R. 965. A bill to prohibit the possession or transfer of junk guns, also known as Saturday Night Specials; to the Committee on the Judiciary.

By Ms. HANABUSA (for herself, Ms. GABBARD, Mr. HONDA, Mr. TAKANO, Mr. FALEOMAVAEGA, Ms. CHU, Mr. SABLAN, and Mr. FARR):

H.R. 966. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas and for other purposes; to the Committee on the Judiciary.

By Mrs. LUMMIS (for herself, Mr. SMITH of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 967. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. MATSUI:

H.R. 968. A bill to amend the National Flood Insurance Act of 1968 to allow the rebuilding, without elevation, of certain structures located in special flood hazard zones that are damaged by fire, and for other purposes; to the Committee on Financial Services.

By Mr. PRICE of Georgia (for himself, Mr. BOUSTANY, Mr. ROE of Tennessee, Mrs. BLACKBURN, and Mr. CASSIDY):

H.R. 969. A bill to prohibit conditioning licensure of a health care provider upon participation in a health plan; to the Committee on Energy and Commerce.

By Mr. MICHAUD:

H.R. 970. A bill to amend part D of title IV of the Social Security Act to prohibit States

from charging child support recipients for the collection of child support; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. MCHENRY):

H.R. 971. A bill to prohibit the sale or trade to another community of community development block grant award amounts; to the Committee on Financial Services.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 972. A bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. CHABOT, Mr. PALAZZO, Mr. HARPER, Mr. BACHUS, Mr. KING of Iowa, Mr. TIBERI, Mr. BOUSTANY, Mr. JOHNSON of Ohio, Mr. MULVANEY, Mr. HUIZENGA of Michigan, Mr. RIBBLE, Mr. DUNCAN of Tennessee, Mr. CARTER, Mr. NUGENT, Mr. CONAWAY, Mr. PETRI, Mr. AMODEI, Mr. LANKFORD, Mr. BILIRAKIS, Mr. WESTMORELAND, Mr. FITZPATRICK, Mrs. BLACK, Mr. MARINO, Mr. GINGREY of Georgia, Mr. MILLER of Florida, Mr. JORDAN, Mr. WALBERG, Mr. BARLETTA, Mr. FORBES, and Mr. DUFFY):

H.R. 973. A bill to exempt employers from any excise tax and certain suits and penalties in the case of a failure of a group health plan to provide coverage to which an employer objects on the basis of religious belief or moral conviction; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIRES (for himself, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. HAHN, Ms. BROWN of Florida, and Mrs. NAPOLITANO):

H.R. 974. A bill to amend titles 23 and 49, United States Code, to establish national policies and programs to strengthen freight-related infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALZ (for himself, Mr. JONES, Ms. TSONGAS, Mr. ROONEY, Ms. PINGREE of Maine, and Mr. DENHAM):

H.R. 975. A bill to amend title 10, United States Code, to extend the duration of the Physical Disability Board of Review and to the expand the authority of such Board to review of the separation of members of the Armed Forces on the basis of a mental condition not amounting to disability, including separation on the basis of a personality or adjustment disorder; to the Committee on Armed Services.

By Mr. WOMACK (for himself, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mr. COTTON, Mr. CONAWAY, Mr. HARRIS, Mr. ADERHOLT, Mr. ROGERS of Alabama, Mr. KINGSTON, Mr. WESTMORELAND, Mr. JONES, Mr. MULVANEY, Mr. COLE, Mr. CRAMER, Mr. SCALISE, and Mr. LONG):

H.R. 976. A bill to declare that certain agency actions by the National Labor Relations Board shall have no force or effect until final disposition is made in certain actions relating to the appointment of individuals to such Board that are pending in Federal court, and to prohibit further actions by such Board until such time; to the Committee on Education and the Workforce.

By Mr. KING of New York (for himself, Mr. MEEKS, Mr. STOCKMAN, Mr. GRIMM, and Mr. BISHOP of New York):

H. Con. Res. 21. Concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

By Mr. DUFFY (for himself and Mr. MICHAUD):

H. Res. 97. A resolution expressing the sense of the House of Representatives that the Federal Government should take all appropriate measures to ensure that citizens continue to be provided with paper-based information, products and services, and public notices while providing, where appropriate, the ability for all citizens to opt-in to electronic delivery if they so chose; to the Committee on Oversight and Government Reform.

By Mr. GOSAR (for himself, Mr. BROUN of Georgia, Mr. COFFMAN, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. GRIFFITH of Virginia, Mr. LANCE, Mr. LONG, Mr. MICA, Mr. SALMON, Mr. STIVERS, Mr. PALAZZO, and Mr. WESTMORELAND):

H. Res. 98. A resolution expressing support for Israel and its right to self-defense against the illegal nuclear program by the Islamic Republic of Iran; to the Committee on Foreign Affairs.

By Mr. GRIJALVA:

H. Res. 100. A resolution supporting the goals and ideals of National Middle Level Education Month; to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 101. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a commemorative postage stamp in 2015 to honor Constantino Brumidi, Artist of the Capitol, and to commemorate the 150th anniversary of his completion of ''The Apotheosis of Washington'' in the eye of the dome of the Capitol, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 102. A resolution expressing the sense of the House of Representatives supporting the Federal workforce; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. MARKEY introduced a bill (H.R. 977) for the relief of Esther Karinge; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KING of Iowa:

H.R. 946.

Congress has the power to enact this legislation pursuant to the following:

This Act erases the forced-dues clauses in the National Labor Relations Act (NLRA) and Railway Labor Act (RLA). As such, this bill makes specific changes to existing law in a manner that returns power to the States and to the People, in accordance with Amendment X of the United States Constitution.

By Mr. SCHOCK:

H.R. 947.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, Section 8 of the United States Constitution.

By Mr. REED:

H.R. 948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. RAHALL:

H.R. 949.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. FARENTHOLD:

H.R. 950.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. POLIS:

H.R. 951.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. SWALWELL of California:

H.R. 952.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Sixteenth Amendment

By Mr. GRAYSON:

H.R. 953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

'The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'

By Ms. BONAMICI:

H.R. 954.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. RUSH:

H.R. 955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

'The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.'

By Mr. KIND:

H.R. 956.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. LUMMIS:

H.R. 957.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. LARSEN of Washington:

H.R. 958.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.''

By Mr. WHITFIELD:
H.R. 959.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. GRIMM:
H.R. 960.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1; and Article I, section 8, clause 3
By Mr. LYNCH:
H.R. 961.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
By Mrs. DAVIS of California:
H.R. 962.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. DEGETTE:
H.R. 963.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 18 of the United States Constitution.
By Ms. DEGETTE:
H.R. 964.
Congress has the power to enact this legislation pursuant to the following:
Amendment X to the Constitution of the United States.
By Mr. GUTIERREZ:
H.R. 965.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.
By Ms. HANABUSA:
H.R. 966.
Congress has the power to enact this legislation pursuant to the following:
Clause 4 of Section 8 of Article I of the Constitution, which grants Congress the power " [t]o establish an uniform Rule of Naturalization . . . throughout the United States."
By Mrs. LUMMIS:
H.R. 967.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 "To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes;" and Article I, Section 8, Clause 18 "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."
By Ms. MATSUI:
H.R. 968.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. PRICE of Georgia:
H.R. 969.
Congress has the power to enact this legislation pursuant to the following:
Current law has created an unconstitutional regulatory structure over the health care system. In order to make this system more compatible with a proper Constitutional structure, this bill will ensure that there is less regulation impeding the doctor-patient relationship.
By Mr. MICHAUD:
H.R. 970.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.
By Mr. PAULSEN:
H.R. 971.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
By Mr. AUSTIN SCOTT of Georgia:
H.R. 972.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.
By Mr. SENSENBRENNER:
H.R. 973.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 7 of the U.S. Constitution, which provides that "All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills."
By Mr. SIRES:
H.R. 974.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. WALZ:
H.R. 975.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 14
To make rules for the Government and Regulation of the land and naval Forces.
By Mr. WOMACK:
H.R. 976.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution
By Mr. MARKEY:
H.R. 977.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article 1 of the Constitution and Clause 4 of Section 8 of Article 1 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Mr. GERLACH, Mr. WENSTRUP, and Mr. ROSS.
H.R. 146: Mr. FRELINGHUYSEN.
H.R. 163: Mr. KILDEE.
H.R. 164: Mr. RUSH, Mr. JONES, and Mr. THOMPSON of Pennsylvania.
H.R. 176: Mr. STIVERS and Mr. NUNNELEE.
H.R. 182: Mr. HIGGINS and Mr. SCHIFF.
H.R. 184: Mr. LIPINSKI and Mr. PETERS of Michigan.
H.R. 207: Mr. CARTER, Mr. STUTZMAN, and Mr. YODER.
H.R. 236: Ms. ESTY.
H.R. 274: Ms. TSONGAS, Mr. SCOTT of Virginia, and Ms. SLAUGHTER.
H.R. 285: Mr. CLEAVER.
H.R. 292: Mr. CONNOLLY.
H.R. 300: Mr. FRELINGHUYSEN, Mr. TIPTON, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 303: Mr. STEWART, Mrs. MCCARTHY of New York, Ms. BROWNLEY of California, Mr. JONES, Mr. PEARCE, Mr. BURGESS, and Mr. O'ROURKE.
H.R. 311: Mr. ALEXANDER.
H.R. 318: Mr. REED.
H.R. 329: Mr. LANCE.
H.R. 334: Mr. STIVERS.
H.R. 338: Mrs. CHRISTENSEN.
H.R. 346: Mr. JORDAN, Mr. KLINE, Mr. ROONEY, Mr. LABRADOR, Mr. WENSTRUP, Mr. CRAMER, and Mr. YOHO.
H.R. 351: Mr. YODER, Mr. MESSER, and Mr. HASTINGS of Washington.
H.R. 366: Ms. ESTY, Mr. DUFFY, Ms. VELÁZQUEZ, Mr. POLIS, Mr. CONNOLLY, Ms. BONAMICI, and Mr. CÁRDENAS.
H.R. 367: Mr. FARENTHOLD.
H.R. 445: Mr. LOEBSACK and Mr. BRALEY of Iowa.
H.R. 503: Mr. SESSIONS and Mr. STIVERS.
H.R. 519: Mr. LARSEN of Washington, Ms. SLAUGHTER, and Mr. JOHNSON of Georgia.
H.R. 523: Mr. FRELINGHUYSEN and Mr. YODER.
H.R. 543: Mr. REED, Mr. NUGENT, Mr. O'ROURKE, Mr. GUTHRIE, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 544: Mr. COTTON and Mr. PITTENGER.
H.R. 565: Mr. MCGOVERN.
H.R. 567: Mr. GRAVES of Georgia.
H.R. 569: Mr. GRIFFIN of Arkansas.
H.R. 570: Mr. GRIFFIN of Arkansas and Mr. RAHALL.
H.R. 594: Mr. LOEBSACK, Mr. LUETKEMEYER, Mr. TIERNEY, Mr. SMITH of Washington, Mr. SAM JOHNSON of Texas, Mr. WHITFIELD, and Mr. KIND.
H.R. 599: Mr. CONYERS.
H.R. 609: Mr. PRICE of North Carolina.
H.R. 616: Mr. CICILLINE and Mr. LARSEN of Washington.
H.R. 621: Mr. STIVERS and Mr. LONG.
H.R. 627: Mr. DINGELL.
H.R. 628: Mr. RAHALL and Ms. SCHAKOWSKY.
H.R. 633: Mr. POLIS.
H.R. 636: Ms. JACKSON LEE, Mr. PAYNE, Mr. KEATING, Ms. ESHOO, Mr. SWALWELL of California, Mr. GALLEGO, Mrs. CHRISTENSEN, and Ms. SPEIER.
H.R. 647: Mr. KEATING, Mr. BARLETTA, Mr. HIMES, Mr. LANGEVIN, and Mr. PAYNE.
H.R. 650: Mr. GENE GREEN of Texas, Ms. CLARKE, and Mr. CARSON of Indiana.
H.R. 656: Mr. STIVERS.
H.R. 670: Mr. SABLAN.
H.R. 696: Ms. TITUS.
H.R. 725: Mr. MCGOVERN, Ms. DELAURO, Mr. SCOTT of Virginia, and Mr. PRICE of North Carolina.
H.R. 730: Mr. OWENS.
H.R. 749: Mrs. MILLER of Michigan, Ms. TSONGAS, Mr. KING of Iowa, Mr. JONES, Mr. WELCH, and Mr. LONG.
H.R. 755: Ms. BROWNLEY of California, Mr. DUFFY, Mrs. ROBY, Mr. LANCE, Mr. GRIJALVA, and Mr. RUSH.
H.R. 769: Mr. PASTOR of Arizona, Ms. BASS, Mr. YARMUTH, Mr. GUTIERREZ, Mr. WATT, Mr. BRADY of Pennsylvania, Mr. BISHOP of Georgia, Mr. COHEN, Mr. BRALEY of Iowa, Ms. TITUS, Mr. THOMPSON of Mississippi, Ms. CASTOR of Florida, Mr. BISHOP of New York, Mr. VARGAS, Mr. BUTTERFIELD, Ms. VELÁZQUEZ, and Mr. PAYNE.
H.R. 792: Mr. HOLDING, Mr. NUGENT, and Mr. ROGERS of Kentucky.
H.R. 794: Mr. WITTMAN.
H.R. 795: Mr. YOHO.
H.R. 798: Mr. PETERS of Michigan, Mr. KENNEDY, Mr. CICILLINE, Ms. FUDGE, Mr. LEVIN, Mr. SCOTT of Virginia, Mr. MCDERMOTT, Mr. NADLER, Ms. BONAMICI, Mr. COURTNEY, Mr. FARR, Ms. TSONGAS, Mr. PAYNE, Mr. ENYART, Mr. YARMUTH, Ms. WILSON of Florida, Mrs. DAVIS of California, Mr. ANDREWS and Mr. POLIS.
H.R. 800: Mr. GARDNER, Mr. RUSH, Mr. CROWLEY, Mr. MEEKS, Mr. MARCHANT, Mr. SCHOCK, and Mr. ISRAEL.

H.R. 807: Mr. PITTS, Mr. POSEY, Mr. BARR, Mr. OLSON, Mrs. BLACK, Mr. GRIFFIN of Arkansas, Mr. BROUN of Georgia, Mr. YODER, Mr. STUTZMAN, Mr. LONG, and Mr. PITTENGER.

H.R. 824: Mr. HUIZENGA of Michigan and Mr. ROE of Tennessee.

H.R. 826: Mr. FINCHER.

H.R. 828: Mr. RADEL and Mr. LANKFORD.

H.R. 833: Mr. NUNNELEE, Mr. CONNOLLY, Mr. GIBSON, Mrs. ROBY, Mr. STIVERS, Mr. PITTENGER, Mr. CRAWFORD, Ms. PINGREE of Maine, Mr. RUNYAN, Mrs. BACHMANN, Ms. SINEMA, and Mr. SIMPSON.

H.R. 839: Mr. HUNTER and Mr. SIRES.

H.R. 845: Mr. WELCH.

H.R. 846: Mr. GIBSON, Mr. SIMPSON, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. BARLETTA, Mr. RYAN of Ohio, Mr. WITTMAN, Mr. PITTENGER, Mr. CASSIDY, and Mr. POE of Texas.

H.R. 850: Mr. TIPTON, Ms. TITUS, Mr. BACHUS, Mr. HUIZENGA of Michigan, Mr. MURPHY of Pennsylvania, Mr. ROSKAM, Mr. FRELINGHUYSEN, Mr. SCHWEIKERT, Mr. NEUGEBAUER, Mr. LONG, Mr. STIVERS, Ms. HAHN, Mr. WALDEN, Mr. GARRETT, Mr. WALBERG, Mr. WAXMAN, Mr. QUIGLEY, Mr. FRANKS of Arizona, Ms. BASS, Mr. DIAZ-BALART, Mr. FINCHER, Mr. HULTGREN, Mr. PEARCE, Mr. BURGESS, Mr. RICE of South Carolina, Mr. BRADY of Pennsylvania, Mr. MARKEY, Mr. BARR, Mrs. MILLER of Michigan, Mr. LUETKEMEYER, Mr. MARCHANT, and Mr. GRIMM.

H.R. 853: Mr. COSTA, Mr. VALADAO, Mr. VARGAS, Mr. BILIRAKIS, Mr. DESANTIS, and Mr. MICA.

H.R. 879: Mr. STUTZMAN and Mr. WALDEN.

H.R. 890: Mr. GRIFFIN of Arkansas, Mr. GRAVES of Georgia, Mr. YOUNG of Indiana, Mr. PAULSEN, Ms. JENKINS, and Mr. REICHERT.

H.R. 900: Mr. JOHNSON of Georgia, Mr. CARTWRIGHT, Mr. ELLISON, Mr. GRIJALVA, Mr. PAYNE, and Mrs. CHRISTENSEN.

H.R. 904: Ms. LORETTA SANCHEZ of California, Mr. SCHOCK, Mr. KINZINGER of Illinois, and Mr. CONNOLLY.

H.R. 919: Mr. HOLT.

H.R. 928: Ms. DEGETTE.

H.R. 935: Mr. SIMPSON, Mr. RODNEY DAVIS of Illinois, and Mr. RIBBLE.

H.J. Res. 4: Mr. PETERSON and Mr. MCINTYRE.

H.J. Res. 25: Mr. SWALWELL of California and Mr. GENE GREEN of Texas.

H. Con. Res. 9: Mr. RODNEY DAVIS of Illinois.

H. Res. 30: Mr. MEEKS, Mr. JEFFRIES, Mr. SWALWELL of California, Mr. HECK of Washington, and Mr. RUSH.

H. Res. 49: Mr. SMITH of Washington.

H. Res. 71: Mr. COLE and Mr. LUCAS.

H. Res. 76: Mr. ROSKAM.

H. Res. 86: Mr. BROUN of Georgia.

H. Res. 87: Mr. POSEY.

H. Res. 94: Mr. BERA.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 423: Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, and Mr. STIVERS.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, MARCH 5, 2013 No. 31

Senate

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

O Lord, our rock, You are our shield in the time of storm. We give You our hopes and dreams, knowing that You know what is best for our Nation and world. Lord, You know the numerous challenges we face, so guide our Senators with Your wisdom. May integrity and uprightness be the standards for their conduct so that they will not disappoint You. Lift the light of Your countenance upon them and be gracious to them. Give fresh strength and wisdom as You renew the drumbeat of Your Spirit in their hearts, empowering them to march to the rhythm of Your righteousness.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 5, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

THE CHAPLAIN

Mr. REID. Mr. President, before the Chaplain leaves the Chamber, I want to say something on behalf of all the Senators.

New Senators probably don't know him as well as those who have been here longer than the beginning of this year, but we are so fortunate to have this good man leading the Senate in our spiritual activities. He leads the prayer every morning. We have a ''Prayer Breakfast'' every Wednesday. And during that period of time when we don't see him, he is out counseling people who work here, including individual Senators.

During the last few years, my wife has been ill and has had a bad accident. He has been so in tune with her, making sure that we all are aware of how well she is doing. She has had a great recovery.

So on behalf of the whole Senate, I extend my appreciation to this good man—a man who was born with very little except a very good mother who taught him early on—and had a very keen intellect—that with his mind he could accomplish a great deal.

As far as memory, there is only one other person I have known in my lifetime who had a memory like his, and that was Robert Byrd, the longtime Senator from West Virginia. Chaplain Black has a remarkable memory of not only all the Scriptures, Old and New Testament, but poems. He has an intellect that is really amazing.

Again, I repeat, we are all so very fortunate that he is Chaplain of the Senate.

SCHEDULE

Mr. REID. Mr. President, following leader remarks today, the Senate will be in morning business until 11:45 a.m., with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Following morning business the Senate will proceed to the consideration of S. Res. 64, which is the committee funding resolution. At about 12:15 p.m. there will be a rollcall vote on Senator PAUL's amendment striking funding for the National Security Working Group. Following the vote the Senate will be in recess until 2:15 p.m. to allow for the weekly caucus meetings.

As a reminder, I filed cloture on the nomination of Caitlin Halligan to be U.S. circuit judge for the DC Circuit, and I will discuss that in just a few minutes. We are going to vote on her tomorrow.

NOMINATIONS

Mr. REID. Mr. President, four-time Prime Minister of the United Kingdom William Gladstone said something we all have repeated many times: ''Justice delayed is justice denied.'' By that measure millions of Americans who rely on courts that are overworked and understaffed are being denied the justice they rightly deserve.

With 1 out of every 10 Federal judgeships today vacant, Americans can no longer rely on fairness and speedy trials. More than one-half of the Nation's population lives in a part of the country that has been declared a judicial emergency—more than one-half.

The high number of vacancies isn't due to a lack of qualified lawyers to take these jobs; it is due, instead, to

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

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blatant partisanship. I am going to lay out in a few minutes what is remarkable.

President Obama's judicial nominees have waited on average four times longer to be confirmed than those nominated by the second George W. Bush. Even highly qualified nominees—nominees who are eventually confirmed unanimously or almost unanimously—routinely wait for months to be confirmed because of the delay tactics used by my Republican colleagues.

Tomorrow we are going to consider highly qualified Caitlin Joan Halligan to be a DC circuit judge. She has been waiting more than 2 years to be confirmed. She was nominated for the second time to fill a vacancy on the U.S. Court of Appeals for the DC Circuit. This is a court that was formed some 65 years ago. It was done because the Supreme Court couldn't do the cases—they didn't have time to do them, and the circuit courts were overwhelmed with work they couldn't do.

Many consider the DC Circuit to be just a tiny notch below the Supreme Court. In fact, PAT LEAHY, the chairman of the Judiciary Committee, said yesterday many believe it is more important than the Supreme Court because they have such wide-ranging jurisdiction. Once they make a decision, rarely does the Supreme Court take up their cases. They consider complex appeals of Federal regulations, among other things, and have jurisdiction over vital national security challenges.

It is also one of the many courts in crisis across the country. Mr. President, 36 to 37 percent of the DC Circuit seats are vacant. There are four vacancies now. The last appointment to the DC Circuit was made in 2006. It is now 2013. In the years since the number of pending cases per judge has grown to almost 200 from a little over 100.

When Ms. Halligan was nominated to the DC Circuit in 2010, she was nominated to fill one of two vacancies. Many Republicans said they voted against her then because there was no need; the DC Circuit had enough judges. Now it is four short.

More than 2 years after she was first turned down, her nomination is again before the Senate, and the DC Circuit has four empty seats. The last time the Senate considered Ms. Halligan's nomination, some of my Republican colleagues claimed the DC Circuit didn't need any more judges, so they filibustered the confirmation. No one could credibly make that argument today. If my Republican colleagues choose to filibuster her confirmation a second time, their naked partisanship will certainly be exposed.

For example, Patricia Wald, who served on that court for 20 years—for 5 years she was the chief judge—said of the confirmation process:

> The constitutional system of nomination and confirmation can work only if there is good faith on the part of both the president and the Senate to move qualified nominees along, rather than withholding consent for political reasons.

For example, if someone doesn't want to vote for her, tell them to vote no. Have them vote no. I invite them to vote no. But don't stop her from having an up-or-down vote.

I was very troubled with Justice Thomas, who was then a circuit court judge. A decision had to be made by me and many others: Should we allow Justice Thomas an up-or-down vote? The decision was made, yes, we should. He barely made it. He got 2 or 3 votes more than 50. It would have been so easy to stop that nomination, but it would have been the wrong thing to do. As bad as I feel he has been as a jurist, it doesn't matter. He should have had the ability to have an up-or-down vote. A Republican President sent that name forward, and he was entitled to a vote. That was a decision I and many other Democratic Senators made.

If my Republican colleagues don't like this woman, for whatever reason, vote against her. Don't stop her from having an up-or-down vote. A second partisan filibuster of this highly qualified nominee by my Republican colleagues would be in very bad faith. I repeat: If for some reason you don't like her, vote against her. Don't stop her from having a vote.

One qualified, consensus judicial nominee ought to be treated as another regardless of the political party of the President who made the nomination.

President Obama is the only President in 65 years—since this court was formed—to not have a single person put on the DC Circuit. That is how important this court is, and this is how Ms. Halligan and others have been stymied from getting on this court.

It is not because President Obama's nominees are anything but totally qualified. Ms. Halligan's colleagues have called her a brilliant legal mind. She has outstanding credentials, strong support from lawyers, a vast number of Republicans, former judges, law enforcement officials, and more than 20 former Supreme Court clerks from across the political spectrum.

She graduated with honors from Princeton and Georgetown Law School. She clerked for Justice Patricia Wald, whom I just quoted, and this woman was a judge in the DC Circuit for 20 years, 5 years as a chief judge.

If a truly exceptional candidate such as Caitlin Halligan isn't qualified to be a judge in the United States, I don't know who would be. I think it is very delicate ground Republicans are walking on if they think they can filibuster this woman and get away with it. It would be wrong. If they don't like her, vote against her.

Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

REGULAR ORDER

Mr. MCCONNELL. Mr. President, back in November the American people sent a divided government to Washington. I know this is not the outcome that President Obama had hoped for. I know he wanted complete control of Washington, just like he had the first 2 years of his Presidency.

Still, it was surprising to me—and I think to a lot of other people around here—to learn over the weekend that among the first calls the President made after his acceptance speech on election day had to do with ginning up another campaign.

The President wasn't focused on solving the problems that middle-class families face today but how to get a Democratic Speaker of the House 2 years down the road. That was the message he sent to top House Democrats.

Since then, the President, along with his Washington Democratic allies, has expended enormous amounts of energy to advance that goal—rebooting his political organization, provoking manufactured crises with Congress, engineering show votes in the Senate, and traveling around the country to campaign relentlessly against his opponents.

That is why the sequester went into effect in its current form. That is why Washington continues to careen needlessly from crisis to crisis.

And that is why we find ourselves in a situation where more than 1,400 days have passed since Senate Democrats last passed a budget. What a sad state of affairs for our country, and for the notion of governance in general.

Every year House Republicans have passed budgets that seriously address the transcendent challenge of our time: putting runaway Washington spending and debt on a sustainable path so we can create jobs and grow the economy.

Meanwhile, Democrats have followed the President's lead, focusing on the next campaign to the exclusion of all else.

But it is not just Senate Democrats who have been missing in action. The President has been late submitting his own budget outline nearly every single year.

He has already missed this year's deadline by more than a month.

Just last week we learned the President will submit his budget after the House and the Senate have passed their own budgets and have gone home for Passover and Easter. That goes far beyond the pale of just missing deadlines.

Look, the American people are tired of the delays and the excuses. It is time

for the President to get his budget plan over to us. Not next week or next month, but now. And this time, it should be serious—it should root out waste and inefficiency instead of kicking the can further down the road.

The budget blueprint he sent us last year was so roundly ridiculed for its fiscal gimmickry and its massive tax hikes that, when it came to a vote in the Senate, his own party joined Republicans in voting it down 99 to 0.

In the House, it was rejected unanimously. Even the President's most liberal allies couldn't defend it.

So we are counting on the President to get serious this time. And we are counting on Senate Democrats to stop relying on Republicans to bail them out of their irresponsibility and habitual legislative tardiness.

But the broader point is this: President Obama and his Senate Democratic allies will have plenty of time to campaign next year. The American people are exhausted after all these years of campaigning, and they expect Democratic leaders now to finally work with the divided Congress they elected to get things done. As I have said before, the President has to figure out how to govern with the situation he has, not the one he wishes he had. That is what being President is all about.

It is time to return to actually solving problems—in other words, to legislate the way we are supposed to around here: with transparency, with public input, and with sufficient time to develop sound policy. That is especially true when it comes to dealing with the most controversial issues in Washington. Whether it is the budget or tax reform or health care, we end up with better outcomes when we legislate in the light of day and not in some back room.

For instance, the Senate majority should be allowing us to mark up bills so that Members with expertise in a certain issue area can contribute to the legislative process in the most constructive and transparent way possible.

When bills do reach the floor, the Senate majority should allow Members of both parties the chance to represent the voices of their constituents by offering amendments in an open process.

And when the House sends us bills, the Senate majority should actually take some of them up every once in a while.

The leadership won't agree with everything the House passes; but that is okay. If the Senate passes a different version of a bill, we can work out our differences through the legislative process.

That is how Congress is supposed to function, even though it's not at all how the Senate has functioned recently.

I know Washington Democrats' most important priority right now is getting Nancy Pelosi her old job back in 2014. But that is not what Americans want—and that is why Washington has become so dysfunctional.

The American people, including my constituents in Kentucky, expect them to get off the hustings and work with Members of both parties to address the most serious challenges facing our country. The public is tired of the manufactured crises, the poll-tested gimmicks, and the endless campaigning. They expect and deserve better than that.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business 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.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask consent to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senate is in morning business.

The Senator is recognized.

STOP ILLEGAL TRAFFICKING OF FIREARMS ACT

Mr. DURBIN. Mr. President, yesterday the Senate took an important step forward when it comes to keeping guns out of the hands of criminals. Senator PAT LEAHY, chairman of the Judiciary Committee, introduced bipartisan legislation to finally crack down on the straw purchasing and illegal trafficking of firearms. I was happy to join in introducing this bill. It is a bipartisan group of Senators, including Senator KIRSTEN GILLIBRAND, Senator SUSAN COLLINS, and my colleague from Illinois, Senator MARK KIRK. Chairman LEAHY's legislation combined a straw purchasing bill he and I introduced earlier this year together with a gun trafficking bill on which Senators Gillibrand and Kirk had been working. We sat down with Senator COLLINS and crafted a new bill, the Stop Illegal Trafficking of Firearms Act. It is important legislation, and the need for it is very clear.

I have met a number of times in recent months with law enforcement leaders in Chicago and across my State. I asked them what Congress can do to help better protect our communities and our children, and one thing I kept hearing over and over again was that we needed to crack down on straw purchases. Time after time, law enforcement agencies say, criminals and gang members commit crimes with guns they purchased through others.

A typical straw purchase happens when someone who legally can purchase a weapon and pass a background check buys a gun on behalf of someone who cannot pass that same background check. When a straw purchaser buys from a licensed gun dealer, the purchaser falsely claims on the Federal sale form that he is the actual buyer of the gun. Under current law, it is illegal to lie and buy a gun this way, but the only charge a Federal prosecutor can bring is for knowingly making a false statement on a Federal form—an offense which dramatically understates the gravity of the situation.

We have had several hearings in the Senate Judiciary Committee, including one I chaired on February 12, where U.S. attorneys have testified that these paperwork prosecutions are wholly inadequate as a deterrent for straw purchasing. Some of the critics even on my Senate Judiciary Subcommittee panel said: Why don't you prosecute more? The U.S. attorneys told us it's because these paperwork offenses are not taken that seriously by the court. The new law we have written will be taken seriously.

The cases, as they stand now, are hard to prove and have little jury appeal. Even a conviction usually results in a very small sentence under the current law. The reality is that straw purchasers think they can make a fast $50 or more by buying a gun from somebody else, and that the consequences are not that great. We need to change this equation.

At the hearing I chaired in the Judiciary Committee's Constitution Subcommittee on February 12, we heard powerful testimony from Sandra Wortham from the South Side of Chicago. Her brother, a Chicago police officer, Tom Wortham IV, was murdered in 2010 by gang members with a handgun that had been straw purchased and trafficked to Chicago from Mississippi. Almost 1 out of 10 crime guns in Chicago come from Mississippi. We ask why. Because the standards for sales are lax in Mississippi, and straw purchasers know they can fill the trunk of a car with these purchased weapons and head to the Windy City and sell them on the streets to thugs and drug gangs. Then, of course, they result in tragedy.

The gang members who killed Officer Wortham were not allowed to buy a handgun from a dealer because of their age and criminal records, but it was real easy to get a straw purchased gun on the street. According to an investigative report by the Chicago Tribune,

the man who straw purchased the gun that killed Officer Wortham did so for a quick $100. The Tribune said he gave little thought to what he was doing. ''I didn't even know what ATF stood for,'' the straw purchaser said to the Tribune.

That was the gun that was used to kill Officer Wortham, a veteran of two combat tours in Iraq, a leader in his community, one of Chicago's finest, and he was gunned down in front of his parents' home. His father was a retired Chicago police officer.

We need to send a message to those who think that straw purchasing might be an easy way to make a quick buck. As Sandra Wortham said at our hearing:

> We need to do more to keep guns out of the wrong hands in the first place. I don't think that makes us anti-gun, I think it makes us pro-decent law abiding people.

I agree with Sandra Wortham. We can take steps consistent with the Constitution and the Second Amendment to crack down on straw purchases and gun-trafficking schemes that provide criminals with guns, and that is what this bill does.

The bill we introduced yesterday will create a tough Federal crime to punish and deter straw purchasing. It says that if a straw purchaser buys a gun from a licensed dealer on behalf of someone else, the buyer will face the prospect of significant jail time for up to 15 years. They will face hard time for a Federal crime. The same penalty applies to straw purchasers who buy a gun from a private seller on behalf of someone he knows or is has reasonable cause to believe is a prohibited purchaser.

The legislation also creates a separate Federal offense for firearms trafficking, which is when someone transports or transfers firearms to another when he knows or has reasonable cause to believe that transfer violates Federal law. The bill provides for increased penalties if the trafficker was a leader of an organized gang.

Cracking down straw purchasing and gun trafficking will help shut down the pipeline of guns into cities such as Chicago, where gang members use them on almost a daily basis to commit terrible crimes.

This section of our bill is named in honor of Hadiya Pendleton, the 15-year-old girl in Chicago who was shot and killed by alleged gang members in January just days after she attended the inauguration of the President of the United States here in Washington. Both Senator KIRK's hope and mine is that these reforms—once signed into law—will help prevent gang shootings and other gun crimes in the future.

It is time to move forward on this legislation and on other commonsense proposals that will reduce the epidemic of gun violence in America. This Thursday, the Senate Judiciary Committee will take up this bipartisan legislation that was introduced yesterday. I hope we can pass it out quickly with a strong bipartisan vote.

I also look forward to voting in committee for bills to improve our system of criminal background checks and to stop the flood of new military-style and high-capacity magazines onto our streets. It is time for Congress to move forward with these measures to reduce gun violence. These proposals will not stop every shooting in America—no proposal can—but they will save lives if we put them into effect.

I again thank my colleagues Chairman LEAHY, Senator KIRK, Senator GILLIBRAND, and Senator COLLINS for collectively joining together to make sure this legislation moves forward. I think we can do something important, on a bipartisan basis, to make our streets, schools, and communities safer across America.

I ask unanimous consent that my following statement be placed in a separate part of the RECORD.

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

NOMINATION OF CAITLIN HALLIGAN

Mr. DURBIN. Mr. President, this week the Senate is going to have an opportunity to confirm the nomination of Caitlin Halligan to serve on the Court of Appeals for the DC Circuit. In doing so, we can correct a mistake the Senate made in the last Congress.

Ms. Halligan is an extraordinarily well-qualified nominee. She has the intellect, experience, temperament to be an outstanding Federal appellate judge.

On December 6, 2011, Caitlin Halligan's nomination was stopped by a filibuster by Republican Senators. Forty-five Republicans voted against the cloture motion on her nomination, thus denying Ms. Halligan an up-or-down vote. That killed her nomination for that Congress.

She has now been renominated in this Congress for the DC Circuit, and the court needs her. Right now there are only seven active status judges on the DC Circuit. There are supposed to be 11. Four seats are vacant, including one vacancy that opened just last month. This is untenable.

Retired DC Circuit Judge Patricia Wald has served as chief judge of the circuit for 5 years. She wrote in the Washington Post last month that:

> There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.

It is time to address this vacancy situation by giving Ms. Halligan an up-or-down vote and confirming her nomination. She is eminently qualified. She graduated from Princeton University and the Georgetown University School of Law where she served as managing editor of the law review. She clerked for Supreme Court Justice Stephen Breyer. She served for 7 years as solicitor general for the State of New York, representing that State in a broad range of litigation. She currently serves as general counsel at the New York County district attorney's office. She has argued five cases before the U.S. Supreme Court and served as counsel in dozens more cases in that same Court. The American Bar Association has given her a unanimous ''well-qualified'' rating to serve on the Federal bench.

Ms. Halligan's legal views are well within the political mainstream. She has received widespread support from across the political spectrum. For example, the National District Attorneys Association, the prosecutors, said she ''would be an outstanding addition'' to the DC Circuit. She also has the support of law enforcement organizations and prominent conservative lawyers.

There is simply nothing in her background that constitutes the ''extraordinary circumstances'' that the so-called Gang of 14 said we are supposed to use as a standard to justify a filibuster. There are no—repeat no—legitimate questions about Ms. Halligan's competence or ethics or temperament or ideology or fitness to serve on the bench. All she has done throughout her career is serve as an excellent lawyer on behalf of her clients.

When Ms. Halligan was filibustered in 2011, some of my Republican colleagues cited two main arguments against her. First, they claimed the DC Circuit didn't need another judge since they could handle the workload with eight judges. The DC Circuit may have had eight judges in 2011, but now there are only seven, so that argument doesn't hold.

Second, Republicans claim that when Ms. Halligan was solicitor general of New York, she advocated positions in litigations that they, the Republicans, disagreed with. Is that the standard, that a lawyer represented a client with a position that might not be the lawyer's personal position or a Senator's personal position? It has been a few years since I represented clients, but I believe that under our system of legal representation, that is not the standard; that lawyers must only represent those people they agree with.

In our system of law, the system where the scales of justice are held by the lady with the blindfold, we are supposed to give justice to both sides and hope at the end of the day the system serves us.

Ms. Halligan advocated positions at the direction of her client, which happened to be the State of New York. In the American legal tradition, lawyers are not supposed to be held to the views of their clients.

As Chief Justice John Roberts said during his confirmation hearing—and I remember this:

> It is a basic principle in our system that lawyers represent clients and you do not ascribe the position of a client to the lawyer. It's a position that goes back to John Adams and the Revolution.

Those who read the book about John Adams often wonder how this man became President of the United States

after representing British soldiers at a massacre in the city of Boston.

Ms. Halligan should not be filibustered because she represented clients with whom some Senators don't always agree.

The bottom line is this: Our country needs excellent judges serving on the Federal bench. If qualified mainstream judicial nominees cannot be considered fairly by the Senate on their merits, then good lawyers are going to stop putting their name in for consideration. Maybe that is the ultimate goal on the other side by some of the Senators who object to Ms. Halligan.

Why would a top-notch lawyer volunteer to go through a long, excruciating judicial confirmation if the lawyer is only going to be filibustered at the end for reasons that don't have a thing to do with their qualifications? We are going to end up with a Federal bench that is either empty or lacks the excellence we should require.

Caitlin Halligan deserves an up-or-down vote on the merits. The Senate made a mistake in denying her that vote in 2011. Let's correct that mistake this week. She has clearly demonstrated she can serve the DC Circuit with distinction. She deserves that chance on the merits.

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

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

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 10 minutes and ask that the Chair let me know when 9 minutes has elapsed.

The ACTING PRESIDENT pro tempore. The Chair will do so.

SEQUESTRATION

Mr. ALEXANDER. Mr. President, we remember President Lyndon Johnson's courage and skill in passing the Civil Rights Act. We remember President Nixon going to China. We remember President Carter and the Panama Canal treaties. We remember President Reagan fixing Social Security and George H.W. Bush balancing the budget by raising taxes. We remember President Clinton and welfare reform. We remember President George W. Bush tackling immigration reform. If the history books were written today, we would remember President Obama for the sequester.

This is unique in history. This is not the way our Presidents usually conduct themselves. Here we have a policy that was designed to be the worst possible policy, and that may be what our talented, intelligent current President is remembered for. He is remembered for it because it comes from a process he recommended, he signed into law, that he has known about for the last year, that he has done nothing about except to campaign around the country blaming others for it over the last month, and he seems determined to keep it in law.

Now, for what reason could this be possible?

Well, let's go back to why the President agreed to the sequester. He agreed to it in 2011 after suggesting the process from which it came in order to get $2.2 trillion in spending reductions so he could get a debt ceiling increase that lasted through the election. And he did it, for the second reason, because he did not want to go against his own party's constituency in tackling the biggest problem our country faces—the biggest problem according to the former Chairman of the Joint Chiefs of Staff, the biggest problem according to the President's own debt commission—the out-of-control automatic spending increases that are in the Federal budget.

So we are left today with a sequester—automatic spending decreases which are the result of the automatic spending increases in entitlements the President is unwilling to confront. We are slashing the part of the budget that is basically under control. It is growing at about the rate of inflation. I am talking about national defense, national parks, National Laboratories, Pell grants, and cancer research. All that is growing at about the rate of inflation. We are slashing that part of the budget because the President does not want to challenge his own party on the part of the budget that is out of control, growing at two or three times the rate of inflation: Medicare, Medicaid, Social Security, and other entitlements.

This is not how our Presidents usually have acted when confronted with a great crisis. When President Johnson dealt with civil rights, he knew he would be terribly unpopular in Texas and throughout the South. When President Nixon went to China, he knew Republican conservatives would be angry with him. President Carter enraged many Americans by his support for the Panama Canal Treaty. President Reagan made many seniors unhappy when he fixed Social Security. George H.W. Bush probably lost the 1992 election when he raised taxes to balance the budget. Bill Clinton was pilloried by his own party when he worked with Republicans to reform welfare. George W. Bush made many radio talk show hosts very unhappy when he tried to change our immigration laws.

Why did they do it? They did it because they were the President of the United States, and that is what presidents do.

Robert Merry, a biographer of President James K. Polk, told me recently that every great crisis in our country has been solved by presidential leadership or not at all. Every great crisis in American history has been solved by presidential leadership or not at all. Yet this president seems determined not to exercise that sort of presidential leadership. So his presidential leadership is a colossal failure, first, because he will not respect this Congress and work with it in a way to get results that all of the presidents I just mentioned did.

The New York Times had a very interesting story this Sunday about how President Woodrow Wilson would come down to the President's Room right off the Senate and sit there three days a week with the door open, and he got almost everything he proposed passed, until he went over the heads of Congress around the country about the League of Nations and lost.

Or Senator Howard Baker used to tell the story of how, when Senator Everett Dirksen, the Republican leader, would not go down to the White House and have a drink with President Johnson in 1967, President Johnson showed up with his beagles in the Republican leader's office and said: Everett, if you won't come have a drink with me, I am here to have a drink with you.

I am not here to advocate having drinks, but I am here to suggest that when they disappeared into the back room together for 45 minutes, that played a big role in writing the Civil Rights Act of 1968 because it was written in Everett Dirksen's Republican leader office right down the hall, at the request of the Democratic President of the United States.

And Senator HARKIN—I do not think he will mind me telling the story about the afternoon 20 years ago when he was in his office and he got a telephone call from President George H.W. Bush's office. Would he come down with a few other Congressmen? The President was there for the afternoon. Mrs. Bush was in Texas. They spent an hour together, and the President showed them around. On the way out, Senator HARKIN said to President Bush: Mr. President, I don't want to turn this into a business meeting, but one of your staff members is slowing down the Americans with Disabilities bill. That conversation, Senator HARKIN says, changed things at the White House and helped that bill to pass.

Or Tip O'Neill, going into the Democratic Caucus in the 1980s and being criticized by his fellow caucus members: Why are you spending so much time with Ronald Reagan? Why are you fixing Social Security? He said: Because I like him. Because I like him.

Technology has changed a lot. But human nature has not. And relationships are essential in the Senate, in the White House, in politics, in church, in business, and all of our Presidents have known that you need to show respect to the people with whom you work if you are going to solve difficult problems. That is why I am disappointed by our talented President's unwillingness to work with Congress. There is no reaching out.

It was 18 months before he had his first meeting with the Republican leader one on one. He has known for a year the sequester was coming, but there was no meeting with the Republican or Democratic leaders that I know about until the day it started. It is breaking news when the President makes a telephone call to a Senate leader. And then the President spends his time running around the country taunting and heckling the Members of Congress that he is supposed to work with to get a result. What kind of leadership is that?

I started in 1969 working in congressional relations for a President of the United States. I have worked with or for eight. I have never seen anything like it in my life.

I have been a governor. That is small potatoes compared to being a president. I know that. But I worked with a Democratic legislature, and I guarantee you, if I had taunted them and heckled them and criticized them, I never would have gotten anything passed to improve roads or schools or get the auto industry into Tennessee. Instead, I would meet with them regularly. I would listen to them. I would change my proposals based on what they had to say. I would know they had to go back into their caucuses and still survive. I did not think about ever putting them in an awkward position when we were trying to get something done. I tried to put them in a position to make it easier to get something done. I changed my ideas and I could get a result. During elections we tried to beat each other. Between elections we sought to govern.

This is all made worse by the Democratic leadership of the Senate deliberately bringing business to a halt we have a fiscal crisis, we have not had a budget in 4 years, we did not even pass any appropriations bills last year, there is little respect for committee work, and he has used the gag rule 70 times to cut off amendments from the Republican side of the aisle.

For example, last week, we had several options on our side—I think there were some on the other side—to make the sequester go down a little bit easier, to make it make more common sense, and what did we end up doing? We were here all week, and we ended up voting on two proposals. They were procedural votes, and everybody knew they were political posturing not designed to pass. Why did we not just put it on the floor? There are 100 of us here.

We are all grownups. We worked hard to get here. We have ideas. We might have improved the sequester. We had time to do it. But the Democratic leadership did not allow us to bring it up. So we end up with deliberately bad policy becoming law.

It is not too late. There are things the President and we can still do. We could spread the pain across the whole budget. We could spread it across part of the budget. We could give the President more flexibility in making decisions. Or the President could come to us with his plan, this month, for dealing with the biggest problem facing our country: the out-of-control mandatory spending. He could do what Presidents Johnson and Nixon and Carter and Bush did before him. He could confront it, go against the grain of his party, work with Members of both sides, and get a result. It is not that hard to do. Senator CORKER and I have a proposal to do it. There is the Domenici-Rivlin proposal to do it. There is the Ryan-Wyden proposal to do it.

When part of the budget is growing at two to three times inflation and the rest is growing at about the rate of inflation, it is obvious which part we need to work on.

It may be the President does not like some of us. Well, President Eisenhower had that same feeling about Members of Congress. Someone asked him: Then how do you get along with them? He said: I look first at the office. I respect the office. I do not think about the person who occupies the office.

There are real victims here. In the short term with the sequester, there is cancer research, there are airline travelers, there are many people—the President has let us know about this—who are going to be hurt by this and be inconvenienced. In the long term, if we do not deal with this No. 1 fiscal problem we have, the real victims will be seniors who will not have all of their hospital bills paid in 11 years because the Medicare trustees have told us Medicare will not be able to pay all of them—the Medicare Trust Fund will be out of money—and young Americans will be forever destined to be the debt-paying generation because we and the President did not have the courage to face up to our responsibilities.

So I would say, with respect, it is time for this President to show the kind of Presidential leadership that President Johnson did on civil rights, that President Nixon did on China, that President Carter did on the Panama Canal Treaty, that President Reagan did on Social Security, and that Presidents George H.W. Bush and Clinton and George W. Bush did. Respect the other branches of government. Confront your own party where necessary. Listen to what both have to say and fashion a consensus that most of us can support.

We are one budget agreement away from reasserting our global preeminence and getting the economy moving again. As Robert Merry said: Every great crisis is solved by Presidential leadership or not at all.

It is time, Mr. President, for Presidential leadership.

I ask unanimous consent to have printed in the RECORD the article in the New York Times, from Sunday, entitled ''Wilson to Obama: March Forth!''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, Mar. 1, 2013]

WILSON TO OBAMA: MARCH FORTH!

(By A. Scott Berg)

''There has been a change of government,'' declared Woodrow Wilson in his first sentence as president of the United States, one hundred years ago this Monday. Until 1937, when the 20th Amendment moved Inauguration Day to late January, chief executives took their oaths of office on March Fourth, a date that sounds like a command.

Nobody heeded this implied imperative more than Wilson: the 28th president enjoyed the most meteoric rise in American history, before or since. In 1910, Wilson was the president of a small men's college in New Jersey—his alma mater, Princeton. In 1912, he won the presidency. (He made a brief stop in between as governor of New Jersey.) Over the next eight years, Wilson advanced the most ambitious agenda of progressive legislation the country had ever seen, what became known as ''The New Freedom.'' To this day, any president who wants to enact transformative proposals can learn a few lessons from the nation's scholar-president.

With his first important piece of legislation, Wilson showed that he was offering a sharp change in governance. He began his crusade with a thorough revision of the tariff system, an issue that, for decades, had only been discussed. Powerful legislators had long rigged tariffs to buttress monopolies and to favor their own interests, if not their own fortunes.

Wilson, a Democrat, thought an economic overhaul this audacious demanded an equally bold presentation. Not since John Adams's final State of the Union speech, in 1800, had a president addressed a joint session of Congress in person. But Wilson, a former professor of constitutional law (and still the nation's only president with a Ph.D.), knew that he was empowered ''from time to time'' to ''give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient.'' And so, on April 8, 1913, five weeks after his inauguration, he appeared before the lawmakers. Even members of Wilson's own party decried the maneuver as an arrogant throne speech.

The man many considered an aloof intellectual explained to Congress that the president of the United States is simply ''a human being trying to cooperate with other human beings in a common service.'' His presence alone, to say nothing of his eloquent appeal, affixed overwhelming importance to tariff reform. In less than 10 minutes, Wilson articulated his argument and left the Capitol.

The next day, Wilson did something even more stunning: he returned. On the second floor of the Capitol—in the North Wing, steps from the Senate chamber—is the most ornate room within an already grand edifice. George Washington had suggested this President's Room, where he and the Senate could conduct their joint business, but it was not built until the 1850s. Even then, the Italianate salon, with its frescoed ceiling and richly colored tiled floor, was seldom used beyond the third day of March every other year, when Congressional sessions ended and the president arrived to sign 11th-hour legislation. Only during Wilson's tenure has the President's Room served the purpose for which it was designed. He frequently worked there three times a week, often with the door open.

Almost every visit Wilson made to the Capitol proved productive. (As president, he appeared before joint sessions of Congress more than two dozen times.) During Wilson's first term, when the president was blessed with majorities in both the House and the

Senate, the policies of the New Freedom led to the creation of the Federal Reserve, the Federal Trade Commission, the Clayton Antitrust Act, the eight-hour workday, child labor laws and workers' compensation. Wilson was also able to appoint the first Jew to the Supreme Court, Louis D. Brandeis.

Even when the president became besieged with troubles, both personal and political—the death of his first wife; the outbreak of World War I; an increasingly Republican legislative branch; agonizing depression until he married a widow named Edith Bolling Galt—Wilson hammered away at his progressive program. In 1916, he won re-election because, as his campaign slogan put it, ''He kept us out of war!'' A month after his second inauguration, he appeared yet again before Congress, this time, however, to convince the nation that ''the world must be made safe for democracy.'' This credo became the foundation for the next century of American foreign policy: an obligation to assist all peoples in pursuit of freedom and self-determination.

Suddenly, the United States needed to transform itself from an isolationist nation into a war machine, and Wilson persuaded Congress that dozens of crucial issues (including repressive espionage and sedition acts) required that politics be ''adjourned.'' Wilson returned again and again to the President's Room, eventually convincing Congress to pass the 19th Amendment: if women could keep the home fires burning amid wartime privation, the president argued, they should be entitled to vote. The journalist Frank I. Cobb called Wilson's control of Congress ''the most impressive triumph of mind over matter known to American politics.''

In the 1918 Congressional election—held days before the armistice—Wilson largely abstained from politics, but he did issue a written plea for a Democratic majority. Those who had followed his earlier advice and adjourned politics felt he was pulling a fast one. Republicans captured both houses. With the war over, Wilson left for Paris to broker a peace treaty, one he hoped would include the formation of a League of Nations, where countries could settle disputes peaceably and preemptively. The treaty required Senate approval, and Wilson, who had been away from Washington for more than six months, returned to discover that Republicans had actively, sometimes secretly, built opposition to it—without even knowing what the treaty stipulated.

Recognizing insurmountable resistance on Capitol Hill, even after hosting an unprecedented working meeting of the Senate Foreign Relations Committee at the White House, Wilson attempted an end run around the Senate: he took his case directly to the people. During a 29-city tour, he slowly captured public support. But then he collapsed on a train between Pueblo, Colo., and Wichita, Kan., and had to be rushed back to the White House. Days later he suffered a stroke, which his wife, his physician and a handful of co-conspirators concealed from the world, leaving Mrs. Wilson to decide, in her words, ''what was important and what was not.''

In March 1920, having recovered enough to wage a final battle against the Republicans, Wilson could have garnered support for a League of Nations by surrendering minor concessions. But he refused. The treaty failed the Senate by seven votes, and in 1921, the president hobbled out of the White House as the lamest duck in American history, with his ideals intact but his grandest ambition in tatters.

Two months ago, our current president, facing financial cliffs and sequestration and toting an ambitious agenda filled with such incendiary issues as immigration reform and gun control, spoke of the need to break ''the habit of negotiating through crisis.'' Wilson knew how to sidestep that problem. He understood that conversation often holds the power to convert, that sustained dialogue is the best means of finding common ground.

Today, President Obama and Congress agree that the national debt poses lethal threats to future generations, and so they should declare war on that enemy and adjourn politics, at least until it has been subdued. The two sides should convene in the President's Room, at the table beneath the frescoes named ''Legislation'' and ''Executive Authority,'' each prepared to leave something on it. And then they should return the next day, and maybe the day after that. Perhaps the senior senator from Kentucky could offer a bottle of his state's smoothest bourbon, and the president could provide the branch water. All sides should remember Wilson and the single factor that determines the country's glorious successes or crushing failures: cooperation.

March forth!

Mr. ALEXANDER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

TEXAS INDEPENDENCE DAY

Mr. CORNYN. Mr. President, I rise to commemorate a very special day in history—a day that inspires pride and gratitude in the hearts of the people of the great State of Texas. I rise today to commemorate Texas Independence Day, which was actually this last Saturday, March 2.

I will read a letter that was written 177 years ago from behind the walls of an old Spanish mission known as the Alamo—a letter written by a young lieutenant colonel in the Texas Army, William Barret Travis. In doing so I carry on a tradition that was started by the late John Tower, who represented Texas in this body for more than two decades. This tradition was later carried on by his successor, Senator Phil Gramm, and then by our recently retired colleague, Senator Kay Bailey Hutchison. It is a tremendous honor that this privilege has now fallen to me.

On February 23, 1846, with his position under siege and outnumbered by nearly 10 to 1 by the forces of Mexican dictator Antonio Lopez de Santa Anna, Travis penned the following letter, ''To the People of Texas and All Americans in the World:''

Fellow citizens & compatriots—

I am besieged by a thousand or more of the Mexicans under Santa Anna.

I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded a surrender at discretion. Otherwise, the garrison are to be put to the sword, if the fort is taken.

I have answered the demand with a cannon shot, and our flag still waves proudly from the walls.

I shall never surrender or retreat.

Then, I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch.

The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days.

If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country.

Victory or Death.

Signed:

William Barret Travis.

As we all know, in the battle that ensued, 189 defenders of the Alamo lost their lives. But they did not die in vain. The Battle of the Alamo bought precious time for the Texas Revolutionaries, allowing Sam Houston to maneuver his army into position for a decisive victory at the Battle of San Jacinto. With this victory, Texas became a sovereign and independent republic. For 9 years, the Republic of Texas thrived as an independent nation. Then, in 1845, it agreed to join the United States as the 28th State.

Many of the Texas patriots who fought in the revolution went on to serve in the U.S. Congress. I am honored to hold the seat once occupied by Sam Houston. More broadly, I am honored to have the opportunity to serve 26 million Texans because of the sacrifices made by these brave men 177 years ago.

May we always remember their sacrifices and their courage. And may God continue to bless Texas and these United States.

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

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION

Mr. COATS. Mr. President, last week, U.S. Immigration and Customs Enforcement—also known as ICE—initiated a precipitous action to reduce the population of the illegal immigrants detained by the U.S. Government for, they said, ''budgetary reasons.''

Let me quote ICE spokesperson Gillian Christensen, who stated, ''As fiscal uncertainty remains over the continuing resolution and the possible sequestration, ICE has reviewed its detained population to ensure detention levels stay within ICE's current budget.'' So the result was a release of a significant number of detained illegal immigrants and blaming it on the sequester's imminent budget cuts last week, when it appears ICE mismanaged its resources.

That is unacceptable. This was an unnecessary action. It has the potential to put communities at risk. It is ineffective, inefficient, and irresponsible government.

Let's be clear about something else that ICE points to as a reason for this action, ''fiscal uncertainty.'' Fiscal uncertainty is what has defined our economy over the past 4 years because this government cannot get its act together. This government has failed to

define for the American people, whether it is business men or women or whether it is homeowners, or anyone else in this country who is looking to Washington to get its act together, what the future will look like. Then decisions can be made as to how to adapt to necessary changes or modifications given our dismal fiscal situation, plunging into debt at record rates, borrowing 40 cents of every dollar. It is unsustainable. But instead of providing a clear path forward on how we will address this, we continue to lurch from cliff to cliff, fiscal calamity to fiscal calamity. It is freezing everything in place. The economy is suffering for it, and more than the economy, Americans are suffering for it. The 23 million Americans who are either unemployed or underemployed are suffering greatly.

Sadly, this uncertainty and the budget constraints we face should not catch any department or agency by surprise. This is not good government, but it is the Washington way under this administration and the current Democrat-led Senate. The Department of Homeland Security and ICE have known since September 28, 2012 exactly what level of resources were available for ICE under the current continuing resolution.

For those who do not understand the jargon that comes out of this place, ''continuing resolution'' means a stopgap measure that Congress put in place last September in order to fund this government at the current levels. That expires March 27. We likely will do it again for the second 6 months of the year, instead of putting a budget together, instead of putting together something that would give the American people certainty as to how much money we are going to spend, and what effect it would have on the economy.

Anyway, ICE has known their spending level since September 28, as has every agency. So they had plenty of notice. Why then would ICE release detained illegal immigrants a week before the sequestration even took place? Why did they not take proper steps necessary during the 6 months time they had to evaluate this and manage their resources in a way that would not require that someone make the decision to release hundreds if not thousands of illegal immigrants?

In an effort to sort out the facts, I have requested Secretary Napolitano provide in writing more information and answer several questions regarding the release of those individuals from detention. Question No. 1: What triggered the ICE instruction to the field to reduce the detainee population by this date?

Secondly, what is the total number of detainees released between February 22, 2013, and February 25—a 3-day period of time? How many were released? These numbers have been all over the lot, from the low hundreds to well into the thousands. We need to know how many illegal immigrants were released in the United States and under what conditions that decision was made.

We need to know how many of these detainees were released solely due to so-called ''budgetary'' reasons. How many of the released detainees were designated as criminals? If additional funding can be found first within ICE or DHS for custody operations, will these released individuals be returned to detention, and how will they be rounded up and how will they be found?

We know that not all law enforcement authorities were notified of this in Arizona. It is unlikely to think that we know where all of those individuals are at this time. I do not think they are going to come back and voluntarily line up and say: Oh, I am back; I knew I should not have been released.

Have instructions been given to field offices to reduce the intake and arrest of illegal aliens into detention?

Furthermore, I want to know if the Secretary agrees with the decision to release these individuals. If not, what is being done to modify this action so it does not take place in the future?

I am also concerned that the administration has not taken accountability for this action. Secretary Napolitano distanced herself from the press by saying, ''Detainee populations and how that is managed back and forth is really handled by career officials in the field.'' Well, that may be the case, but that is not an appropriate response.

Is anyone in this current government willing to take responsibility and say, the buck stops here? I am assigned to this position and therefore I take responsibility for what happens underneath my position? This constantly, ''well, we didn't know about that,'' or ''that is somebody else's obligation,'' or ''really, do you expect us to be on top of that''—yes. That is why you are CEO for a company. That is why you get paid more than anybody else. That is why you were selected as Secretary of a department or the head of an agency, to take responsibility for what happens underneath you.

I was also struck by the Secretary's comments at an event hosted by Politico yesterday where she talked about the challenges DHS faces because there is not the opportunity to shift money around.

I agree with that. Republicans agree with that.

On this floor, just last Thursday, Republicans put forward a proposal to allow agencies to do just that after weeks and months of moaning and groaning by this administration and by its various agency heads about how this sequestration has made the situation much worse. It is stupid. It is a terrible way to do things. I agree, by the way.

However, we need to be able to have the flexibility to move the money from less efficient—or not needed at this time—to the essentials. We wouldn't need to put out statements such as: Arrive at the airport 4 hours early because we need to cut the TSA agents at the same level as the least function of this particular government.

We put that proposal before us. The President, who has been begging for this, simply said: No, we are not going to do it. It was a quick change of mind. I think it destroyed his political narrative. This proposal was before this Senate body last week to give those agencies the flexibility to take from one pot that wasn't needed as much—or take from areas that are efficient—and put it toward traffic controllers, transportation security officials, FDA, Department of Agriculture meat inspectors, wherever the priorities lie. To complain about not having flexibility when your own President rejected the proposal given by Republicans to allow that to happen, it just boggles my mind.

As I have said many times before over the past 2 years when the various department heads come before the Appropriations Committee: Do you have an alternative plan? Do you have a plan in the event the money doesn't continue to flow in from the taxpayer at a rate which allows you every year to increase, increase, increase, your spending? We are running out of money. Wouldn't it be wise to look at how you could run your department more effectively and efficiently as States have had to do, cities had to do, businesses had to do, families had to do? They need to make those decisions about separating the essential from the ''would like to do but can't afford to do it right now.'' We need to eliminate the items and programs that never should have been funded in the first place or the programs that used to work, but are not a high priority any longer. Manage your department in a way that you can become more effective, do more with less.

To date, all the answers that have come back are, no, this is what the administration wants. This is what we are going to do. We are going to ask for an increase next year, and we are going to tell the American people we need to raise their taxes in order to pay for it or we are going to continue to borrow and go deeper and deeper into debt. It is a terrible way to run any organization, whether it is a Little League organization, a business or even the Federal Government of the United States. No agency can assert with any credibility that it cannot perform its stated mission if it is asked to join the rest of Americans in reducing its budget and making modest cuts. The irony is that the more Congress and the President delay action on a bold long-term fiscal plan with credible spending reforms, the more all other programs, agencies, and departments will need to cut back and do more with less.

We are simply pushing the problem down the road for another day. Each time we push it down the road with short-term fixes or no fixes at all and don't address the real problems, we are making it ever harder and will be forced to do it in a more Draconian way.

If the Cabinet Secretaries want more flexibility with their budgets, I urge them to encourage the President to lead and reform the main problem and to address the main drivers of our spending, which is the runaway mandatory spending that is eating everybody's lunch. Whether you are for paving more roads, fixing more bridges, funding more medical research or whether you want more money to go into education or any other function of government, if you can't address the big donkey or elephant in the room, which is the mandatory runaway spending, there is not going to be enough funds for any other priorities. We have all known that year after year after year.

Without leadership from the top this cannot happen. It has been tried many times, sometimes with bipartisan efforts, all shot down because we don't have leadership from the White House and from the President of the United States. He is the chief CEO of this country and he needs to manage resources in a more effective way.

Only when we do that will we be able to avoid these constant budget showdowns and short-term stopgap measures which don't solve the problem.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Morning business is closed.

AUTHORIZING EXPENDITURES BY COMMITTEES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 64, which the clerk will report by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 64) authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I wish to thank Senator PAUL, who is going to be offering his amendment in a few minutes, for allowing me to go first. I would like to spend a few minutes speaking in opposition to the Paul amendment.

I wish to talk about the Senate National Security Working Group, which will be the subject of the Paul amendment. This group, along with its predecessor organization, the Senate Arms Control Observer Group, has served a useful role in helping the Senate to fulfill its unique constitutional duty to consider treaties and to provide its advice and consent to their ratification.

The Senate National Security Working Group is a key component of the Senate's ability to provide advice on treaties before those treaties are finalized because the working group begins meeting with the administration early in the process of negotiation. This was the case for the Senate consideration of the New START treaty a few years ago. The National Security Working Group convened a series of briefings and meetings with the administration starting at the very beginning of the negotiation process, and through the group the Senate has many opportunities to learn of the progress and details of negotiations and to provide our advice and views to the administration throughout the process.

Let me first assure my colleagues that throughout the entire New START negotiation process, the members of the National Security Working Group asked a great number of questions, received answers at a number of meetings, stayed abreast of the negotiation details, and provided advice to the administration. It is a vital process that not only allows Senators to engage the administration early in the negotiation process, but it also gives the administration an opportunity to respond to Senators' concerns and questions and to guide the process in such a manner as to avoid problems during Senate consideration of the treaty ratification process. That was, in fact, the principal original purpose of the Arms Control Observer Group, which ensured early Senate engagement during the negotiation process. This process helps to ensure that there is a core of Senators who are informed on treaty matters before the Senate takes up ratification, and through those Senators the entire Senate can have a role.

I also want to mention briefly to my colleagues that the National Security Working Group is perhaps unique among Senate institutions in that it is, by design, purely bipartisan. It is actually composed of an equal number of Senators from each side of the aisle. Its decisions and actions are not controlled by the majority party; they are arrived at entirely through bipartisan agreement—something we could use more of around here. The bipartisan nature of the group, which is central to its function and its crucial role in helping the Senate fulfill its constitutional treaty role, is something we should support and continue.

We expect there are going to be some additional preliminary negotiations and discussions about those negotiations this year. It is very important that this National Security Working Group continues to have the ability to pave the way for negotiations that can be fruitful.

As I yield the floor, I again thank Senator PAUL for his courtesy in allowing me to go first.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, as some of you may have heard, we are a bit short of money. We are borrowing $50,000 every second. We borrow over $4 billion every day. In a year's time we borrow over $1 trillion. There are ramifications to that. Some economists now say that the burden of our debt is costing us 1 million jobs a year. What I am asking is, in the midst of this sequester when people say we have no money to cut, to take this small item.

Why would I want to cut this small group? There are a couple of reasons. It is called the National Security Working Group—about $2.8 million, which is not much money in terms of Washington. But why would I want to cut it?

The first reason would be that there are no records of them meeting. We heard about the START treaty. It was in 2009 when they were last meeting. There are no public records that this group, which spends $700,000 a year, has met in the last 3 years. There are no public records of who works for the committee. There are no public records of their salaries. Every one of my staff's name and salary is printed in the public record—not for this group.

Now, they say we need this group to negotiate treaties. Well, we have a group; it is called the Foreign Relations Committee. I am on the Foreign Relations Committee, and that is where we discuss treaties—or at least we are supposed to. The Foreign Relations Committee has dozens of employees, and millions of dollars are spent on our committee. It goes through the regular process. Our staff's salaries are approved, the names are in the public record, and if you object, you know where to look for the information. To fund a group that has no records and no records of them meeting and doesn't tell you where they are paying the salaries I don't think makes any sense.

Our job is to look at the money as if it were ours, as if it were yours, and pay attention to detail.

Will this balance the budget? No. Is it a place we should start? Yes. Absolutely. What I would call for is looking and saving where we can. In my office, I have a $3.5 million budget. I saved $600,000 last year, and I turned it back in to the Treasury. That doesn't balance the budget, but we have to start somewhere. This is another $700,000. If I win this one vote, I could save $700,000—or at least save us from borrowing another $700,000. If all of your elected officials were up here doing the same, we would be much closer to a resolution. I turned in $600,000 to the Treasury—18 percent of my budget—and I didn't lay off anybody because we are careful about the way we spend. We spend as if it were our own money. If all of our public officials were doing that, imagine what we could do.

I have another bill that will never see the light of day up here because they don't want to fix anything. This bill would give bonuses to civil servants—Federal employees—who find savings. Right now we do the opposite. If your budget is $12 million and you work somewhere in the bureaucracy of government, you want to spend it at the

end of the year so you can get it next year.

I would change that incentive. I would give that civil servant a significant bonus if they will keep money at the end of the year and turn it back in to the Treasury. Can you imagine the savings from top to bottom throughout government if we did that? But if we were to do that, to ask civil servants to do that and look for these savings—and right now, with the sequester, people throughout government are looking for savings—why shouldn't we start with the Senate?

Why would we continue to fund a group where the work they supposedly do is also done officially by another group which has many employees, a large staff, and it is the constitutional mandate of the Foreign Relations Committee to discuss treaties.

So while this is a small bit of money, it is symbolic of what needs to go on in this country in order to rectify a problem that is truly bankrupting the American people.

AMENDMENT NO. 25

Mr. President, I ask unanimous consent to call up amendment No. 25.

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

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 25.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To strike supplemental staff funding available only to a limited number of Senators in a time of sequestration)

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)''.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

Mr. PAUL. Mr. President, I ask for the yeas and nays when appropriate.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

Mr. PAUL. Mr. President, I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the call of the quorum be rescinded.

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

Mr. REID. Madam President, we yield back the remainder of all time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Kentucky, Mr. PAUL.

The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from New Jersey (Mr. LAUGENBERG),and the Senator from Colorado (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 44, nays 53, as follows:

[Rollcall Vote No. 29 Leg.]

YEAS—44

Alexander	Donnelly	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Baucus	Flake	Portman
Bennet	Grassley	Pryor
Boozman	Hagan	Risch
Boxer	Heller	Scott
Burr	Inhofe	Sessions
Coats	Johanns	Shaheen
Coburn	Johnson (WI)	Shelby
Collins	Landrieu	Thune
Coons	Lee	Toomey
Corker	McCain	Udall (NM)
Crapo	McCaskill	Vitter
Cruz	Merkley	

NAYS—53

Baldwin	Hatch	Murray
Blumenthal	Heinrich	Nelson
Blunt	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Hoeven	Roberts
Cardin	Isakson	Rockefeller
Carper	Johnson (SD)	Rubio
Casey	Kaine	Sanders
Chambliss	King	Schatz
Cochran	Kirk	Schumer
Cornyn	Klobuchar	Stabenow
Cowan	Leahy	Tester
Durbin	Levin	Warner
Feinstein	Manchin	Warren
Franken	McConnell	Whitehouse
Gillibrand	Menendez	Wicker
Graham	Mikulski	Wyden
Harkin	Murphy	

NOT VOTING—3

Begich	Lautenberg	Udall (CO)

The amendment (No. 25) was rejected.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the resolution.

The resolution (S. Res. 64) was agreed to.

(The resolution is printed in the RECORD of Thursday, February 28, 2013, under ''Submitted Resolutions.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon the Senate, at 12:52 p.m. recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF CAITLIN JOAN HALLIGAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate proceed to executive session to resume consideration of Executive Calendar No. 13, the nomination of Caitlin Halligan.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, tomorrow the Senate will have an opportunity to correct itself and complete action on the nomination of Caitlin Halligan to the DC Circuit. She was first nominated to a vacancy on the court in September 2010, almost 30 months ago. No one who knows her, no one who is familiar with her outstanding legal career can be anything but impressed by her experience, her intelligence, and her integrity. Hers is a legal career which rivals that of the DC Circuit judge she was nominated to succeed.

I might mention that the judge she was nominated to succeed was John Roberts, who served on the DC Circuit. He is now Chief Justice of the United States. I voted for the confirmation of John Roberts to the DC Circuit. I voted for the confirmation of John Roberts to the Supreme Court. He and I do not share the same judicial philosophy or

political party, but I voted for him because he was well qualified. I did not agree with every position he had taken or argument he made as a high-level lawyer in several Republican administrations, but I supported his nomination to the DC Circuit because of his legal excellence. Caitlin Halligan is also well qualified. Caitlin Halligan is as well qualified as John Roberts, whom I voted for, and her nomination deserves a vote. John Roberts was confirmed unanimously to the DC Circuit on the day the Judiciary Committee completed consideration of his nomination and reported it to the Senate. It is time for the Senate to consider Caitlin Halligan's nomination on her merits and end the filibuster that has extended over 2 years.

What I am saying is that if we want to be honest in the Senate, we have to apply the same standard to her that we applied to the nomination of John Roberts. After being nominated and renominated four times over the course of the last 3 years, it is time for the Senate to accord this outstanding woman debate and vote on the merits she deserves.

Caitlin Halligan is a highly regarded appellate advocate, with the kind of impeccable credentials in both public service and private practice that make her unquestionably qualified to serve on the DC Circuit. In fact, the ABA Standing Committee on the Federal Judiciary reviewed her nomination and gave her their highest possible rating. The judge for whom she clerked on the DC Circuit, former chief judge Pat Wald, urges her confirmation. Those who have worked with her all praise her. We have not heard a single negative comment on her legal ability, judgment, character, ethics, or her temperament. By the standard we have used for nominees of Republican Presidents, there is no question that Caitlin Halligan should be confirmed and this ill-advised filibuster should end. Earlier this month the Senate ended a filibuster against the nomination of Robert Bacharach and he was confirmed unanimously to the Tenth Circuit. We finally were allowed to complete action on the nomination of William Kayatta to the First Circuit. So, too, the Senate should now reconsider its prior treatment of Caitlin Halligan and confirm her nomination.

She is a stellar candidate with broad bipartisan support. She is supported by law enforcement, with whom she worked closely while serving as a chief appellate lawyer in the State of New York and as general counsel for the Manhattan district attorney. That includes the support of New York City police commissioner, Ray Kelly; the New York Association of Chiefs of Police; and the National District Attorneys Association.

Carter Phillips, who served as an assistant to the Solicitor General during the Reagan administration, describes her as one of those extremely smart, thoughtful, measured, and effective advocates and concluded that she would be a first-rate judge. She has the strong support of the New York Women in Law Enforcement, the National Center for Women and Policing, the National Conference of Women's Bar Associations, the Women's Bar Association of the District of Columbia, and the U.S. Women's Chamber of Commerce.

I ask unanimous consent to have printed in the RECORD a list of letters in support for Ms. Halligan at the conclusion of my remarks.

I have been here 38 years and occasionally see things that really disappoint me. This is one where I see that narrow special interest groups seek to misrepresent her as a partisan or ideological crusader. She is not. Everybody who knows her, everybody who has dealt with her, Republican and Democratic alike, says she is not. What they do say is that she is a brilliant lawyer who knows the difference between the roles of legal advocate and judge. She will be a fair, impartial, and outstanding judge.

To oppose her for her work as an advocate would be like saying: We can't have this particular nominee be a judge because the nominee was appointed to defend a murderer and we are against murder. No. We are against the rule of law. We are against everybody who appears before a court having good representation whether we agree with their position or not. These kinds of arguments undermine our whole legal system.

While serving as the solicitor general for the State of New York, she was an advocate, representing the interests of her client. How often have we heard Republican Senators say that what lawyers do and say in legal proceedings should not be used to undermine their judicial nominations? Chief Justice Roberts himself has made that point. As an attorney, Chief Justice Roberts advocated for positions where I disagreed with him, but he was supporting the position of the people for whom he was an advocate. At his confirmation hearing to join the United States Supreme Court, Judge Roberts said:

> [I]t's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients. The most famous example probably was John Adams, who represented the British soldiers charged in the Boston Massacre. He did that for a reason, because he wanted to show that the Revolution in which he was involved was not about overturning the rule of law, it was about vindicating the rule of law.
>
> Our Founders thought that they were not being given their rights under the British system to which they were entitled, and by representing the British soldiers, he helped show that what they were about was defending the rule of law, not undermining it, and that principle, that you don't identify the lawyer with the particular views of the client, or the views that the lawyer advances on behalf of the client, is critical to the fair administration of justice.

That has always been our tradition—at least until now. This litmus test that would disqualify nominees because as lawyers they represented a legal position in a case is dangerous and wrong. Almost every nominee who had been a practicing lawyer would be disqualified by such a test. By the standard that is being applied to Caitlin Halligan, John Roberts could not have been confirmed to serve as a Federal judge let alone as the Chief Justice of the United States.

Yet some have justified their filibuster because she was directed by the New York attorney general to draft an amicus brief challenging a Federal law that protected gun manufacturers from liability for crimes committed with their products. As New York's solicitor general she filed a brief in support of a class action lawsuit against anti-choice clinic protestors under the Hobbs Act. She filed a brief on behalf of New York in support of a lower court's decision to permit back pay to undocumented employees whose employers were violating Federal law. She filed a brief on behalf of New York and other States in support of the University of Michigan's affirmative action program. In all of these cases, she was representing her client, the State of New York.

Note that her critics are not arguing that she was a bad lawyer. In essence, what they are contending is that because they disagree with the legal positions taken on behalf of her client, she should not get an up-or-down vote. That is wrong.

When I voted for Chief Justice Roberts, I remember a number of Republicans told me, of course, that is the only thing you should do because you think he is qualified. Now I have Republicans who tell me they feel she is well qualified, but this special interest group or that special interest group is opposed to her. She took positions with which they disagree. That is not the issue. Is she qualified? Did she stand up for her clients the way an attorney should in our adversarial system?

Her public service in the State of New York is commendable, and no reason to filibuster this nomination. Vote yes or vote no on this nomination. Voting to block it from coming to a vote is saying: I don't have the courage to stand up and vote yes or no; I want to vote maybe. It never comes to a vote if we filibuster it. I may vote maybe so I don't have to explain to people that she is far more qualified than people we voted for who were nominated by Republican Presidents. I didn't vote against her; I didn't vote for her; I voted maybe.

That is not the way it should be. Our legal system is an adversarial system, predicated upon legal advocacy for both sides. There is a difference between serving as a legal advocate and as an impartial judge. She knows that. She is a woman of integrity. No one who fairly reviews her nomination has any reason to doubt her commitment to serve as an impartial judge.

I always said when I practiced law that I didn't want to walk into a courtroom and say the case is going be determined by whether I was plaintiff or defendant, Republican or Democratic, but that the case would be determined on the facts and the law.

We have been fortunate in Vermont that we have had many judges like this, judges who were appointed by Republican Governors, judges appointed by Democratic Governors, Federal judges appointed by Republican Presidents, Federal judges appointed by Democratic Presidents. In Vermont, we have been fortunate because no matter what their positions have been before, they turned out to be impartial judges, which is what this good woman will be.

In fact, it is not only wrong but dangerous to attribute the legal position she took in representing her client, the State of New York, to her personally and then take the additional leap—and it is a huge leap—to contend that her personal views will override her commitment to evenhandedly apply the law.

John Adams, one of our most revered Founders, wrote that his representation of the British soldiers in the controversial case regarding the Boston Massacre was ''one of the most gallant, generous, manly and disinterested actions of my whole life, and one of the best pieces of service I ever rendered my country.'' That is our tradition. The Senate should end this filibuster and vote to confirm a woman who has ably served as a public official representing the State of New York and the district attorney of Manhattan.

The other justification Republican Senators used 2 years ago to justify their filibuster is gone. Some contended that the caseload in the DC Circuit was not sufficiently heavy to justify the appointment. There are now four vacancies on the DC Circuit. The vacancies have doubled during the last 2 years. The bench is more than one-third empty. This is reason enough for Senators to reconsider their earlier votes and end this filibuster.

The Senate responded to this caseload concern in 2008 when we agreed to decrease the number of DC Circuit judgeships from 12 to 11. Caitlin Halligan is nominated to fill the 8th seat on the DC Circuit, not the 11th. Just a few years ago when the DC Circuit caseload per active judge was lower than it is now, all the Republican Senators voted to confirm nominees to fill the 9th seat, the 10th seat twice, and the 11th seat on this court. In fact, the DC Circuit caseload for active judges increased 50 percent from 2005—50 percent from when the Senate confirmed the nominee to fill the 11th seat on the DC Circuit bench. The caseload on the DC Circuit is also greater than the caseload on the Tenth Circuit, to which the Senate just confirmed Judge Robert Bacharach of Oklahoma last week.

In her recent column in The Washington Post, Judge Wald explains why the work of the DC Circuit, with its unique jurisdiction over complex regulatory cases is different and more onerous than in other circuits and why the court needs to have its vacancies filled. She wrote:

> The number of pending cases per judge has grown from 119 in 2005 to 188 today. A great many of these are not easy cases. The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health-care reform, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

She also notes: ''The D.C. Circuit has 11 judgeships but only seven active judges. There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.'' I ask that a copy of her article be included in the RECORD at this point.

I urge all those who have said filibusters on judicial nominations are unconstitutional to end this filibuster. I urge those who have said here on this floor that they would never support a filibuster of a judicial nomination to end this filibuster. I urge those who said they would filibuster only in extraordinary circumstances to end this filibuster. I urge all those who care about the judiciary and the administration of justice, the Senate, and the American people to come forward and end this filibuster.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF SUPPORT FOR HALLIGAN

February 14, 2011—Derek Champagne, Franklin County District Attorney

February 16, 2011—William Fitzpatrick, Onondaga County District Attorney

February 22, 2011—Randy Mastro, Gibson Dunn

February 25, 2011—Daniel Donovan, Jr., Richmond County District Attorney

February 28, 2011—Chauncy Parker, Director of New York/New Jersey High Intensity Drug Trafficking Area program

February 28, 2011—23 Former United States Supreme Court Clerkship Colleagues

March 4, 2011—Cyrus Vance, Jr., New York County District Attorney

March 4, 2011—Joint Letter from 21 lawyers (Clifford Sloan, Sri Srinivasan, Miguel Estrada, Carter Phillips, Seth Waxman, Walter Dillinger, David Frederick, Andrew Levander, Richard Davis, Michele Hirshman, Dietrich Snell, Paul Smith, Patricia Ann Millet, Kathleen Sullivan, Thomas Brunner, Mier Feder, Evan Tager, Philip Howard, Ira Millstein, Roy Reardon, Michael H. Gottesman)

March 4, 2011—Judith S. Kaye, former Chief Judge of the New York State Court of Appeals

March 23, 2011—Robert Morgenthau, Wachtell, Lipton, Rosen & Katz

April 22, 2011—Derek Champagne, President, District Attorney's Association of the State of New York

April 27, 2011—John Grebert, New York Association of Chiefs of Police

May 2, 2011—Peter Kehoe, Executive Director, New York State Sheriff's Association

May 26, 2011—Raymond Kelly, Police Commissioner, City of New York

May 31, 2011—New York Women in Law Enforcement

June 2, 2011—James Reams and Scott Burns, National District Attorneys Association

June 8, 2011—National Center for Women and Policing

June 16, 2011—Monica Parham, Women's Bar Association of the District of Columbia

June 23, 2011—Mary E. Sharp, National Conference of Women's Bar Associations

June 28, 2011—Margot Dorfman, U.S. Women's Chamber of Commerce

November 15, 2011—Joint letter from 107 women law professors (Kerry Abrams, Michelle Adams, Jane Aiken, Adjoa Aiyetoro, Judith Areen, Barbara Black, Barbara Atwood, Barbara Babcock, Heather Baxter, Vivian Berger, Francesca Bignami, Tamar Birckhead, Catherine Brooks, Stacy Brustin, Sherri Burr, Stacy Caplow, Caroline Davidson, Elizabeth DeCoux, Christine Desan, Laura Dickinson, Ariela Dubler, Heather Elliott, Lyn Entzeroth, Cynthia Estlund, Christine Galbraith, Abbe Gluck, Emily Waldman, Suzanne Goldberg, Risa Goluboff, Sara Gordon, Sarah Gotschall, Cynthia Bowman, Ariela Gross, Phoebe Haddon, Valerie Hans, Rachel Harmon, Melissa Hart, Nancy Hauserman, Carrie Hempel, Lynne Henderson, Laura Hines, Candice Hoke, Sara Jacobson, Dawn Johnsen, Olatunde Johnson, Deborah Merritt, Anne O'Connell, Pamela Karlan, Ellen Katz, Amalia Kessler, Eleanor Kinney, Heidi Kitrosser, Catherine Kelin, Kristine Knaplund, Maureen Laflin, Mary LaFrance, Robin Lenhardt, Odette Lienau, Nancy Loeb, Joan Heminway, Solangel Maldonado, Sheila Maloney, Maya Manian, Jenny Martinez, Mari Matsuda, Margaret McCormick, Ann McGinley, M. Isabel Medina, Carrie Menkel-Meadow, Gillian Metzger, Binny Miller, Nancy Morawetz, Tamara Packard, Kimani Paul-Emile, Katharina Pistor, Ann Powers, Nancy Rapoport, Kalyani Robbins, Julie O'Sullivan, Shelley Saxer, Erin Ryan, Liz Cole, Carol Sanger, Margaret Satterthwaite, Lisa Schultz Bressman, Diana Sclar, Elizabeth Scott, Ilene Seidman, Laurie Shanks, Katherine Sheehan, Jodi Short, Florence Shu-Acquaye, Jessica Silbey, Michelle Simon, Charlene Smith, Joan Steinman, Drucilla Stender Ramey, Beth Stephens, Nomi Stolzenberg, Maura Strassberg, Nadine Strossen, Ellen Taylor, Penny Venetis, Valerie Vollmar, Rachel Vorspan, Candace Zierdt, Diane Zimmerman)

December 1, 2011—Albert M. Rosenblatt, retired Judge, NY Court of Appeals

December 1, 2011—Linda Slucker, President, National Council of Jewish Women

December 5, 2011—Nancy Duff and Marcia Greenberger, Co-Presidents, National Women's Law Center

December 5, 2011—Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights

December 5, 2011—Gregory S. Smith, President, Bar Association of DC

March 1, 2013—Doug Kendall, President, Constitutional Accountability Center

March 4, 2013—Wade Henderson, President and CEO, The Leadership Conference on Civil and Human Rights

March 4, 2013—Sam A. Cabral, International President, International Union of Police Associations.

[From The Washington Post, Feb. 28, 2013]

SENATE MUST ACT ON APPEALS COURT VACANCIES

(By Patricia M. Wald)

Pending before the Senate are nominations to fill two of the four vacant judgeships on the U. S. Court of Appeals for the District of Columbia Circuit. This court has exclusive jurisdiction over many vital national security challenges and hears the bulk of appeals from the major regulatory agencies of the federal government. Aside from the U.S. Supreme Court, it resolves more constitutional questions involving separation of powers and executive prerogatives than any court in the country.

The D.C. Circuit has 11 judgeships but only seven active judges. There is cause for extreme concern that Congress is systematically denying the court the human resources it needs to carry out its weighty mandates.

The court's vacancies date to 2005, and it has not received a new appointment since 2006. The number of pending cases per judge has grown from 119 in 2005 to 188 today. A great many of these are not easy cases. The D.C. Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, healthcare reform issues, insider trading and more. These cases can require thousands of hours of preparation by the judges, often consuming days of argument, involving hundreds of parties and interveners, and necessitating dozens of briefs and thousands of pages of record—all of which culminates in lengthy, technically intricate legal opinions.

I served on the D.C. Circuit for more than 20 years and as its chief judge for almost five. My colleagues and I worked as steadily and intensively as judges on other circuits even if they may have heard more cases. The nature of the D.C. Circuit's caseload is what sets it apart from other courts. The U.S. Judicial Conference reviews this caseload periodically and makes recommendations to Congress about the court's structure. In 2009, the conference recommended, based on its review, that the circuit's 12th judgeship be eliminated. This apolitical process is the proper way to determine the circuit's needs, rather than in the more highly charged context of individual confirmations.

During my two-decade tenure, 11 active judges were sitting a majority of the time; today, the court has only 64 percent of its authorized active judges. This precipitous decline manifests in the way the court operates. And while the D.C. Circuit has five senior judges, they may opt out of the most complex regulatory cases and do not sit en banc. They also choose the periods during which they will sit, which can affect the randomization of assignment of judges to cases.

There is, moreover, a subtle constitutional dynamic at work here: The president nominates and the Senate confirms federal judges for life. While some presidents may not encounter any vacancies during their administration, over time the constitutional schemata ensures that the makeup of courts reflects the choices of changing presidents and the ''advise and consent'' of changing Senates. Since the circuit courts' structure was established in 1948, President Obama is the first president not to have a single judge confirmed to the D.C. Circuit during his first full term. The constitutional system of nomination and confirmation can work only if there is good faith on the part of both the president and the Senate to move qualified nominees along, rather than withholding consent for political reasons. I recall my own difficult confirmation 35 years ago as the first female judge on the circuit; eminent senators such as Barry Goldwater, Thad Cochran and Alan Simpson voted to confirm me regardless of differences in party or general political philosophy.

The two D.C. Circuit nominees before the Senate are exceedingly well qualified. Caitlin Halligan served as my law clerk during the 1995–96 term, working on cases involving the Department of Health and Human Services, the Immigration and Naturalization Service, the Federal Communications Commission and diverse other topics. She later clerked for Supreme Court Justice Stephen Breyer. She also served as New York solicitor general and general counsel for the Manhattan district attorney's office, as well as being a partner in a major law firm. The other nominee, Sri Srinivasan, has similarly impressive credentials and a reputation that surely merits prompt and serious consideration of his nomination.

There is a tradition in the D.C. Circuit of spirited differences among judges on the most important legal issues of our time. My experience, however, was that deliberations generally focused on the legal and real-world consequences of decisions and reflected a premium on rational thinking and intellectual prowess, not personal philosophy or policy preferences. It is in that vein that I urge the Senate to confirm the two pending nominations to the D.C. Circuit, so that this eminent court can live up to its full potential in our country's judicial work.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask that the colloquy between the distinguished Senator from Tennessee and myself be as in morning business.

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

HEALTH CARE

Mr. HATCH. Madam President, I rise today, along with my colleague from Tennessee, to discuss two pieces of legislation we introduced to restore liberty and to protect jobs. The first bill, S. 40, the American Liberty Restoration Act, would repeal ObamaCare's unconstitutional individual mandate. The second bill, S. 399, the American Job Protection Act, would repeal Obama's job-killing employer mandate. These two provisions were included in the President's health law for the purpose of raising revenues—an attempt to pay for all of the new spending under ObamaCare—and to garner support from the private insurance industry.

I would ask Senator ALEXANDER, has the so-called Affordable Care Act lived up to the promises President Obama made during the health care reform debate to maintain personal freedom, reduce health care costs, and decrease unemployment?

Mr. ALEXANDER. Madam President, I thank the Senator from Utah for his leadership on these two pieces of legislation, and the answer is: No, the new health care law hasn't lived up to the promises.

Let me cite an example. The President promised in the debates leading up to the health care act that if someone wanted to keep the insurance they had, they would be able to do that. I am afraid it is not working out that way, and here is why.

What happens is that businesses around the country are finding out when the health care law goes into effect fully they will either have to supply a certain type of health care insurance, which in many cases—as many as half the cases according to some studies—is a better policy and more expensive policy than they are now offering their employees, or they will have to pay a $2,000 tax, to the Internal Revenue Service. That means the employee, if the business decides to do that, will go into the exchange and lose the employer insurance they had.

Based on my experience in talking to many businesses, there is going to be a massive rush, by small businesses in particular and by many large businesses, to stop offering employer-sponsored health insurance to their employees and, instead, pay the $2,000 penalty, or tax, which means all of those employees—most of them lower income employees or middle-income employees—will lose the insurance they had and be in the exchanges looking for a new insurance policy.

Mr. HATCH. Madam President, I agree with my colleague and thank him for his comments.

I would also argue the individual mandate is unconstitutional. When the law was being debated here in Congress, and later when it was being litigated in the courts, proponents repeatedly argued the individual mandate was constitutional under the commerce clause. Well, that simply isn't the case. While the Supreme Court ultimately upheld the law on other grounds, the majority of Justices agreed the individual mandate was not a proper exercise of Congress's power to regulate interstate commerce.

I have to say I agree with that conclusion. Indeed, I say it is simply common sense the power to regulate interstate commerce does not include the power to compel individuals to engage in commerce, which is precisely what the individual mandate does.

Despite the Court's overall decision, the American people see the individual mandate for what it is—an affront to individual liberty. Indeed, the vast majority of the American people know it violates our constitutional principles and that it cedes too much power to the Federal Government. That is why, in poll after poll, the majority of Americans support repealing the mandate.

I would also ask the distinguished Senator from Tennessee, Mr. ALEXANDER, to share his views about the individual mandate, if he has any additional views.

Mr. ALEXANDER. I agree with the Senator from Utah. I think he stated clearly what the constitutionality is and he has been a most forceful advocate of that.

As I think about the legislation we are talking about, I am thinking also about the employer mandate and the requirement that, as I mentioned earlier, employers pay $2,000 if they do not

offer insurance or a $3,000 penalty if they offer the wrong kinds of insurance.

I would say to the Senator from Utah that we are making it more difficult to lower the unemployment rate in this country, which has stayed too high, with 12 million people unemployed, when we keep loading up employers with costs that make it more expensive to hire an employee. If we make it more expensive to hire an employee, we don't give the employer an incentive to hire more people. In fact, we discourage the employer from hiring more people.

I wonder if I might ask the Senator, in thinking about the employer mandate, if he agrees that employers across the country are considering reducing their number of employees, having more part-time employees in order to deal with this new cost of the employer mandate which is part of the health care law.

Mr. HATCH. I would say to the distinguished Senator from Tennessee that is certainly the case. There are various reports and analyses of this that indicate a significant number of employers would rather pay the penalty and not have to deal with the particular requirements the Affordable Care Act seems to require.

On top of the unconstitutional individual mandate, this job-killing employer mandate is a real problem. Under the President's health law, employers with more than 50 full-time employees are required to offer coverage, as the distinguished Senator said, that meets a minimum value or pay a penalty of $2,000 per employee. The distinguished Senator from Tennessee explained this well. If the employer does offer coverage but that coverage does not meet the minimum value, employers must pay $3,000 per employee. I have never heard such a ridiculous approach toward business. Not surprisingly, the penalty under this provision costs less than offering coverage. According to the Kaiser Family Foundation annual survey of employer-sponsored health insurance, average annual premiums are $5,615 for single coverage and $15,745 for family coverage. Once again, the penalty for an employer who doesn't offer health insurance is only $2,000 per employee. That being the case, the law does not incentivize employers to offer the employees health insurance. Instead, it does exactly the opposite. Rather than footing the full cost of providing health coverage, many employers are going to take the less expensive route and simply pay the penalty, as the distinguished Senator from Tennessee has mentioned. Even worse, many employers that currently do offer their employees health benefits under current law will likely drop the benefits and, instead, choose to pay the penalty.

Studies are already showing this is the case, and this will be the case. An employer survey done by McKinsey and Company found that ''30 percent of respondents who said their companies offered employer-sponsored health insurance said they would definitely or probably drop coverage in the years following 2014.''

So despite the President's claim to the contrary, ObamaCare has not preserved the employer-sponsored health insurance market. It dismantles it. As a result, the President's promise that those who like their health insurance would be able to keep it falls by the wayside.

I believe Senator ALEXANDER is also concerned about the fact the President's law defines small employers as those with less than 50 employees. In addition, I thought this law was supposed to create jobs. The President claimed it would. So again, I would turn to my colleague from Tennessee and ask: Does he think that has been the case? Does he think the President has been right about that?

Mr. ALEXANDER. No, I would say to my friend from Utah, I am afraid the President was mistaken about that. And we have talked about some specifics, but let me give some very specific examples of why I believe that is true.

Some time ago I met with a large group of chief executive officers of restaurant companies in America. The service and hospitality industries are the largest employers in America. Restaurant companies are the largest employer of low-income, young, usually minority people. These are Americans who are often getting their first job or they are Americans of any age who are trying to work their way up the economic ladder, starting with a lower paying job, a job that doesn't require as many skills, and hoping that instead of having a minimum wage they will end up someday with a maximum wage. But in order to get that maximum wage they have to get on the ladder. They have to start somewhere.

Here is what I was told. The chief executive officer of Ruby Tuesday, Incorporated, which has about 800 restaurants, said to me—and he didn't mind being quoted—that the cost to his company of implementing the new health care law would equal his entire profit for the company last year and that he wouldn't build anymore new restaurants in the United States as a result of that. He said he would look to expand outside.

Another, even larger restaurant company, said because of their analysis of the law, instead of operating their stores with 90 employees, they would try to offer it through stores with 70 employees. So that means fewer employees and it means fewer employees receiving employer health care.

Then almost every other restaurant said they were looking for ways to have more part-time employees so they didn't have to incur the expense of the new health care law.

So at least with that industry and those low-income, usually minority, often young employees, the jobs are going away because of the health care law. And with those jobs goes whatever employer health care insurance was being offered by those companies.

Mr. HATCH. I have heard the same complaints by the restaurant industry, and by a lot of small businesses that are looking to not hire more than 50 people, and also are looking to cut their employees' work hours down to below 30 hours a week in order to avoid these massive costs that would incur to them.

The employer mandate is a drag on our economy, forcing too many of our Nation's job creators to stop hiring and growing their businesses in order to comply with the onerous provision in the President's health law. Instead of letting the Federal Government dictate how employers should allocate resources, we should repeal this job-killing mandate and let businesses freely manage their personnel needs.

Mr. ALEXANDER. I certainly agree with the Senator from Utah, and that is the purpose of our legislation. We could offer more examples. The Wall Street Journal article of February 22 of this year said:

> Many franchisees of Burger King, McDonalds, Red Lobster, KFC, Dunkin' Donuts and Taco Bell have started to cut back on full-time employment, though many are terrified to talk on the record.

These are the kinds of companies I was talking about.

The article also references a 2011 Hudson Institute study that estimates the employer mandate will cost the franchise industry $6.4 billion and put 3.2 million jobs at risk.

Mr. HATCH. I couldn't agree more with the distinguished Senator from Tennessee, and I ask unanimous consent to have printed at this point in the RECORD an article under Politico's banner, titled: ''Under ACA, Employer Mandate Could Mean Fewer Jobs.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, Feb. 27, 2013]

UNDER ACA, EMPLOYER MANDATE COULD MEAN FEWER JOBS

(By Dan Danner, Bruce Josten, Matthew Shay, and Dirk Van Dongen)

This March marks the third anniversary of the passage of the president's sweeping health care legislation. But for many in the business community now facing a litany of difficult decisions in the law's wake, this milestone will be met with capitulation rather than celebration.

With the employer mandate, Obamacare puts the nation's job creators between a rock and a hard place. Despite the gentle sounding title, the Shared Responsibility provision actually takes the two parties who should be making decisions about employer-sponsored health coverage (the employer and the employee) completely out of the equation. Beginning in 2014, large employers must provide a prescribed level of health care coverage to all full-time employees or potentially pay a hefty penalty. While this may sound relatively straightforward, it is anything but.

Beyond imposing a costly and non-negotiable mandated benefit, the law also redefines the long-standing definition of a full-

time employee. With the passage of the law, an employee working an average of 30 hours or more per week over a month is a full-time employee. Further, the law sets out a complicated algorithm to determine whether a business is a large employer. Aggregating the hours of all part-time workers and adding in the number of full-time workers are necessary to determine whether a business has the equivalent of 50 or more fulltime employees and is therefore, a large employer.

Under the guise of improving access to coverage, the mandate presents a false choice for owners: provide one-size-fits-all health care coverage at the expense of higher wages and other benefits; or potentially pay a penalty. The unfortunate reality is that, with this devil's choice, everyone ends up paying a penalty—employers, employees and the unemployed. Whatever ''choice'' the employer makes will lead to fewer jobs, lower wages and lost revenue.

For employers near the ''large'' employer threshold, we can expect to see layoffs or dramatically reduced hours. These will be tough decisions, especially for small businesses where employees are like family and benefits options are often discussed and agreed upon collaboratively. The rising cost of the mandated insurance plans will very likely force many businesses to drop coverage entirely and pay the steep penalty, a difficult choice but a necessary one in light of increasingly cost-prohibitive employee coverage. Smaller businesses that might otherwise be eyeing expansion and growth down the road will most likely reduce or cap the number of employees to avoid the expensive mandate in the future.

The options available to job creators are bleak—cut their workforce, stem growth, pay a penalty or go out of business—and whatever choice they are forced to make will ultimately harm employees and the economy. Replacing one full-time position with two part-time positions is a hollow form of job creation—not an efficient way to create good jobs that can support families. Compliance costs—already 36 percent higher for small firms—will soar; those costs, as well as the money that must now go toward increased benefits or nontax deductible penalties, will crowd out wage increases and business investment.

The Commerce Department reported last month that in the fourth quarter of 2012, economic growth contracted for the first time in more than three years. This isn't a surprise, given that the small-business sector has never recovered—and is unlikely to—while Washington continues to penalize small employers for expanding. At a time when our economy is deeply troubled, our government is forcing employers to restructure in ways that repress growth and employment.

Thankfully, Thursday's bicameral introduction of the American Job Protection Act by Sens. Orrin Hatch of Utah and Lamar Alexander of Tennessee and Congressmen John Barrow of Georgia and Charles Boustany of Louisiana comes at a perfect time. Members of both parties recognize the damage this impending mandate will have on our economy, and Congress should repeal it before it's too late.

Mr. HATCH. Again, I thank my colleague from Tennessee for working with me on these two critical issues that impact every American. I will conclude with a quote from a Utah employer. This is a small business owner who is concerned about what the company will do come January 1 if these mandates remain in place. This employer wrote to me saying this about ObamaCare:

We will have to choose who will work 30 or less hours a week, which in turn is bad for our business because we have to train more people to do one job. It is bad for our customers because they will have to interact with different employees who may not know the customer's needs as well, and it is most devastating for the employee because the employee's hours will be cut.

If we want to turn this economy around, government decrees such as the employer mandate must be repealed.

Our job creators cannot grow and innovate with these heavy-handed regulations coming from Washington bureaucrats who have no clue how to run a business.

We must work together on this important issue for the sake of the individuals working three jobs at a time to make ends meet, for employers trying to keep workers on the payroll and contributing to the economy, and for our Nation as a whole to put our economy on the right track and to keep us globally competitive. At least that is my viewpoint, and it is certainly the viewpoint of my small business colleagues there in Utah.

Mr. ALEXANDER. I thank the Senator from Utah for this opportunity to have a colloquy with him, and I ask unanimous consent to have printed in the RECORD following my remarks letters from the National Restaurant Association, Chamber of Commerce of the United States, and the National Retail Federation, each of which strongly supports our legislation and makes the points we have made about the employer mandate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL RESTAURANT ASSOCIATION,
Washington, DC, February 27, 2013.

Re Support for repeal of Shared Responsibility for Employers provision.

Hon. ORRIN HATCH,
U.S. Senate,
Washington, DC.
Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATORS HATCH AND ALEXANDER: On behalf of the National Restaurant Association members, we write in support of the American Job Protection Act, and to thank you for your leadership on this issue. This legislation would repeal the 2010 health care reform law's harmful employer mandate.

The National Restaurant Association is the leading business association for the restaurant and food service industry. The industry is comprised of 980,000 restaurant and foodservice outlets employing 13.1 million people who serve 130 million guests daily. Although it is predominately comprised of small businesses, the restaurant industry is the nation's second-largest private-sector employer, employing 10 percent of the U.S. workforce.

Regrettably, the employer mandate is expected to significantly increase costs within our industry, threatening entrepreneurs' ability to hire additional employees, or expand operations. The American Job Protection Act would repeal the mandate, thereby providing restaurateurs the flexibility to provide the health care coverage that they can afford, while addressing the varying needs within the diverse workforce.

Again, thank you for introducing the American Job Protection Act. We strongly support the legislation's passage and look forward to working with you toward that end.

Sincerely,

ANGELO I. AMADOR, ESQ.,
Vice President,
Labor & Workforce Policy.
MICHELLE REINKE NEBLETT,
Director,
Labor & Workforce Policy.

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, DC, March 1, 2013.

Hon. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.
Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATORS HATCH AND ALEXANDER: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, thanks you for introducing S. 399, the ''American Job Protection Act, '' which would repeal the employer mandate included in the Patient Protection and Affordable Care Act (PPACA). This requirement is already having a negative effect on employment and will continue to discourage small businesses from growing. In fact, the Chamber's most recent quarterly small business survey released in January of 2013 confirmed that 71 percent of small business executives believe that implementation of the health care law will make it harder for them to hire more employees.

The PPACA requires businesses with 50 or more full-time equivalent employees to offer certain health benefits or pay steep penalties. Even businesses that do provide health benefits may still be subjected to draconian fines. Businesses with fewer than 50 full-time equivalent employees are hesitant to grow their businesses or hire what would amount to the fiftieth employee. Repealing this ''shared responsibility'' provision would not only protect existing jobs, but spur the creation of new jobs by removing the fear and uncertainty many small businesses are experiencing in anticipation of these coverage requirements that begin in 2014.

Prior to the enactment of the PPACA, businesses voluntarily offered health insurance to most Americans. According to the Employee Benefits Research Institute, more than 156 million Americans had employer-sponsored health insurance in 2009. But now, the employer mandate requires businesses to provide prescribed coverage, an unprecedented intrusion on employers' freedom to develop employee compensation packages. This requirement is not only unlikely to achieve the objective of forcing all employers to provide federally prescribed coverage, it is also likely to incent employers to drop coverage entirely, limit employees' hours, and restrict job growth.

The requirement would also disproportionately disadvantage low-income workers and the businesses that employ them, since these are the workers that would trigger the penalty provision and subject a business to unpredictable and significant fines. Further, for the first time, the PPACA defines a ''full-time'' employee as someone who works 30 hours per week, rather than the traditional definition of 40 hours per week.

It is critical that the employer mandate be removed before it takes effect in 2014 so that employers can focus on strengthening their

businesses, hiring more workers, and revitalizing the economy. The Chamber looks forward to working with you and your colleagues to enact this vital legislation.

Sincerely,

R. BRUCE JOSTEN.

NATIONAL RETAIL FEDERATION,
Washington, DC, March 4, 2013.

Hon. ORRIN HATCH,
Senate Hart Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR HATCH: I write to lend the support of the National Retail Federation (NRF) to employer mandate repeal legislation you have introduced: S. 399, the American Job Protection Act. We strongly support your bill and urge that it be promptly adopted.

NRF has myriad concerns with and objections to the Affordable Care Act, even as our focus shifted to trying to help our members comply with the new law. Your legislation appropriately would repeal the employer mandate. We strongly supported your legislation in the 112th Congress and proudly do so again now.

Eliminating the employer mandate would greatly aid the greater retail community, which is heavily dependent on labor. One of every four jobs in the American economy is supported by retail, which would be jeopardized by the mandate effective in 2014. The employer mandate is already deterring job growth today at the expense of tomorrow's economy.

NRF commends you for introducing this legislation. We note with appreciation that your bill was introduced with 26 original cosponsors. We strongly support your efforts.

Sincerely,

DAVID FRENCH,
Senior Vice President, Government Relations.

Mr. HATCH. Once again I thank my colleague from Tennessee, and I am hoping that others will hear our call for support and join us in these two crucial efforts to protect individual freedom and to maintain our system of free enterprise which has built this country and made it the best in the world.

So I thank the Senator from Tennessee.

CORRECTING THE RECORD

Mr. ALEXANDER. Madam President, I see the Senator from Maryland is waiting, and I wonder, if we are through with our colloquy, if the Senator would allow me 2 or 3 minutes to correct a mistake I made on the floor of the Senate last week.

Confessing error: I came to the floor following the vote on the Hagel nomination to point out the difference between a vote against a premature motion to cut off debate—which I thought the majority leader made—and an effort to kill a nomination with a filibuster, which are two different things. I pointed out—correctly—that in the history of the Senate, we have never denied to a district judge nominee his or her seat because of a failed cloture vote, and I don't believe we should. I pointed out we have never denied a Cabinet nominee his or her seat because of a filibuster, with the possible exception of John Bolton, whom the Democrats filibustered. Some Presidents count that nomination to the U.N. in their Cabinet and some don't.

I then went on to say—incorrectly—that on appellate judges, the Democratic majority had filibustered and killed 10 of President Bush's nominations, and Republicans had in response denied two appellate judge seats by filibuster. Senator SCHUMER of New York—ever wary of what I might say—corrected me and said it was less than that. So I have consulted with him and his staff, and the score is actually 5 to 2.

The correct result is that before George W. Bush became President—and the Senator from Utah knows this story very well—there were no instances of an appellate Federal judge being denied his or her seat because of a filibuster. Then our friends on the Democratic side invented the idea of filibustering circuit judges and voted against a whole series of President Bush's nominees just as I came to the Senate: Miguel Estrada, Charles Pickering, William Pryor, Priscilla Owen, Carolyn Kuhl, Janice Brown, and then four more in 2004: William Myers, David McKeague, Henry Saad, and Richard Griffin.

But then we had a cooling of tempers and a coming to our senses and a bipartisan Gang of 14 said we don't want to make this a new precedent, and we agreed—there was a consensus, anyway—that only in a case of extraordinary circumstance would there be a denial of a nominee of an appellate judge by a cloture vote. So then 5 of those 10 Bush nominees were approved.

So the Schumer staff and my staff agreed with this—and if anybody thinks it is wrong, I would like to know—that only in five cases have Democrats denied a Republican President an appellate judge nominee by filibuster and only in two cases have Republicans denied a Democratic President's nominee by filibuster in the case of appellate judges. As I said when I began, the answer is never in the case of district judges and never in the case of Cabinet members, with the possible exception of John Bolton.

I am glad to come to the floor and correct the record. I thank Senator SCHUMER for his diligence in noting my error.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that we return to the Halligan nomination.

I also ask further unanimous consent that I be permitted to speak following the distinguished Senator from Maryland.

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

The Senator from Maryland.

Mr. CARDIN. Madam President, I am taking this time on the floor to speak in support of the nomination of Caitlin Halligan to be U.S. Circuit judge for the U.S. Court of Appeals for the District of Columbia Circuit.

I think my comments are at the right time, following Senator ALEXANDER's comments about the difficulty we have had in the past confirming judicial nominees and the use of the filibuster that blocked the consideration of Presidential nominees.

Senator ALEXANDER pointed with pride to an accommodation that was reached a few years ago, before I got to the Senate, that the filibuster would only be used in ''extraordinary circumstances.''

Ms. Halligan was first nominated by President Obama in September 2010, after that accommodation had been reached. I am disappointed that her nomination was filibustered, nearly on a party-line vote, in December of 2011. I urge my colleagues to allow an up-or-down vote on Ms. Halligan's nomination.

I would challenge my colleagues who oppose an up-or-down vote to come to the floor and explain the extraordinary circumstances that would prevent an up-or-down vote on Ms. Halligan's nomination. She is extremely well qualified for this position, and I will support her nomination.

The Senate Judiciary Committee favorably reported her nomination last month. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated Ms. Halligan ''well qualified'' to serve on the DC Circuit—the highest rating from its nonpartisan peer review.

Ms. Halligan received her A.B. from Princeton University and her J.D. from Georgetown University Law School. After law school, she clerked for Supreme Court Justice Stephen Breyer and for Judge Patricia Wald on the DC Circuit, the court to which she has now been nominated.

After working in private practice, Ms. Halligan joined the New York State attorney general's office. She began working in the office as the first chief of the office's Internet Bureau, where she worked to protect consumers against Internet fraud and safeguard online privacy. She was ultimately promoted to the position of solicitor general, a position she held for 6 years. The solicitor general is basically the top attorney for the State of New York.

In that capacity she managed a staff of nearly 50 appellate attorneys litigating in State and Federal appellate courts. Her responsibility included handling cases of public corruption and judicial misconduct.

She then became a leading appellate lawyer in private practice at a national law firm, serving as counsel of record for a party or amicus curiae in nearly 50 matters before the U.S. Supreme Court.

She is well qualified for the position to which President Obama has nominated her.

She is currently general counsel at the New York County district attorney's office, an office that investigates and prosecutes 100,000 criminal cases annually in Manhattan. In her current position, she is focused on reducing crime, protecting victims of domestic

and sexual violence, and reviewing so-called cold cases that remain unsolved.

Most of Ms. Halligan's career has been dedicated to public service and law enforcement. She has also made time over the years to devote substantial time to pro bono work, including representing the evacuees from Hurricanes Katrina and Rita who were in danger of losing their rental assistance benefits.

She has also served as pro bono counsel to the Board of Lower Manhattan Development Corporation, the entity that is overseeing the rebuilding of Lower Manhattan following the terrorist attacks of September 11, 2001.

She has her priorities straight. She is an outstanding attorney. She has used a lot of her time to help people less fortunate receive free legal services as a result of her participation.

Ms. Halligan has received widespread support from law enforcement and legal professionals across the political spectrum which I understand will be made part of the RECORD, so I will not repeat those statements now.

I have heard only two substantial reasons in opposition to her nomination. Let's review those two points that have been raised to see whether they are extreme circumstances that warrant a vote to support a filibuster. Last time we had over 40 Senators who supported the filibuster basically blocking an up-or-down vote. We had an accommodation that would only be used for extraordinary circumstances. Let's take a look at the two cases that have been made about why those extraordinary circumstances may exist—and, I will submit, they do not exist.

One argument is that Ms. Halligan is a liberal advocate who cannot set aside her personal views on issues, including the second amendment. The other argument is that the D.C. Circuit has too low a caseload to justify additional judges.

Ms. Halligan was questioned about her views on the second amendment issues during her Senate Judicial Committee hearing. She testified, both at her hearing and in response to written questions, that she would faithfully follow and apply the Supreme Court precedent from the District of Columbia v. Heller and McDonald v. Chicago, which held the second amendment protects an individual right to keep and bear arms for self-defense.

When asked by Senator GRASSLEY whether the rights conferred under the second amendment are fundamental, Ms. Halligan answered: ''That is clearly what the Supreme Court held and I will follow that precedent, Senator.''

Some have also criticized her for her position she advocated while solicitor general for the State of New York. In her confirmation hearing, she made it clear she filed these briefs at the direction of the New York attorney general—arguing on behalf of New York State, not her own views. It was her responsibility as solicitor general to represent her client, the State of New York.

Of course, she has worked on controversial issues before the State of New York, such as affirmative action, the death penalty, and same-sex marriage. As New York solicitor general, she argued in support of affirmative action and in defense of the constitutionality of the death penalty because that is what her client's position was and she represented her client. That is what she is supposed to do. That is what a lawyer does, represent her client as best as she can, and she did that well on behalf of her client, the State of New York.

But I will remind my colleagues what Chief Justice Roberts said during his Supreme Court confirmation hearing in terms of attributing the views of a client to an attorney. Chief Justice Roberts testified that:

> It's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients.

We should apply the same standard when considering Ms. Halligan's nomination, as our legal system requires vigorous advocacy by both sides of a dispute.

I quote Chief Justice Roberts here in part because Ms. Halligan, quite remarkably, has been nominated in 2013 to fill Chief Justice Roberts' former seat in the D.C. Circuit, which became vacant in 2005.

This brings me to the second argument that has been used. I urge my colleagues to consider whether this is an extraordinary circumstance that justifies a vote in support of a filibuster.

The second argument is that this court has a low caseload, which is just not the case. Chief Justice Roberts was elevated from the D.C. Circuit to the Supreme Court in 2005. His seat has been vacant for 8 years, one of the longest circuit vacancies in the country. The D.C. Circuit has four vacancies on the 11-member court. That is one-third of the court that is currently unfilled.

Ms. Halligan has been nominated by the President for the seat formerly held by Chief Justice Roberts, so, of course, the Senate should act as quickly as possible to fill this seat.

The D.C. Circuit is often referred to as the second most important court in the land due to the complexity and importance of its caseload. The court regularly reviews highly technical decisions and rulemaking of Federal agencies that are based in Washington, often without a lower court decision of a Federal district court.

The D.C. Circuit proclaims the final law of the land for many environmental, health, labor, financial, civil rights, and terrorist cases. The Supreme Court only accepts a handful of cases each year, so the D.C. Circuit is often the last word in these cases.

According to the Administrative Office of the U.S. Court, the caseload per active judge in the D.C. Circuit has increased 50 percent since 2005, when this vacancy was created. It was also the year the Senate confirmed President Bush's nominee to fill the 11th seat on the court. Let me repeat that. We in 2005 confirmed President Bush's 11th seat of the 12-seat court. Justice delayed is justice denied.

To remind my colleagues, the Senate confirmed President Bush's nominees for the 9th, 10th, and 11th seats on the D.C. Circuit. Ms. Halligan is President Obama's first nominee to the District Circuit to fill the eighth seat. The Senate confirmed four of President Bush's nominations to the D.C. Circuit, twice filling the 10th seat and once filling the 11th seat.

So there is no extraordinary circumstance that exists. Let's be clear about that. A vote against moving forward is filibustering a judicial nominee in an effort to kill the nominee and not allow an up-or-down vote. There are no extraordinary circumstances that would justify the delay and not allowing us to have an up-or-down vote.

I urge my colleagues to vote for us proceeding and not using the filibuster; to adhere to the agreement that was reached. Again, it was before I got to the Senate. It was the right agreement, that there should truly be an extraordinary circumstance that prevents an up-or-down vote on a judge. It does not exist in this case. President Obama's nominee is well qualified. The court is in desperate need of additional judges, being four seats short today, only two-thirds of the bench having been appointed and confirmed to date. I urge my colleagues to vote in favor of proceeding and then, after we have the nominee before us, I hope my colleagues will join me in supporting the confirmation. I think Ms. Halligan will make an outstanding member of the D.C. Circuit.

Mr. HATCH. Madam President, we have before us one of the most activist judicial nominees we have seen in years.

Rather than choose a more consensus nominee, President Obama has chosen to again provoke a political confrontation.

This is unnecessary, divisive, and not in the best interests of either the judicial selection process or the judiciary.

The Constitution gives the power to appoint judges to the President, not to the Senate. I believe, therefore, that the Senate owes the President some deference with respect to nominees who are qualified by both legal experience and, more importantly, judicial philosophy.

A nominee whose record shows that she has an activist judicial philosophy is simply not qualified to sit on the Federal bench, and the Senate owes the President no deference under those circumstances.

That is the kind of nominee we have before us today.

Nothing has changed since a cloture motion failed on this nominee in December 2011.

Well, that might not be quite true.

One thing that has changed is that the need to fill another vacancy on the

D.C. Circuit is even less today than it was then.

Year after year, case filings decrease for the D.C. Circuit while they increase for the rest of the judiciary.

Year after year, the D.C. Circuit ranks last among the 12 geographical circuits in the number of appeals filed per three-judge panel.

The court has even cancelled argument days because of an insufficient docket.

And I would remind my friends on the other side of the aisle that the D.C. Circuit's caseload today is lower than when they used this argument to block President Bush's nominees to this court—which they did.

Looking at the nominee herself, Caitlin Halligan was a member of the New York City Bar's Committee on Federal Courts and signed its March 2004 report titled ''The Indefinite Detention of 'Enemy Combatants': Balancing Due Process and National Security in the Context of the War on Terror.''

Based on policy rather than legal grounds, it makes left-wing arguments that courts and even the Obama administration itself have repudiated.

Although she tried to distance herself from the report's left-wing positions at her confirmation hearing, Halligan signed rather than abstained from the report, as four other committee members had done, and never repudiated it before her hearing.

If she were a Republican nominee, my friends on the Democratic side would call this a confirmation conversion.

Her report argued that the Authorization for the Use of Military Force, or AUMF, does not authorize indefinite detention of enemy combatants.

The Supreme Court rejected this in Hamdi v. Rumsfeld. The Obama administration has sought, and the D.C. Circuit has adopted, a broad construction of the AUMF.

Halligan's report argued that alien terrorists should be tried in Article III courts, with full constitutional protections, rather than in military commissions.

On March 7, 2011, President Obama signed an executive order re-establishing military commissions for enemy combatants held at Guantanamo Bay.

But Halligan's extreme record on these important issues goes beyond that report.

She also authored a legal brief in 2009 arguing that the AUMF does not authorize the seizure and long-term military detention of lawful permanent resident aliens.

This position again disregarded the Supreme Court's holding in Hamdi v. Rumsfeld and appears even to conflict with the Obama administration's justification of assassinating American citizen Anwar al-Awlaki.

She just won't take no for an answer when pushing such extreme views, not even from the D.C. Circuit or the Supreme Court itself.

That is the classic definition of judicial activism, trying to use the courts to advance a political agenda no matter what the law is.

As Solicitor General of New York, Halligan aggressively sought to hold gun manufacturers liable for criminal acts committed with handguns.

In one speech, she said that the Federal Protection of Lawful Commerce in Arms Act ''would nullify lawsuits. . . including one brought by my office. . . that might reduce gun crime or promote greater responsibility among gun dealers.''

The Senate voted overwhelmingly for this legislation in July 2005.

Once again, Halligan turned to the courts to push her personal political views, filing a legal brief challenging the law's constitutionality.

In New York v. Sturm & Ruger, she argued that gun manufacturers maintain a ''public nuisance'' of illegally possessed handguns.

The New York Court of Appeals rejected Halligan's activist approach, concluding that ''the Legislative and Executive branches are better suited to address the societal problems concerning the already heavily regulated commercial activity at issue.''

Attempting to address social problems in the judicial rather than the legislative branch is a hallmark of judicial activism.

Finally, other legal briefs she has filed similarly demonstrate extreme views that the Supreme Court has rejected.

In Scheidler v. NOW, Halligan argued that pro-life protesters should be prosecuted under the Federal racketeering statute because they somehow engage in extortion.

The Supreme Court voted 8–1 to reject that position.

And in Hoffman Plastics Compounds, Inc. v. NLRB, the Supreme Court rejected Halligan's position that the NLRB can grant backpay to illegal aliens.

As I said, the Senate owes the President some deference with regard to his nominees who are qualified by their legal experience and, more importantly, their judicial philosophy.

Republicans have consistently cooperated with the President and will continue to do so. But when a nominee's record clearly shows that she has a politicized view of the courts, I for one have to say no.

The political ends do not justify the judicial means.

I urge my colleagues to oppose this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak as in morning business.

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

KEYSTONE XL PIPELINE

Mr. HOEVEN. Madam President, last week the U.S. State Department issued its new environmental review for the Keystone XL Pipeline. This is the fourth environmental review in nearly 5 years of study. Unsurprisingly, it said the same thing as all the other reports have said.

The Keystone XL Pipeline will have no significant impact on the environment. Again, the Keystone XL Pipeline will have no significant impact on the environment.

Ironically, the report indicates that there will be more emissions if you do not build the pipeline than if you do build the pipeline. So let's go through that for a minute. The Keystone XL Pipeline project is perhaps the most thoroughly studied and long-delayed project of its kind in U.S. history. The State Department's favorable finding in this, its most recent report, underscores both the good environmental stewardship of this project and the need to begin construction without further delay. But the State Department now indicates it will hold a 45-day comment period and an as-yet-undetermined period of time before it will issue a final environmental impact statement. Then it will conduct an interagency comment period to make its national interest determination.

So while we welcome the finding of no significant impact, for the fourth time now, we have yet another indeterminate delay which runs counter to both public opinion and reasonable due diligence. After four environmental reviews and favorable results, the President needs to approve the Keystone XL Pipeline project without delay because there remains no excuse not to do it.

The argument has been advanced that the oil sands will increase carbon emissions and that failing to build the Keystone XL Pipeline will somehow reduce emissions. But the most recent State Department report makes clear that this contention is false. The report actually indicates just the opposite, that if the pipeline is not built from Alberta, Canada to the United States, the oil will still move to market but it will move to China from Canada's west coast. To get the product to China, the oil will be shipped in tankers across the Pacific Ocean to be refined in overseas facilities with weaker environmental standards and more emissions than facilities in the United States. The United States, moreover, will continue to import oil from the Middle East—again on tankers. Factor in the cost of trucking and railing the product to market over land and the results—contrary to the claims of its opponents—will be more emissions and a less secure distribution system than if in fact we build the Keystone XL Pipeline project.

Let's look at it. This is a commonsense argument. The report indicates less emissions if we build the project. Yet it is being held up by extreme activists on the basis that if we build the pipeline, somehow we get more emissions. That is just not the case.

With the pipeline from up in the Edmonton-Hardisty-Alberta, Canada region, the pipeline brings oil down right

in the North Dakota-Montana area where it picks up 100,000 barrels a day from the Bakken. The oil then goes to refineries in Illinois and Oklahoma, Texas and Louisiana. We have domestic oil, from our country, oil from our closest friend and ally, Canada, that we are using here in our refineries for our customers: more energy, more jobs, more economic activity so we get economic growth, we get revenue to reduce the debt and the deficit without raising taxes, and it is a national security issue. Instead of having tankers coming from the Middle East bringing heavy crude in some cases which in fact has higher emissions than the Canadian oil, we rely on oil from our country and Canada. We get what Americans want; that is, no longer depending on the Middle East for oil.

If we do not build the pipeline, the oil is still produced. This oil will be produced, but it will not come to the United States. It is going—where? It is going to China. And it is going to be sent on tankers over to China so you have not only the emissions of those tankers but it is going to be refined in Chinese refineries which have worse environmental standards than we do, and we continue to bring in oil from the Middle East. That makes no sense and that is why 70 percent of the American people approve the project. Only 17 percent have indicated opposition.

This is about President Obama making a decision for the American people rather than for special-interest groups. In my home State of North Dakota, as I say, we will put 100,000 barrels a day of light sweet Bakken crude into that pipeline. That takes 500 trucks a day off our roads. That is a safety issue. That is an issue for our roads in western North Dakota.

To recount briefly, this is a $7 billion high-tech pipeline project that will bring 830,000 barrels of oil today from Alberta, Canada to refineries in Oklahoma and the Texas gulf coast, as I said, including 100,000 barrels a day of light sweet crude from the Bakken oil fields in North Dakota and Montana.

As the most recent State Department report confirms, it will create tens of thousands of jobs during the construction phase, boost the American economy, raise much needed revenue for State and local governments at a time when they very much need it, and do it without raising taxes. Perhaps most importantly, it will put our country within striking range of a long-sought goal, and that is true energy security.

For the first time in generations, the United States—along with its closest friend and ally Canada—has the capacity to produce more energy than we use, as well as eliminate our reliance on the Middle East and other volatile parts of the world such as Venezuela.

Even after an exhaustive review process, the consent of every State along its route, the backing of a majority of Congress, and the overwhelming support of the American people, the Keystone XL Pipeline project continues to languish at the hands of the President of the United States.

We again ask, as we have before, that President Obama and Secretary of State Kerry provide us with an actual timeline and some certainty as to when this long-delayed project will finally get approved.

The Keystone XL project will provide tens of thousands of jobs and hundreds of millions of dollars in revenue to help us reduce our debt and deficit, and it will do it with good environmental stewardship.

With 70 percent of the American people in support of the Keystone XL Pipeline and 12 million Americans still out of work, there is no reasonable excuse to delay this project any longer.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROBERTS. Mr. President, I ask unanimous consent that I be recognized for 15 minutes as in morning business.

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

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 458 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

The Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair.

(The remarks of Mr. MCCAIN pertaining to the submission of S. Con. Res. 5 are located in today's RECORD under ''Submitted Resolutions.'')

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COONS. Mr. President, the Founders of our country, committed to justice and fairness for all its citizens and in establishing a structure that would make this country uniquely strong as a democracy, gave us three coequal branches of our government. Two of those branches have dominated the national news recently as we lurch from crisis to crisis, from fiscal cliff to sequester. The back-and-forth between the President and Congress, between the executive and the legislative branches, has been the headline day after day.

Meanwhile, the third coequal branch, the judicial branch of our Federal Government, has quietly gone about its business, doing its job for the American people, providing fair hearings, equal justice under the law, the basic right to a speedy resolution to any dispute—or has it?

All around this country members of the judicial branch are getting their jobs done but with fewer and fewer resources and support, fewer colleagues on the bench than ever before. Nearly 10 percent of all Federal judgeships—positions for Federal judges that should be filled—are vacant, empty, leaving those judges who are on the bench overwhelmed with steadily increasing caseloads and unable to provide the level of service, certainty, and swift resolution that the American people deserve and upon which our government was predicated.

Particularly when you are the one going into court seeking redress or when you are the one facing legal action, justice delayed is justice denied. As a member of the Delaware bar and a former Federal court clerk myself, as well as a member of the Senate Judiciary Committee, I have seen firsthand the consequences of this ongoing, slow-rolling crisis in our Federal courts.

Right now we have more than double the judicial vacancies we had at the same point in the last administration. The Senate has confirmed 30 fewer of President Obama's nominees than it had of President Bush's at this same time.

One of the most underresourced circuits is right here under our nose in Washington, DC. The DC Circuit is often called the second most important court in the land. Although it may not make the headlines, it may not be as visible to the American people as this ongoing fight between the Congress and the President, the DC Circuit decides issues of national importance, from terrorism and detention to the scope of agency power. It has importance to every American, not just the ones who happen to live in the District of Columbia, and yet its bench is almost half empty.

Congress has set the number of judgeships needed by the DC Circuit Court at 11, and right now they have just 7. President Bush had the opportunity to appoint four judges to the DC Circuit, including the 10th judicial position twice and the 11th judicial position once. Yet President Obama has been denied the opportunity to make even a single appointment to the DC

Circuit Court despite four vacancies. As a result, the per-judge caseload is today 50 percent higher than it was after President Bush had the opportunity to fill that last, the 11th seat. And in terms of our obligation to this coequal branch, our obligation to the citizens of the United States, and our obligation to provide an opportunity for justice, that is an outrage.

Today the Senate has the opportunity to take up and consider a highly qualified nominee to fill one of these vacancies, to start to do our job and bring this vital circuit court closer to full capacity. We can do that by confirming the nomination of a brilliant lawyer and a dedicated public servant named Caitlin Halligan.

Ms. Halligan, with whom I have met, has been nominated to the DC Circuit Court and renominated to the DC Circuit Court and renominated to the DC Circuit Court across three sessions of Congress—the 111th, 112th, and 113th. She has been nominated because of her superb qualifications and her impressive personal background.

She worked in private practice at a respected New York law firm. She served in public service as solicitor general for the State of New York. She is currently the general counsel of the New York County District Attorney's Office—an office that investigates and prosecutes 100,000 criminal cases every year.

Ms. Halligan has earned the support of her colleagues in law enforcement and across the spectrum. Everyone, from New York City police commissioner Raymond Kelly to preeminent conservative lawyer Miguel Estrada, has supported her nomination. The American Bar Association's standing committee unanimously gave her its ranking of highest qualification to serve: ''highly qualified.'' Yet Ms. Halligan has had to face, in my view, outrageous distortions of her record that cause one to wonder if any nominee to this circuit would be acceptable on their merits.

Ms. Halligan has withstood steady and withering political attacks on positions she advocated while solicitor general for the State of New York, positions she argued on behalf of her client—New York State and its attorney general—not positions that represented her own personal views. If you reflect on this, it is, as all practicing attorneys know, inappropriate to disqualify a judicial candidate because she advocated a position for a client with which a certain Senator might disagree or which has been rejected by a court. This fundamental principle that you do not associate an attorney with a position advocated in court has been widely shared, widely supported, and, in fact, Chief Justice Roberts himself said:

> It's a tradition of the American Bar that goes back before the founding of the country that lawyers are not identified with the positions of their clients.

Even so, Ms. Halligan's positions on issues such as, for example, marriage and States rights have hardly been radical. When asked to analyze New York's marriage law, she concluded that the State statute did not provide same-sex couples with the right to marry. When presented with the question of whether a ban on same-sex marriage was legal under the New York Constitution, she merely said that there were arguments for and against and that it should be left to the courts to decide. What could be more modest than deciding that a constitutional question should be decided by the courts and not the executive branch? Yet I have heard on this floor and elsewhere her positions on this and other issues mischaracterized as extreme, as out of the mainstream. In my view, this position demonstrates her great respect for our judicial process and proves that if this body confirms her to the bench, she would fairly and faithfully apply precedent in making important decisions on the DC Circuit.

She told us directly on the Judiciary Committee that she would respect and apply precedent in other important cases—cases that touch on the second amendment, such as the District of Columbia v. Heller and McDonald v. Chicago, cases that held that the second amendment protects an individual's right to keep and bear arms for self-defense. I am confident, despite what we have heard spun in the press about Ms. Halligan's position, that she would faithfully respect precedent in these cases.

So in these two areas, I think we can see that Caitlin Halligan is not a radical or an ideologue. She is an attorney, she is a lawyer—and a good one. In my view, having reviewed her qualifications, having sat through meetings, and having looked at her record, she has earned her nomination to the DC Circuit Court. She deserves this Senate to get out of the way and to stop this endless delay of consideration of qualified candidates for the bench and let her get to work.

Today the Senate has an opportunity, a chance to do the right thing, to stop endless partisan political games, to break through our gridlock and get something done in the interest of the American people and especially those who seek swift and sure justice.

Every individual and business in this country has the fundamental right to a fair and fast trial, to access to the judicial system, and to the hearing of their appeals in an appropriate and timely manner. And judicial vacancies and understaffed courts at the district and the circuit level are denying them that right. This Senate and its dysfunction are denying them that right. So today I urge my colleagues on both sides of the aisle to do our job, to confirm Caitlin Halligan and recommit ourselves to moving forward in a productive and bipartisan way.

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

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

Mr. SCHUMER. Mr. President, first let me compliment my colleague from Delaware not only for his typically excellent remarks today but also for his vigilance on these issues. He is a relatively newer member of the Judiciary Committee, but he has jumped into these issues with tremendous eagerness, intelligence, balance, and effectiveness. So I thank him for his great remarks.

I too rise today in enthusiastic support of the nominee to the Court of Appeals for the DC Circuit, Caitlin Halligan. Ms. Halligan has been waiting 23 months for an up-or-down vote. More importantly, the entire country has been waiting to fill this position—a judgeship on the second most important court of the Nation—for 23 months.

The question we are going to answer tomorrow is, Can we take some of our bipartisan good will, our desire to legislate and get things done for the country, and apply it to a nominee who is the very picture of moderation and mainstream legal thinking, a nominee who has dedicated her entire career to public service, and a nominee who would be only the sixth woman to join this court in its 212-year history? That is right—there have only been five women to serve on the DC Circuit in 212 years.

The D.C. Circuit is currently one-third vacant. Four of its 11 slots—37 percent—are without active judges. Ms. Halligan is one of the two nominees for these four slots.

Two years ago, when Halligan was first filibustered, many of my colleagues decided they could not support a cloture motion because she would have been the tenth judge on an 11-member court, a court they perceived as understaffed and overworked. I take issue with the fundamental premise. The D.C. Circuit hears many of the most complex and important cases in the country. The court hears appeals from virtually every regulatory agency, reviews statutes, has jurisdiction over numerous terrorism cases, including those from Guantanamo Bay. But even if I were to accept the faulty premise that the court somehow needs fewer judges than it ever had, the court that hears the most complex cases, the court is now near a crisis point. There are only seven active judges currently sitting. What is more, the caseload per judge has risen by 21 percent—21 percent since the last judge was confirmed, and that was under President Bush's administration.

I think there is now more than compelling evidence that the caseload-based argument against Halligan is gone, and you would have thought our colleagues on the other side of the aisle

would say: OK, four vacancies, the last vacancy filled under Bush, we can now move to support her. But they do not.

What else could possibly prevent a vote on Halligan? Is it her ideology? I submit to my colleagues it cannot possibly be her ideology. If zero is extremely liberal and 10 is extremely conservative, Halligan falls right in the sweet spot of judges who both President Obama and President Clinton have generally nominated, 5s and 4s, maybe even a 6 or two. Opposing Halligan on her ideology, opposing even a cloture vote based on her ideology, can mean only one of two things:

First, that some of my colleagues have misread her record. Let me clear up a few things today. Halligan is not anti-gun nor anti-second amendment. She has clearly said at her hearing she fully supports the individual second amendment right to bear arms as the Supreme Court decided in Heller. Her briefs for the State of New York—which were product liability cases, not second amendment cases—were briefs for a client and not her own views, just as Chief Justice Roberts described his work for clients. In fact, Hallligan, like many of my colleagues, enjoys shooting and does so from time to time on weekends. Anyone who accepted a meeting with her would have discovered this.

Halligan is not anti-law enforcement in any way. She spent most of her career in law enforcement. New York Police Department Commissioner Ray Kelly, hardly a shrinking violet, hardly a wallflower—he is a tough-on-crime guy; that is why I like him so much, and he is one of the most respected law chiefs in the country—has written a letter in full support of her.

Specifically, Halligan has lived with the consequences of terrorism. She lives not far from the World Trade Center site, and she represented the Redevelopment Corporation there in its post-9/11 efforts. She has personally handled terrorism cases in the New York Manhattan office. In her hearing she stated her beliefs regarding the executive's power to detain terrorism suspects.

I have heard evasive nominees. She was not evasive. She gave completely clear answers to every single question that was asked.

The second possible reason my colleagues might decide to oppose cloture for such a reasonable candidate and such a gifted lawyer is that they want to put their own judges on the D.C. Circuit and they would rather leave it vacant than move Halligan. In other words, it is not that Halligan is extreme—unacceptably extreme in her views; it is simply that she doesn't share all their views. It is one thing to fight against certain judicial nominees with the sincere belief that they are outside the judicial mainstream. It is another for my colleagues to fight against a nominee because they disagree with him or her.

I always look for judges, when I nominate them, who are moderate. I don't like judges too far right. That is obvious. But I equally do not like judges too far left. My judicial panel will tell you, if I think a judge is too far left I will not nominate them, because judges at the extremes, whichever extreme, tend to want to make law, not interpret law. The best judges are those who see things clearly and fairly, not through an ideological lens, whether that lens is colored red or blue. Those are judges who understand the law, understand the role of each branch of government, understand the proper balance between State and Federal power, and understand the people who come before the bench.

I say one other thing to my colleagues. I just finished working with a bunch, four of us on each side, on coming up with a compromise so we could work together better. I want to let my colleagues know—I have done it personally with a few—that this vote, the desire to actually filibuster Caitlin Halligan, is causing a lot of consternation on our side. Clearly, this is a judge who deserves an up-or-down vote. One of the reasons that many of my colleagues—myself included—thought we ought to change the rules was because a judge such as Caitlin Halligan, a nominee such as Caitlin Halligan, should not be filibustered. I have respect for my friends on the other side of the aisle, but when they say—one of my colleagues I heard say this morning—that this one brief she signed with a bunch of others was extraordinary circumstances, that did not ring true. If that is extraordinary circumstances, wearing the wrong color tie or the wrong color blouse would be extraordinary circumstances.

She has a long record. They can hardly find anything. They come up with this one brief. They may not like it. But to say it is extraordinary circumstances? No.

I say to my colleagues, I plead with them—we are trying to start off on a good foot here. We are working together better than we have worked in a long time. Each side has to give. Part of the deal is amendments. They are going to get a lot of amendments on the other side of the aisle. But part of our deal is not to block things for the sake of blocking them or because there is another agenda. That goes not just for blocking legislation but for blocking nominees.

It is true in the deal we made, the agreement we made, it was only for district court judges. That could go seriatim. But the spirit of our compromise applies to this court of appeals nominee, and I have not heard a single good reason why she should be filibustered.

People disagree with her. I voted against some of George Bush's nominees because I thought their views were not quite mine, even if they were not extreme. And everyone on the other side of the aisle has the right to do the same. But not filibuster.

This court is a very important court. We know it makes lots of decisions about government. But that does not give license to block a nominee on what seem to be trivial grounds, inconsequential grounds, given her long career.

So again I urge, plead with my colleagues, please reconsider this cloture vote. Please give her the 60 votes she needs so she can come to the floor and get the up-or-down vote she has waited 23 months for. It violates fairness. It violates the comity we are trying to restore in this body. It violates simple justice to vote no on cloture and to filibuster Caitlin Halligan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator for allowing me to go for 3 minutes here before he has the next turn. I appreciate that.

I come to the floor as some of our colleagues have done already, and we just heard from the great Senator from New York, to discuss the nomination of Caitlin Halligan to the D.C. Circuit Court. Caitlin Halligan is currently the General Counsel at the New York County District Attorney's Office. New York County is just another name for Manhattan, so we are talking about a big county and a big office. In fact, it handles about 100,000 criminal cases each year.

Before that, she was Solicitor General of the State of New York for 6 years and the head of the appellate practice at a major law firm. She also clerked on both the D.C. Circuit and the U.S. Supreme Court and has argued five cases in front of the U.S. Supreme Court. That is a resume.

The nonpartisan American Bar Association committee that reviews every Federal judicial nominee gave Halligan its highest possible rating, and over 100 women law professors and deans wrote a letter saying Halligan is exceptionally qualified to serve on the D.C. Circuit. There is no question that she has the experience, ability, and intellect to sit on the Federal bench.

It is also important to recognize that she is not an ideological or partisan nominee. Well-known lawyer Carter Phillips, who was assistant to the Solicitor General in the Reagan administration, has said that Halligan is ''one of those extremely smart, thoughtful, measured and effective advocates'' and that she would be a ''first-rate judge.''

Phillips is not the only conservative lawyer to endorse Halligan. For example, Miguel Estrada signed a letter from 21 prominent attorneys which stated that Halligan ''brings reason, insight and judgment to all matters'' and ''would serve with distinction and fairness.''

Given support like that from people such as Miguel Estrada, I don't think it can be said that Halligan is an extreme ideologue or that she is outside the mainstream of legal thought. Her nomination should not and cannot be blocked.

This is a great candidate who will make a great judge. As New York City Police Commissioner Ray Kelly said about her, she ''possesses the three qualities important for a nominee: Intelligence, a judicial temperament and personal integrity.''

She must be confirmed without delay. Filibusters are about debating issues. This is an individual. We cannot amend her. We simply have to decide whether she is qualified to be on the bench. There is absolutely no doubt. People may not agree with every single thing she said. I don't think anyone in this Chamber agrees with every single thing that judges have said or that people we put on the Supreme Court have said, but we simply came together and stood up for one principle, that our job is to decide if someone is qualified, if they can do the job, if they can interpret the law. This candidate can do it and she can do it well. If Senators ultimately wish to oppose her nomination, fine, that is their choice. But they should not filibuster an extremely qualified candidate. Let her have an up-or-down vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent for leave to engage in a colloquy with Senator BARRASSO for a period of time not to exceed 15 minutes.

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

SEQUESTRATION

Mr. LEE. Mr. President, the President of the United States has spent the last few weeks campaigning around our great country at taxpayer expense, telling Americans about what he characterizes as the catastrophic impact of the sequester. He said, for example, that the sequester will visit hardship on a whole lot of people. He said it will jeopardize our military readiness, it will eviscerate job-creating investments in education and energy and medical research. He said the ability of emergency responders to help communities respond to and recover from disasters will be disregarded. Border Patrol agents will see their hours reduced. FBI agents will be furloughed. He said Federal prosecutors will have to close cases and simply let criminals go. Air traffic controllers and airport security will see cutbacks, which means more delays at airports across the country. He said thousands of teachers and educators will be laid off and that tens of thousands of parents will have to scramble to find childcare for their kids. And he also continued: Hundreds of thousands of Americans will lose access to primary care and preventive care such as flu vaccinations and cancer screenings.

Today we see the predictions of doom and gloom have not come to pass. We have seen that many of these statements have been severely exaggerated, if not disproven. People in my home State of Utah have found the effects of the sequester to be not quite what the President predicted. One of our local Utah news stations reported that ''there were no signs of sequester pain'' at the airports. When asked about sequestration, one Utahn responded: ''If they can't handle a 2 percent reduction in spending then I guess we need to get better and brighter,'' meaning we need to get better and brighter people running our government.

Other press reports indicate the administration's doomsday claims have misled the public. The Washington Post reported that the Education Secretary's claims about teacher layoffs turned out simply not to be true. And Politico recently published a story showing the President's claims about some capital staff getting pay cuts to be false.

I ask Senator BARRASSO, after all these scare tactics over the last 2 weeks, does the President have a credibility problem with the American people when it comes to the sequester?

Mr. BARRASSO. I believe my friend from Utah is absolutely correct. There is a creditability gap here. These modest cuts should prompt Washington to take a closer look at how we spend taxpayers' money. I saw today that the White House is now—they claim because of the sequester—canceling White House tours. It is astonishing when they say they will not cut the personnel there in terms of the security, but they will cancel the tours. I would invite people from all around the country who are planning a trip to Washington to come to the Senate, come to the House, and come to the Capitol. We will make sure they receive tours if they would like.

Talk about a loss of credibility. The Washington Post evaluates statements of folks, and over the last week they have given Pinocchios for those who are not telling the truth. There has been a parade of Pinocchios—a dozen of these Pinocchios that were given. One statement is the President's false claim on Friday during his news conference that Capitol janitors will be receiving a pay cut. They gave him four Pinocchios for that. It is not true.

''The threat to free meals for seniors,'' there are Pinocchios there. The false claim of pink slips for teachers by the Secretary of Education, another four Pinocchios. There are two Pinocchios for the claim that ''up to 70,000 children would lose access to Head Start and early Head Start services.''

The Senator from Utah mentioned the concerns about the FAA with furloughs and closed air towers. The verdict is still pending on that. There is a parade of Pinocchios for the administration at a time when the American people know so much of their taxpayer dollars are being wasted.

I traveled around Wyoming this past weekend, and people at home think that at least half of the money they send to Washington is wasted. It is time now to take an opportunity to eliminate wasteful and duplicative spending. We should streamline the Federal bureaucracy. We should make government programs more efficient. We should be more thoughtful in terms of how targeted cuts will work to ensure vital programs continue without interruption.

At the end of the day, we should make sure taxpayers are getting value for their hard-earned dollars. The administration does not see it that way at all. Instead of promoting responsible spending, the administration is promoting panic.

As Senator LEE pointed out, the administration is threatening the American people with pink slips for teachers, cuts to airport security, cuts to the Coast Guard patrols, cutting border patrol and enforcement, closing national parks, cutting food safety inspections, eliminating Head Start, Meals on Wheels, and the list goes on.

We need to be honest with the American people that we are $16.5 trillion in debt. That is not a threat; it is the truth. We can no longer afford to ignore the truth. Washington is burying our children and grandchildren under a mountain of debt, and if we don't treat Washington's spending addiction, the problem is just going to get worse. We must not allow the debt to tie the hands of future generations and prevent them from reaching their dreams.

I believe we have to take responsibility for the reality we are facing and we have to take action to change the course we are on. Of course, that means difficult decisions have to be made, but these decisions don't need to be reckless. They don't need to be dangerous. They don't need to imperil our students, teachers, military, senior citizens or our national security. They need to be smart, they need to be targeted, and they need to maximize the value of each dollar spent and minimize the risks and burdens to taxpayers.

I say to my colleague from Utah that instead of hitting taxpayers where they will feel it the most, the administration has an obligation and a responsibility to work hard to cut spending where the need is the least. I know the leadership the Senator from Utah has shown on ''Cut this, not that'' is something I think Americans would agree with completely.

Mr. LEE. I thank my friend, Senator BARRASSO. I find it interesting that what the Senator has observed on the streets of towns such as Evanston, Cheyenne, and Gillette in Wyoming is backed up by a recent poll conducted by Gallup. That poll shows Americans understand that a lot of money Washington spends is wasted. This Gallup poll shows that the average American believes Washington wastes 51 cents out of every $1 it spends—51 cents. More than half of every dollar that hard-working Americans earn and send to Washington gets wasted.

Congress and the President should be working together to target, reform, reduce, and eliminate wasteful spending

that the American people are noticing. They should be working to get rid of and reform ineffective programs.

Meanwhile, the President is threatening to make cuts to government spending as painful as it can possibly be. Instead of targeting waste, the President is using scare tactics to persuade Americans that cuts have to come first from important services such as law enforcement, national security, border patrol, first responders, and educators.

Just today, the administration announced it was going to furlough schoolteachers who educate the children of military families on U.S. military bases, recognizing, of course, that most school systems are operated at the State and local level. They are funded primarily at the State and local level. The administration started focusing on educators who teach on base to military families, suggesting that those teachers would have to be furloughed.

Republicans have a better idea. The Senate Budget Committee—and in particular the ranking Republican serving on the Senate Budget Committee—has found that the cost of President Obama's recent golf vacation with Tiger Woods cost Americans an amount of money that, if saved, would have allowed us to prevent the furlough of 341 Federal employees. Can the President cancel a vacation or two in order to avoid some of these furloughs? That is the question that has prompted us to start this information campaign that we refer to as ''Cut this, not that,'' as depicted in this graphic.

This graphic shows under ''Cut this,'' golf vacations by the President, and under the ''not that,'' it shows military base teachers. That is what we should be focusing on. That is where we ought to prioritize. We need to identify those areas where there could be a lower priority attached to something we are already spending money on. ''Cut this, not that'' sends a message to the President and the American people that Washington should be setting spending priorities rather than wasting their hard-earned tax dollars.

I ask the Senator—through the Chair—how can it be that this administration chooses to cut border law enforcement, first responders, and educators instead of the fraud and waste that is so rampant in the government?

Mr. BARRASSO. I appreciate the question. My friend is absolutely correct. The cuts threatened by the administration simply defy common sense and logic. Despite claims to the contrary, the President actually does have a choice. He can take a thoughtful, reasoned approach to implementing the sequester by cutting wasteful spending that we all know exists or he can continue to threaten and scare the American people with needless cuts to vital programs and services.

I put together a list of a few places where I would encourage the President to look for reasonable cuts because there are so many programs that are inefficient, ineffective or overlap with other programs. There are over 80 economic development programs that operate out of 4 different Cabinet agencies: the Department of Agriculture, Commerce, Housing and Urban Development, and Small Business.

There are 173 programs promoting science, technology, engineering, and math education across 13 agencies. These are important, but do we need 173 programs when one department of the government doesn't know what the other one is doing?

There are 20 agencies that oversee more than 50 financial literacy programs. There are more than 50 programs supporting entrepreneurs across 4 different departments of government. There are 47 different job training programs. Is job training important? Absolutely. There are 47 different programs, 9 different agencies, and it cost $18 billion in fiscal year 2009. Out of 47 programs, only 5 of them have had an impact study completed since 2004 to see if they actually work and whether participants in the program actually get a job. These have not been reviewed since 2004. Do we know they work? Do we need 47? Could they be improved upon?

We are looking at this sequester. The President proposed this sequester. The President signed the sequester into law, and now he claims he cannot live with the effects. I am here to say he is wrong. Responsibly implementing the cuts from the sequester is not only possible, I believe it is necessary, as we see here: ''Cut this, not that.''

This debate is not about—as we read in the Washington Post—the President trying to force it to an election to the House of Representatives in 2014, it is about the economy and the future of our country. It is not just about smaller government, it is about smarter government. People think they are not getting value for their money.

I believe it is past the time for Washington to take the smarter approach to our Nation's spending addiction, and I appreciate the leadership of the Senator from Utah.

Mr. LEE. I thank the Senator. It is important for us to recognize that all these observations draw back to one central conclusion, which is that the sequester and wasteful spending we see so rampant throughout our Federal Government is the natural product of the failure by the majority leadership in the Senate to work with Republicans to pass a budget.

Last year, in the Senate, Republicans proposed 3 different budgets and received as many as 42 votes. That is 42 more votes than the President's budget received in this body last year or the year before or in the House last year or the year before.

The majority party in the Senate—those in charge of this body and elected to lead in this body—have refused even to propose a budget for the country for more than 1,400 days.

We have spending priorities. I am sure my friends across the aisle have spending priorities as well. It is time we do the right thing for the American people. We need to sit down and have an open and honest dialog with the American people and with each other. We need to hammer out these ideas and come up with a budget that fairly and accurately represents the priorities of the American people. We need to pass a budget, and I urge my colleagues to do so.

I thank the Chair.

I yield the floor.

Mr. BARRASSO. Madam President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. COBURN. Madam President, I ask unanimous consent to speak as in morning business for such time as I may consume.

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

Mr. COBURN. Madam President, I also ask unanimous consent to use an oversized poster.

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

GOVERNMENT WASTE AND DUPLICATION

Mr. COBURN. Madam President, there has been a lot made of the sequester and the things that may or may not happen associated with it. Having spent the last 8 years looking at the Federal Government, I wrote the Secretary of Agriculture a letter this week outlining some things they could do that would not put in jeopardy food inspection and other things.

In my 8 years of looking at the Department of Agriculture, there is extensive waste and duplication—the GAO has confirmed that—and those things should be cut first and eliminated and consolidated before staffs that are in critical positions are furloughed.

The USDA currently has 120,000 employees, and they have over 16,000 offices. Just thinking about 16,000 offices ought to give us some pause. Why would any agency, no matter what their requirements, need that number of offices? The agency notes on their Web site that if they were a private company, they would be the sixth largest private company in America. That is how big the USDA is and how diffusive.

Today, there is one USDA employee for every eight farmers—one USDA employee for every eight people employed in the farm area—or, overall, one USDA employee for every 18 farms, primary or otherwise. So weekend farmers have a USDA employee, and for regular farmers—people where it is their primary business—there is an employee for every eight of them.

At the end of 2012, USDA was sitting on $12 billion in unobligated Federal balances. In other words, that is money that is sitting in an account that has not been obligated to any purpose, sitting there waiting to be spent, where we have borrowed money—$12 billion—that they have not obligated.

One of the things my staff has discovered is the USDA has upcoming conferences in terms of food tasting and wine tasting on the west coast. Now, in normal times there would not be anything wrong with Federal employees traveling to the west coast to both encourage and assess where we are in terms of some of our agricultural production. But I would think maybe this is one of the things the U.S. Department of Agriculture ought to cancel, given where we are and the threat that has been put out there in terms of food safety that has been announced in terms of layoffs or time off for Agriculture Department employees.

Two USDA agencies—Rural Development and the Agricultural Marketing Service—are sponsoring the 26th annual California Small Farm Conference next week. In addition to speakers from the USDA agency, the gathering will feature field trips and tasting receptions. ''The Tasting Reception,'' according to their Web site, ''is the most well attended networking event of the conference and showcases the regional bounty from local farms, chefs, wineries, breweries, bakeries and other food purveyors.'' And ''special guest chefs will turn donated local agriculture products into tasty dishes to sample with exceptional local wines [provided].''

There is nothing wrong with that in normal times. There is plenty wrong with sending multiple employees to these types of conferences when we find ourselves in the position we find ourselves in today. These conferences, I am sure, are fun, interesting, and even educational getaways for USDA employees, but food inspecting rather than food tasting should be the USDA's priority at this time.

Not just to pick on them, but the thing is Americans are not aware of how expansive and duplicative many of these programs are. In the domestic food assistance programs, as shown on this chart, this is what GAO shows us we have running: 18 different Federal programs across three Departments that spend $60 billion a year.

According to the GAO, the availability of multiple programs with similar benefits helps ensure that those in need have access to nutritious food, but it also does increase the administrative costs of these programs.

So while our goal is great, with the fact that we have this many programs doing essentially similar work with similar overheads, the GAO's recommendation was to do consolidation. Fifteen of these programs are run by the Department of Agriculture, ranging from SNAP to the Fresh Fruit and Vegetable Program and the Special Milk Program.

According to the GAO, the effectiveness of 11 of these 18 programs is suspect. The reason it is suspect is nobody has done any oversight. No Member of Congress has done oversight on it—not the Budget Committee, not the Appropriations Committee, nor the Agriculture Committee.

We also have inside the USDA research and education activities within the Rural Development programs that duplicate, predominately, existing programs of almost every other agency in the Federal Government. Let me say that again. Almost every one of these programs is duplicated in another agency of the Federal Government. In other words, we are layering. They both have the same goals, the same hope for outcomes. One is run by one agency. Here are the ones that are run just by the USDA.

According to GAO, the Rural Development program administers 40 housing programs, business, community infrastructure and facility programs, as well as energy, health care, telecom programs, most of which duplicate the initiatives of other agencies, yet under the guise of serving exclusively rural citizens. Rural populations are not excluded from the other programs which are run with the same purpose that serve the general population. According to the Congressional Research Service, more than 88 programs administered by 16 different Federal agencies do the exact same thing these programs do. So we have 88 other programs from 16 different Federal agencies that are targeting rural economic development and needs.

It is not hard to see why we are in trouble. The GAO has done the work we have asked them to do. The appropriate committees have not addressed any of these issues. They have not offered any amendments or bills to reduce, consolidate, or at least look at the outcomes and the cost-benefit ratio of having multiple layers of programs doing the same thing.

Let me give you some questionable expenditures of what we have seen in the last year: a $54 million loan to build a casino; $1.6 million in loans for an asbestos removal company. It created hundreds of jobs in Guatemala and eventually went out of business and defaulted on the loan. There is $2.5 million in low-interest loans for the construction of the Smithsonian-style Birthplace of Country Music Cultural Heritage Center; a Tennessee county spent $10,000 of a Federal Rural Development grant to upgrade its tourism Web site; $12,500 went to Milk And Honey Soap, LLC for the marketing of soaps and lotions made from goat's milk and beeswax. These are private businesses, and we are taking taxpayer money, or we are borrowing the money, and we are subsidizing private individual businesses with grants.

We also have within the USDA research and education activities: the National Institute of Food and Agriculture spent $706 million last year on research and education activities through more than 45 different programs. Meanwhile, their Agricultural Research Service has budgeted $1.1 billion annually and is home to an additional eight Federal research and educational activity programs.

So what we have is layer after layer after layer—most of them well-intentioned. I am not denying that some of these are significant roles of Federal Government. But Congress is the problem because we have not addressed any of the recommendations the Government Accountability Office has given us in the two reports thus far, and the final report that will come out this year on overlap and duplication.

Finally, I wish to talk about the USDA's Market Access Program. At the request of Congress, the U.S. Department of Agriculture spent more than $2 billion on the Market Access Program, which has directly subsidized the advertising of some of the most profitable companies and trade associations doing business overseas. So we are subsidizing companies such as Welch's, Sunkist, and Blue Diamond. The combined sales are greater than $2 billion a year, and we gave them $6 million last year to advertise their products.

It is one thing to promote exports, but we do not do that with every other business in America. Not every business that has $2 billion in sales gets $6 million of the Federal taxpayers' money to promote their products overseas.

So we have this disparity. I do not know if this is good policy or bad policy. What I do know is, it is discriminatory in terms of how we treat one group of businesses versus another group of businesses.

Also receiving money from the taxpayers for private overseas advertising are trade groups such as Tyson Foods, Purina, Georgia Pacific, Jack Daniels, Hershey's, the California wine industry. They have domestic sales of $18 billion a year. They took in $7 million to promote their products overseas. The Cotton Council, on behalf of America, received $20 million from the Market Access Program and another $4.7 million from the USDA Foreign Market Development Program.

So I come to the floor so the American people can see that we have plenty of ways to save money. What we have is an intransigence in Congress to do the hard work and also an intransigence by the administration to recognize the need to lead on eliminating these areas of duplication.

Last week on the floor, I put a letter into the RECORD from the mayor of McAlester, OK. The Presiding Officer is a native of Oklahoma. She knows that town. He had a budget shortfall. He outlined the steps he went through with the help of the city manager to meet that. They did it in a way we would all be proud of. He gave us an example.

Today I ask unanimous consent to have printed in the RECORD a letter

from the mayor of the Los Angeles County Board of Supervisors in terms of what they have done.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BOARD OF SUPERVISORS,
COUNTY OF LOS ANGELES,
Los Angeles, CA, April 29, 2011.

Hon. TOM COBURN,
Senate Russell Office Building, U.S. Senate, Washington, DC.

DEAR SENATOR COBURN: I commend you and your colleagues with your bipartisan effort to reduce spending, taxes, debt and forge a more streamlined and ''right size'' a cost-effective federal government.

While Los Angeles County's $23.5 billion budget pales in comparison to the United States budget, some of the successful reforms implemented by our County Board of Supervisors could result in similar results for the federal budget.

Since 70–80% of the federal budget consists of personnel compensation, productivity and efficiency can be improved by consolidating and eliminating agencies, programs and personnel with duplicative or overlapping functions. Every federal department and agency should be evaluated, services prioritized, programs streamlined and all waste eliminated.

Many federal agencies and departments have traditionally inflated their budgets with unfilled positions. Those that have been vacant for more than 12 months should be eliminated. Employees who have left their positions due to injury or illness need to be aggressively pursued to ensure that their conditions are legitimate.

It is also vital to reform the civil service process and the public employee pension system. Some states are adopting forward-thinking reforms including reducing pension benefits for new hires and establishing a defined benefits program for current employees.

These common sense solutions have allowed us to consistently balance our County budget and could serve as guidelines in your effort to ''right size'' the federal government.

Best regards,

MICHAEL D. ANTONOVICH,
Mayor, Los Angeles County.

Mr. COBURN. This was a letter I received in 2011 when we started raising the issue of duplication and making tough choices so that we could continue to provide benefits, we could continue to create and support a safety net for those who were truly dependent on it, but we do not waste money we do not have, spending it on things we do not absolutely need.

I would put forward that when we have a multitude of programs and they overlap, we as Members of Congress do not have an excuse for not fixing that, because the things that are critical in people's lives eventually are going to suffer. Every dollar we spend on low-priority duplication, every dollar we spend that does not have a metric to say it is doing what it is should be doing is eventually going to be a dollar that is not there to support a food stamp recipient or a Medicaid recipient or housing for the indigent or care for the homeless or implementing Justice grant programs for policing and tribal courts.

So it is not a matter of just solving the duplication problem, it is a matter of the arithmetic that is going to hit our country and that by delaying the time at which we decide we are going to address this multitude, which is now 1,400 programs through the first 2 years of reports from GAO and $367 billion of expenditures—and that does not count the other $800 billion that goes out of the Federal Government every year for grants that also address some of these same issues. So the time is now. Sequestration gives us a good time to start looking at priorities.

One of the things I am thankful for is that we have tremendous Federal employees. We are starting to hear them speak up now: What can be cut? What is wasteful? They now feel the freedom to not be criticized because they are going to take a critical eye to the way American taxpayer dollars are being spent in their own agency. We are starting to hear from them: Here are things we are doing that we should not be doing. Here are things that are not a priority. Rather than lay off a meat inspector, maybe we ought to do this: ''Cut this, not that.'' You know, we ought to cut out wine tastings for Federal employees and keep the meat inspectors employed.

There is no reason we need to furlough the first—with the waste in the Department of Agriculture, there is no reason that any significant program in the Department of Agriculture ought to suffer a furlough or layoff. There is no reason for it because there are billions of dollars there that are not wisely spent—well intended, not questioning motive, but poorly spent with poor return.

When there are two programs doing the same thing, let me describe what happens on the beneficiary end of that. People do not know where there is a need. What the requirement is in one program is a different requirement in another program. In terms of duplicative grants, what we have is people who apply for a grant and get it from one arm of the Department of Agriculture and then go over here and make the same application from another arm of the Department of Agriculture, get the same grant, and then go to one of the other agencies that is doing the same thing and get another grant for the same thing—all of them not knowing that each has given a grant for the same purpose. So it is just not good business practices, it is not good management, and it is not good stewardship for the future of our country.

So I would ask my colleagues to think about the great work the Government Accountability Office has done. They have done great work for us. We have failed to act on it. It is time we start acting. Come April 1, we will see the final report from the GAO where they now—over 4 years—will have looked at every program in the Federal Government. They are going to be able to give us a list. I have come out here with my big charts and shown the list of duplications. We are going to have three or four more charts that say the same thing. Think about how discouraging it is to the people at GAO who do all of this hard work and to the people who are trying to meet the needs in the individual agencies to know that we are actually duplicating things with poor results.

We are not meeting our requirements under our oath. We are not meeting the moral requirements to be prudent with the American taxpayers' money. In the long run, the people who will suffer for it will be the very people we intend to help because if, in fact, we do not respond in a way that creates a positive vision for our country in terms of growth again and a positive vision in terms of responsible behavior by Congress, ultimately the arithmetic swallows us up.

I will close with this: If you take today's budget, when the Federal Reserve starts unwinding the quantitative easing they have done—these very low, artificially low interest rates—or if something were to happen where the world economy would look at us and say: We do not think you are deserving of our AAA-minus rating—the difference in interest costs historically is about 3 to 4 percent. Let's take a conservative estimate; let's say it is 3. Our historical average is 5.83 percent, what we have borrowed money at historically over the last 50 years. We are borrowing at under 2 percent right now. Three percent times $17 trillion is $510 billion a year. We all lose when that happens. How do we lose? Because the dollar we are going to be spending on that additional interest cost is a dollar that is not going to help someone who is homeless, it is a dollar that is not going to provide food that needs to be provided for those who are depending upon us, and it is a dollar that is not going to go to match the FMAP for Medicaid. Consequently, the cuts we will make then will be much harsher than the cuts if we decide to do it proactively now.

You do not have to have partisan disagreement about the goal of a program, but certainly we should be able to come together and say: We do not want duplication. We want to have good outcomes. We want to put metrics on it to measure it to see if it is working.

There cannot be any disagreement on that. That is plain, good-old common horse sense. Yet there has been no action in 3½ years on any of these recommendations by the Government Accountability Office. Now, the administration has paid attention. I will give them credit. In a lot of areas where they have seen it, they have done what they can do, but we have not. I do not want the heritage of my time in the Senate to be when we were the Congresses that failed to meet the challenge.

I believe our country can cheat history. If you look at history, it is not great for republics. They have all failed. But we have the opportunity to cheat history, and the way we do it is by getting off our rears and starting to

do the job we were sent up here to do, which is oversight and legislate the elimination of waste, abuse, and duplication. We can do that, but it requires leadership. It requires leadership on the part of Senator REID, on the part of Senator MCCONNELL, every committee chair, every ranking member. It requires leadership that we are going to do that.

I am proud to say that TOM CARPER, chairman of Homeland Security—we have a plan to oversight all of homeland security over the next 4 years, the whole thing, and the rest of the government as well because we do not really believe the rest of the committees are going to do it. So we are building our staffs for oversight to grab this information, to make cogent recommendations and legislation, where we can, that will actually address these problems. We are way past the starting point of when we should have begun. It is not too late, but it requires us to make a decision: Are we more interested in the parochial benefits of allowing programs that are not effective or duplicative to continue to run because we will not get any blowback or are we courageous enough to say that we are going to do what is right for the right reasons for the long-term well-being of our country?

I believe that is the feeling of most of the Members of the Senate. I just think we need the leadership to call us back.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. LEE. Madam President, I rise today to speak in opposition to the nomination of Caitlin Halligan to be a circuit judge on the U.S. Court of Appeals for the District of Columbia Circuit.

The D.C. Circuit is arguably the most important Federal appellate court in our country's judicial system, with primary responsibility to review administrative decisions made by many Federal departments and executive branch agencies. It has also served, in many instances, as a stepping stone of sorts for judges later appointed to the U.S. Supreme Court. As a result, the Senate has a longstanding practice of carefully scrutinizing candidates to the D.C. Circuit.

When evaluating particular nominees, we also carefully consider the need for additional judges on that very court. In July 2006 President Bush nominated an eminently qualified individual named Peter Keisler to fill a seat on the D.C. Circuit. Mr. Keisler, whom I know personally, is among the finest attorneys in the country and is also among the finest individuals I know. Because of his nonideological approach to the law, Mr. Keisler enjoys broad bipartisan support throughout the legal profession. Despite these unassailable qualifications, Democratic Senators blocked Mr. Keisler's nomination. He did not receive any floor consideration whatsoever, not even a cloture vote, and his nomination languished in the Judiciary Committee. At the time a number of Democratic Senators sent a letter to the Judiciary Committee chairman arguing that a nominee to the D.C. Circuit ''should under no circumstances be considered—much less confirmed—before we first address the very need for that judgeship.'' These Senators specifically argued that the D.C. Circuit's comparatively modest caseload in 2006 did not justify the confirmation of an additional judge to that Court, even though this was a position that by law already existed.

More than 6 years have passed, and Ms. Halligan has been nominated once again to that very same seat on the D.C. Circuit—the same seat for which Peter Keisler was nominated—but the court's caseload remains just as minimal as it was then. According to the Administrative Office of the U.S. Courts, the D.C. Circuit caseload is so light that the number of appeals pending per judicial panel is 54 percent less than the average for Federal courts of appeal. With just 359 pending appeals per panel, the D.C. Circuit's average workload is less than half that of other similar appellate courts.

The D.C. Circuit caseload has actually decreased since the time Democrats blocked Mr. Keisler. Indeed, since 2005 the total number of appeals filed is down over 13 percent. The total number of appeals pending is down over 10 percent. Some have sought to make much of the fact that since 2005, two of the court's judges have taken senior status, leaving only seven active judges on the D.C. Circuit today. But the court's caseload has declined so much in recent years that even filings per active judge are only slightly higher than they were in 2005. Of course, that does not account for the six senior judges on the D.C. Circuit who continue to hear appeals and offer opinions on a regular basis. Their contribution—the contributions of the senior judges on that court—is such that the actual work for each active judge has declined and the caseload burden for D.C. Circuit judges is less than it was when Democrats blocked Mr. Keisler on the basis of a declining, insufficient caseload.

Indeed, the average filings per panel—perhaps the truest measure of the actual workload per judge in the U.S. Court of Appeals—is down almost 6 percent since that time.

In each of the last several years, the D.C. Circuit has cancelled regularly scheduled argument dates due to the lack of pending cases. Those who work at the courts suggest that in reality the workload isn't any different today than it has been in the past.

According to the Democrats' own standards, and particularly when there are judicial emergencies in other courts across the country, now is not the time to confirm another judge to the D.C. Circuit. It is certainly not the time for us to consider confirming a controversial nominee with a record of extreme views with regard to the law and the Constitution.

Make no mistake, Ms. Halligan is not what we would call a consensus nominee. The Senate has already considered and rejected her nomination. Nothing material has changed since that time.

Many of my colleagues have discussed a wide range of Ms. Halligan's views, so I will limit myself to one example. In 2003, while serving as Solicitor General for the State of New York, Ms. Halligan approved and signed a legal brief arguing that handgun manufacturers, wholesalers, and retailers should be held liable for criminal actions that individuals commit with those guns. Three years later, in 2006, Ms. Halligan filed another brief arguing that handgun manufacturers were guilty of creating a public nuisance.

Such arguments amount to an invitation for the courts to engage in sweeping judicial activism. The positions she took are both bewildering and flatly inconsistent with the original understanding of the second amendment rights all Americans enjoy.

In conclusion, as measured by the Democrats' own standards and their own prior actions, now is not the time to confirm another judge to the D.C. Circuit, and it is certainly not the time to consider such a controversial nominee for that very important court. The Senate has already spoken and rejected Ms. Halligan's nomination. I urge my colleagues once again to oppose her confirmation.

Mrs. BOXER. Mr. President, I rise today to vigorously support the confirmation of Caitlin Halligan to the D.C. Circuit Court of Appeals. Ms. Halligan is an exceptionally qualified nominee, and the D.C. Circuit needs her. I urge all my Senate colleagues to join me in voting for her.

The breadth and depth of Ms. Halligan's legal experience and expertise are very impressive. After law school, she clerked for Supreme Court Justice Stephen Breyer and for Judge Patricia Wald on the D.C. Circuit, the court to which she has been nominated. She continued her public service as the solicitor general of the State of New York for 6 years, spent some time in the private sector, and is currently general counsel at the New York County District attorney's office, an office that investigates and prosecutes 100,000 criminal cases annually in Manhattan. Throughout her career, Ms. Halligan has served as counsel of record in nearly 50 matters before the U.S. Supreme Court, arguing five cases before that court and many cases before Federal and State appellate courts. Her legal and oral advocacy training is as extensive as any nominee that the Senate has confirmed.

One of the reasons I wanted to speak about Ms. Halligan today is because

her reputation precedes her. The American Bar Association's nonpartisan standing committee on the Federal Judiciary unanimously rated Ms. Halligan ''well-qualified'' to serve on the D.C. Circuit, the highest possible rating. Messages of support for her nomination have poured in from hundreds of female law school deans and professors, former U.S. Supreme Court clerks and current judges, preeminent lawyers across the political spectrum from Ronald Reagan's solicitor general to the legendary D.A. Robert Morgenthau, and law enforcement associations. Put simply, this woman has proven herself to be worthy of our vote and the public's trust.

But there is another reason we must confirm Ms. Halligan today: the unacceptable delay in her nomination is causing a growing gap in the D.C. Circuit Court of Appeals. Ms. Halligan was first nominated by President Obama three years ago. Now, this important court in our country—often called ''the second most important court in our land'' because of the high profile, complex cases it handles—is one-third vacant. The caseload for the existing judges is growing, and justice is being held up.

Finally, if confirmed, Caitlin Halligan would become only the sixth female judge in the D.C. Circuit's 120-year history, a change I would certainly welcome for this important court. We need to continue building on the important legacy of diversity and inclusion that President Obama has established by nominating record numbers of women to the Federal bench. Thanks to his leadership, women today make up roughly 30 percent of the Federal judgeships at every level for the first time in history: in trial courts, courts of appeal, and the Supreme Court. This diversity bolsters the legitimacy of our court system, and the public's confidence in it. We should continue this progress by confirming Ms. Halligan.

For all these reasons, I look forward to voting for Caitlin Halligan's nomination to the D.C. Circuit Court of Appeals, and I urge my colleagues to do the same. Let's fulfill our constitutional obligation to keep our judicial system working efficiently and fairly for the American people.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate consider the following nominations: Calendar Nos. 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, with the exception of Calendar No. 28 Colonel Scott C. Long, and all nominations placed on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Arnold W. Bunch, Jr.
Brigadier General Theresa C. Carter
Brigadier General Sandra E. Finan
Brigadier General Jeffrey L. Harrigian
Brigadier General Timothy J. Leahy
Brigadier General Gregory J. Lengyel
Brigadier General Lee K. Levy, II
Brigadier General James F. Martin, Jr.
Brigadier General Jerry P. Martinez
Brigadier General Paul H. McGillicuddy
Brigadier General Robert D. McMurry, Jr.
Brigadier General Edward M. Minahan
Brigadier General Mark C. Nowland
Brigadier General Terrence J. O'Shaughnessy
Brigadier General Michael T. Plehn
Brigadier General Margaret B. Poore
Brigadier General James N. Post, III
Brigadier General Steven M. Shepro
Brigadier General David D. Thompson
Brigadier General Scott A. Vander Hamm
Brigadier General Marshall B. Webb
Brigadier General Burke E. Wilson
Brigadier General Scott J. Zobrist

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Nina M. Armagno
Colonel Sam C. Barrett
Colonel Steven L. Basham
Colonel Ronald D. Buckley
Colonel Carl A. Buhler
Colonel John A. Cherrey
Colonel James C. Dawkins, Jr.
Colonel Patrick J. Doherty
Colonel Dawn M. Dunlop
Colonel Thomas L. Gibson
Colonel James B. Hecker
Colonel Patrick C. Higby
Colonel Mark K. Johnson
Colonel Brian M. Killough
Colonel Robert D. LaBrutta
Colonel Russell L. Mack
Colonel Patrick X. Mordente
Colonel Shaun Q. Morris
Colonel Paul D. Nelson
Colonel John M. Pletcher
Colonel Duke Z. Richardson
Colonel Brian S. Robinson
Colonel Barre R. Seguin
Colonel John S. Shapland
Colonel Robert J. Skinner
Colonel James C. Slife
Colonel Dirk D. Smith
Colonel Jeffrey B. Taliaferro
Colonel Jon T. Thomas
Colonel Glen D. VanHerck
Colonel Stephen N. Whiting
Colonel John M. Wood

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Robin Rand

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John M. Bednarek

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

General Lloyd J. Austin, III

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lieutenant General Robert L. Caslen, Jr.

The following named officer for appointment as the Vice Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3034:

To be general

Lt. Gen. John F. Campbell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

to be general

Lt. Gen. Vincent K. Brooks

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. David M. Rodriguez

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Paul W. Brier

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Admiral William H. Hilarides

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph P. Aucoin

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN142 AIR FORCE nominations (2) beginning ALAN S. FINE, and ending PAUL R. NEWBOLD, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

IN THE ARMY

PN146 ARMY nomination of Jasmine T. N. Daniels, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN147 ARMY nomination of Paul W. Roecker, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN148 ARMY nominations (8) beginning JAMES B. BARKLEY, and ending MICHAEL E. SPRAGGINS, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN149 ARMY nomination of Lena M. Fabian, which was received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN150 ARMY nominations (3) beginning YIMING A. CHING, and ending JOSEPH F. GOODMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN151 ARMY nominations (58) beginning WILLIAM C. ALLEY, and ending D010916, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN152 ARMY nominations (2) beginning ALISON R. HUPPMAN, and ending ALLEGRA E. LOBELL, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

PN153 ARMY nominations (4) beginning THOMAS M. GREGO, and ending GEORGE J. ZECKLER, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

IN THE NAVY

PN154 NAVY nominations (4) beginning ANDREW W. DELEY, and ending GREGORY E. RINGLER, which nominations were received by the Senate and appeared in the Congressional Record of February 7, 2013.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that we 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 DAWN CLARK NETSCH

Mr. DURBIN. Mr. President, this morning we received news in Chicago that Dawn Clark Netsch has passed away. She died from complications from Lou Gehrig's disease at the age of 86. It was a surprise to lose her this quickly, although all of us knew she was struggling with this terrible disease.

When the history of her contribution to Illinois is written, it will undoubtedly note the obvious: She had worked in Illinois government since the 1950s, under then-Governor Stevenson. She was a law professor at Northwestern University Law School. She was elected State senator in the 1970s. She was elected our State's comptroller after that, and she had an ill-fated run for Governor.

If that is all it says, though, it will miss the most important part of her life because, you see, Dawn Clark Netsch was an iconic, historic force in our State. More than any person in Illinois history, Dawn Clark Netsch created the modern era of women in Illinois political leadership. As always, those who were charged with opening the doors of opportunity have to come to that task extraordinarily gifted, determined, and patient. Dawn Netsch was all of these and more.

Early in my life, fresh out of law school, I was a lawyer working in the Illinois State Senate, and I saw firsthand the talents of this new senator, Dawn Clark Netsch. Her political base was the Lakeshore liberal base in Chicago—the group who was always at war with the Chicago machine and proud of it. She was elected from that base but then surprised most everyone when she came to Springfield and struck up a friendship, a genuine friendship, in the constitutional convention first and then in the State Senate with a young State senator named Richard M. Daley, son of Mayor Daley. Dawn Netsch proved that a politician can be both principled and effective and civil. Her ill-fated run for Governor lacked the political polish of many winning campaigns, but her thoughtfulness, her candor, and her blunt honesty about the challenges Illinois faced will always be remembered.

The Illinois political scene will not be the same without that pool-shooting Sox fan with a cigarette holder, but generations of Illinois women can thank the indomitable force of Dawn Clark Netsch for blazing their path.

TRIBUTE TO WILLIAM J. RISSEL

Mr. MCCONNELL. Mr. President, I rise today to recognize a Kentuckian who has both faithfully served his community and the men and women of the U.S. Army for more than two decades. I speak of Mr. William J. Rissel, the president and chief executive officer of the Fort Knox Federal Credit Union, a stalwart member of the Fort Knox CORE Committee, and a long-time friend.

Under Bill's leadership, the Fort Knox Federal Credit Union has achieved impressive growth and has done much to help the local community. Bill has worked in the financial services industry for more than 30 years, and he has headed the Fort Knox Federal Credit Union since 1991. In that time, it has expanded from 4 branches primarily serving Hardin County to 14 branches across central Kentucky. Fort Knox Federal Credit Union was recently awarded the Department of the Army's Distinguished Service Award. It won this recognition in competition against all other on-post credit unions in the Nation.

If there is a cause that is near and dear to Bill's heart in addition to Fort Knox Federal, it is that of Fort Knox and the surrounding community. In 2011, under Bill's guidance, Fort Knox Federal sponsored a platoon deployed to Afghanistan. The staff shared messages of support and care packages with the soldiers to remind them of home and let them know that they remained in the thoughts and prayers of the local community. Bill and I have worked together for years trying to ensure that Fort Knox has what it needs to support its mission and the military personnel and their families who call the post home. Bill has been a member of the Fort Knox CORE Committee since 1993 and has served as president of the organization since January 2006.

Bill is also active in the local area, having served as a Radcliff Chamber of Commerce board member; president of the Association of the United States Army, Fort Knox chapter; the United Way Advisory Committee; the Radcliff Industrial Foundation Board; and Rotary International. He also visits Fort Knox Elementary School and reads to Mrs. Trimble's class every year.

Bill and his wife Rosie are completing their dream house in Florida where they may both enjoy the warm weather, but I know his heart will always remain in central Kentucky.

Mr. President, I ask my U.S. Senate colleagues to join me in congratulating Mr. William J. Rissel for his successful career and thank him for his service to the community and to Fort Knox.

NORTH LAUREL HIGH SCHOOL CHEERLEADER TEAM

Mr. MCCONNELL. Mr. President, I would like to take a moment to recognize a group of young ladies who have found great success in their athletic endeavors on the national and international level. The North Laurel High School cheerleaders have represented their county and the Commonwealth of Kentucky well with their hard work, skill, and success. On February 10, the North Laurel High School cheerleaders won both the World School and International Cup at UCA Nationals in Orlando, FL.

The cheerleading squad from North Laurel High School not only reclaimed the title of first place in World School at the UCA, Universal Cheerleaders Association, Nationals in Orlando, but they went on to become champions of the International Cup, beating out teams from Canada, Ecuador, and China. They also went on to win first place in the medium 2A Division representing the 13th Region at the 2013 KHSAA, Kentucky High School Athletic Association, Competitive Cheer State Championship held in Bowling Green, KY on February 23. Team members Autumn Asher, Madison Asher, Machenzie Burns, Raye Lynn Campbell, Taylor Crockett, Channing Ely, Emily Evans, Katlyn Helton, Malari Hoskins, Sara Kaminsky, Peyton Lankford, Katie Mays, Tara McClure, Aubree Oakley, Katelyn Sharp, MaKayla Vaughn, Mary Kate Whitfield, and Maddie Wood as well as

coaches Kimberly B. Wood, Toni Blake Greer, and Jomo K. Thompson saw their dedication and hours of practice pay off with victory. Truly, their efforts reflect well on their community, and they represent to competitors all over the world the unbridled spirit of Kentuckians.

At this time, I would like to publicly declare Kentucky's appreciation for this team, their coaches, and their parents who have received well-deserved recognition and success for their commitments and practice. The North Laurel High School cheerleaders have represented Kentucky well, and we are both grateful and proud. I would ask my colleagues in the U.S. Senate to join me in acknowledging their achievements, and I ask unanimous consent that an article detailing their success from the Laurel County-area publication the Sentinel Echo be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Sentinel Echo, Feb. 14, 2013]

NLHS, E.B. CHEER TEAMS WIN BIG AT NATIONALS

LAUREL COUNTY, KY.—Laurel County cheer teams received high honors at the UCA Nationals in Orlando, Fla., this weekend.

The North Laurel High School team earned first place in the medium varsity division, as well as being named the first-place winners in world school and international cup competitions.

This was the first time the team has won first place at nationals since 2009.

''We have a very young squad,'' said Kim Wood, coach. ''Our goal going into this was to hit a solid routine. We told the girls to focus just on us, not the other teams, and doing the absolute best we could do.''

Although the team won first in world school last year, this was the first year they were named as champions of the international cup against teams from Canada, China, and Ecuador.

The outcome was a wonderful surprise, she said.

''It was our best performance at national level. It was pretty perfect in our eyes,'' Wood continued. ''The awards were the icing on the cake.''

It was ninth-grader Taylor Crockett's first high-school nationals. Crockett has competed in cheerleading since the sixth grade.

''It took a lot of hard work. At the beginning of the year, we really didn't know each other,'' she said. ''We just started bonding as a team. That bond helped us.''

Senior MaKayla Vaughn said this year was both ''amazing'' and ''bittersweet'' because it will be her last.

During competition, Vaughn said the team helped to keep each other calm, encouraging and supporting one another.

''We were the first team to go on,'' she said. ''We told each other to set the bar high.''

The East Bernstadt Tumble Cats also took home a big win this weekend at UCA Nationals.

The Tumble Cats won first place in the youth rec, or elementary, division against seven other teams.

In January, the Tumble Cats were named the elementary state champions for the second year in a row at the Kentucky Middle School State competition in Richmond.

The elementary team was formed just three years ago.

''They've gotten progressively better over time,'' said Coach Cristin Adams. ''They worked really hard this year. These kids and their parents are very dedicated.''

This was the first year Adams and Coach Darrin Spencer took the team, comprised of first- to fourth-graders, to UCA Nationals.

''We (she and Spencer) saw the potential of this team. Our goal was to make the top 3 (at nationals). We exceeded that and got first place.''

Prior to competition, even making the top 3 looked to be a big feat.

''One week before we left (for nationals), we had two girls break their fingers,'' Adams said. ''We had to rework our routine, and that's not easy, especially at this age, but we hit the routine solid.''

The team trains at Damar Gymnastics in Lily, who choreographed their routine.

''Gymnastics is where the foundation starts,'' Adams said. ''Technique is very important.''

The majority of the 20-member team are third-graders, and most, Adams said, have been on the team for three years.

''Starting young helps feed into the older teams,'' she said. ''And we want to be a good feeder program for North Laurel Middle and North Laurel High schools.''

The North Laurel Middle School cheerleading team took second place in their division at UCA nationals.

NLMS team coaches include Katie Sizemore, Paula Crawford, and Susan Tolliver.

NLHS team coaches include Wood, Toni Blake Greer, and Jomo Thompson, who is also the University of Kentucky head cheerleading coach.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT

Ms. MIKULSKI. Mr. President, I am pleased to come to the floor in support of the Pandemic and All Hazards Preparedness Reauthorization Act of 2013, PAHPRA. Last week, the Senate passed this bill by unanimous consent and last night the House passed the bill with overwhelming bipartisan support. I am so pleased PAHPRA is getting sent to the President to be signed into law. Enacting this bill is critical for Marylander's safety, jobs, biotech companies, State and local health departments, and our State's economy. It is also critical that we understand and be responsive to the unique health care needs of children in disasters.

Recent disasters at home and abroad have underscored the importance of preparing our Nation to respond to a range of medical and public health emergencies, whether naturally occurring or the result of a chemical, biological, radiological, or nuclear attack. Over the past decade, multiple Congresses and administrations have worked together to put in place critical medical and public health preparedness and response programs and policies. As a result of the passage of the Pandemic and All-Hazards Preparedness Act, PAHPA of 2006, the Federal Government, in partnership with State and local governments, took significant steps to strengthen our Nation's medical and public health preparedness and response capabilities. This bipartisan reauthorization builds on these efforts by enhancing existing programs and authorities using lessons learned over the past 5 years to maximize our Nation's resilience to threats, whether naturally occurring or deliberate.

I thank Senators HARKIN, ENZI, BURR, ALEXANDER, and CASEY for their dedication and commitment to reauthorizing the programs in this bill and protecting our country from threats. By coming together, passing this bill, and sending it to the President to get signed into law, we will strengthen our Nation's ability to prepare for and respond to all hazards emergencies, and we will ensure that we have looked out for our children. The congenial and bipartisan process we followed should be a model for how we do all of our work here in Congress.

PAHPRA includes important provisions that I fought for as Chairwoman of the HELP Subcommittee on Children and Families. I led the effort to create a National Advisory Committee on Children and Disasters to continue the good work started by the National Commission on Children and Disasters. The advisory committee, established by my amendment, will bring together children's advocates and federal agencies to ensure we are well equipped to care for our most vulnerable population when preparing for, responding to and recovering from a disaster. I am committed to getting this advisory committee up and running this year. Doing all that we can to protect our most vulnerable is of the utmost importance.

I would also like to thank the American Academy of Pediatrics for their commitment to children's health and for building a coalition of support for my amendment to establish the Advisory Committee. Save the Children and the Children's Health Fund were also steadfast advocates for this committee and other important pediatric provisions contained in this bill.

This advisory committee will include a variety of pediatric experts, from those who work in Federal agencies, to non-federal health care professionals, to employees of relevant State and local agencies. I made sure that at least four members of this committee would not be federal bureaucrats to ensure that all views and perspectives are considered. Community-based pediatricians, nurses, and State and local public health and emergency management professionals are on the front lines responding to emergencies every day. These folks know what the situation is like on the ground.

The advisory committee will serve an important role in making sure that the Department of Health and Human Services and the Department of Homeland Security swiftly implement the medical and public health recommendations put forth by the National Commission on Children and Disasters. Committee members will also advise federal agencies on the medical and public health policies and

procedures that the agencies and their grantees should implement to meet the needs of children when preparing for, responding to, and recovering from all-hazards.

As we all know, children are not little adults. Kids who are battered during a disaster and suffer physical harm or are exposed to an infectious disease, need special medications, devices, and supplies, whether it is a liquid form of a medication, a pediatric ventilator, baby formula, or even diapers.

PAHPRA reauthorizes several provisions that I have fought for over the years that support the research and development of chemical, biological, radiological, and nuclear countermeasures. Project Bioshield and the Biomedical Advanced Research and Development Authority, BARDA, are economic engines of Maryland's economy supporting both biotech innovation and domestic manufacturing. Project Bioshield is a secure funding source dedicated to the purchase of medical countermeasures. BARDA contracts with companies to support the development and commercialization of medical countermeasures and carries out all Project Bioshield acquisition contracts. Project Bioshield and BARDA together provide drug manufacturers with the incentives they need to enter this market and develop lifesaving therapeutics.

Maryland companies are investing in research and development of medical countermeasures for bioterror threats because they know there is a federal market to buy their drugs, vaccines, needles and masks for the Strategic National Stockpile for use when a disaster strikes. Marylanders are working hard every day to create countermeasures that we hope to never use but will rely on when we are most at need to save our lives and our kids' lives. They are developing the next generation anthrax, influenza, and smallpox vaccines for the Strategic National Stockpile. The drugs we are working so hard to develop also protect our troops deployed around the world so that our soldiers get the right treatments to keep them safe.

PAHPRA also codifies the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan. I worked to ensure that the Department of Health and Human Services would report on what our country needs to protect our kids so that companies will know what countermeasures to develop and HHS and Congress will know how many and which products to buy for the stockpile. I also made sure that FDA would report to Congress annually on the scientific challenges and progress made in developing and licensing countermeasures for pregnant women and children.

I also fought to make sure that State and local health departments would have the workforce and financial resources they need to prepare for infectious disease outbreaks like the H1N1 influenza, earthquakes, and floods, as well as numerous other public health threats that communities face on a day-to-day basis. In that vein, I worked to improve state and local disaster planning for kids. It is important that local education, child care, and other agencies are regularly partnering and consulting with health departments as they develop and revise their preparedness plans. PAHPRA supports the good work that happened in our communities during H1N1. State education, child care and health agencies were partnering and consulting with each other day in and day out for almost a year to minimize the ill health effects of this novel virus. Our public servants at the federal level were critical to the response and they worked closely with local officials to protect us every hour of every day during the pandemic.

We must prevent and respond to health threats before they are on our doorstep. Making this bipartisan legislation the law of the land will help do just that. And I will fight to make sure we are funding these programs so that we can be prepared for any and all emergencies that we may face here in the United States.

FEDERAL GOVERNMENT VEHICLE FLEET

Mr. COBURN. Mr. President, with a $16.5 trillion national debt, the Federal Government needs to spend taxpayer dollars more efficiently and reduce costs during these tough fiscal times.

In 2011, the Federal Government owned nearly 660,000 vehicles. Although the size of the fleet decreased slightly from the previous year, it had still increased significantly over the past several years. Between 2006 and 2011, the Federal Government fleet has grown by more than 29,000 vehicles.

A 2012 Government Accountability Office, GAO, report examined the increase in the number of Federal vehicles, excluding postal and nontactical military vehicles. According to the study: ''Since fiscal year 2005, the number of federal non-postal civilian and non-tactical military vehicles has increased about 7 percent, from about 420,000 to 449,000 vehicles.''

On February 28, 2013, I introduced bipartisan legislation that would save millions in taxpayer dollars by reducing the amount the Federal Government can spend on buying and leasing nonessential vehicles. In its recommendations, the National Commission on Fiscal Responsibility and Reform strongly endorsed trimming the Federal vehicle fleet, and estimated it would save approximately $500 million.

This bill would reduce by 20 percent the Federal funding available for the acquisition and leasing of new Federal vehicles. It would also require agencies to maintain this funding level through 2017. Like the Fiscal Commission, however, this bill exempts the U.S. Postal Service from the reduction. It also provides an exception for vehicle purchases critical for national security reasons. Similar legislation passed by voice vote in the House of Representatives in September 2012.

This legislation would simply do what most American families are doing on a day-to-day basis. The Federal Government has to learn more with less.

I hope my colleagues on both sides of the aisle will support this commonsense legislation. I want to thank my colleagues for the opportunity to speak on the Senate floor today in support of this bill.

RECOGNIZING WOODY HAYES' 100TH BIRTHDAY

Mr. PORTMAN. Mr. President, today I wish to honor the life and career of Woody Hayes, who touched the lives of many Ohioans through his leadership and coaching legacy. Woody Hayes was born on February 14, 1913, in Clifton, OH. On February 14, 2013, Coach Hayes would have celebrated his 100th birthday. After graduating college, he joined the Navy in 1941 to serve his country during World War II. He later received his master's degree from the Ohio State University in 1948. In 1951 Mr. Hayes started his coaching career at the Ohio State University, where he continued coaching until 1978, when he retired.

Woody Hayes is known for his outstanding winning record. Under his leadership, the Buckeyes won 205 games, 5 postseason bowl games, 13 Big Ten Championships, 3 consensus national championships—1954, 1957 and 1968—and 2 other nonconsensus national titles—1961 and 1970. Hayes was elected College Coach of the Year in 1957 and 1975 and served as president of the National Football Coaches Association. He also coached 3 Heisman Trophy winners and 56 first team All-American players.

Woody Hayes' real legacy was the way he impacted the lives of those around him. He was known to take personal interest in the lives of his players and their academic careers. In 1979 the Ohio State University created a scholarship in his honor, to help college athletes continue their education. Though Woody Hayes is no longer with us, I am pleased to honor his great legacy and all the lives he has touched.

RECOGNIZING THE KING ARTS COMPLEX

Mr. PORTMAN. Mr. President, today I wish to honor the King Arts Complex for 25 years of dedicated service to central Ohio. Named after Dr. Martin Luther King, Jr., the complex's mission is to preserve, celebrate, and teach African-American cultural and historic heritage while developing a greater understanding among all people.

In 1987, when the King Arts Complex opened, it brought new life to a once vibrant area. I have visited the King Arts Complex and attended a celebration in honor of Dr. Martin Luther

King, Jr., in the Pythian Theatre in 2010. I have seen firsthand how the King Arts Complex has helped revitalize the community by offering cultural and educational activities for local youth through programs that include dance, theatre, music, and literary arts.

The King Arts Complex is an asset to central Ohio and I congratulate everyone who was involved in making its first 25 years a success.

TRIBUTE TO ROBERT RICH

Mr. BLUMENTHAL. Mr. President, today I wish to pay tribute to my dear friend and lifelong Connecticut resident and business owner, Bob Rich, who passed away this past November.

Born in Stamford, Mr. Rich graduated from Stamford High School in 1944 and from Princeton in 1948. He returned to Connecticut to eventually take over his father's business, the F.D. Rich Company, which had been founded in 1920. For more than 60 years, he and his brother, Frank D. Rich, Jr., grew their father's construction company into one of our Nation's foremost real estate development firms. Their family history in construction and real estate development became an important part of our national history of economic growth.

Under Mr. Rich's leadership, the F.D. Rich Company built innovative buildings where there was a great need both in Stamford, CT, and across the Nation—from shopping centers and office buildings to schools, hospitals, and hotels. In 1958 the F.D. Rich Company made its mark on our Nation's Capital when it completed the aircraft hangars for Air Force One at Andrews Air Force Base. To this day, F.D. Rich continues to create interesting and functional urban and suburban buildings that add to our country's landscape.

Since his death, Mr. Rich has been deservedly memorialized for playing a significant role in revitalizing the city of Stamford between 1970 and 2000. The New York Times wrote that he ''transform[ed] Stamford from a fading industrial town suffering from severe urban blight to a thriving city which has emerged as an important center for commerce, culture, education and recreation.'' Mr. Rich led the creation of countless buildings, including an addition to the Stamford Hospital in 1967, One Landmark Square in 1973, and the Rich Forum in 1992, which continues to house the city's center for the arts.

The University of Connecticut and the Rich family are also closely connected. In 1934 Mr. Rich's father oversaw the construction of the Wilbur Cross Library at UConn's Storrs campus. When UConn opened its downtown Stamford campus, the Riches helped build the Rich Concourse, which to this day serves as a central meeting place on campus.

In addition to Bob Rich's community involvement through the F.D. Rich Company and at UConn, he was involved in numerous national and local organizations including the Boys and Girls Club of Stamford, the Regional Plan Association, and Stamford's State Street Debating Society. He and his family founded the Rich Foundation, which continues to serve nonprofit organizations, primarily in Fairfield County, enriching Connecticut's arts, education, health care, and social services.

Bob was beloved by family and friends throughout his life, and he will be remembered by countless residents who live and make memories in the spaces he built. I invite my colleagues to pay tribute to a man who forever changed the Stamford skyline and improved the community.

ADDITIONAL STATEMENTS

REMEMBERING LAVONE PAIRE DAVIS

• Mrs. BOXER. Mr. President, today I ask my colleagues to join me in honoring Lavone ''Pepper'' Paire Davis, the baseball star and pioneer in women's professional sports who died in Los Angeles last month at age 88. Ms. Paire Davis was one of the models for Dottie Hinson, the immortal Geena Davis character in the hit film ''A League of Their Own,'' and she was a role model for millions of women and girls across the country.

Lavone Paire was born in Los Angeles and grew up playing baseball with her older brother Joe on the streets of West L.A. By age 9, she was playing for an amateur team in Santa Monica and later she and her good friend Faye Dancer played together on a girls softball team known as the Dr. Peppers.

In 1944, Lavone was working as a shipyard welder and taking classes at UCLA when she and Faye were recruited to join the All-American Girls Professional Baseball League, AAGPBL, which recently had been launched by Chicago Cubs owner Philip K. Wrigley and other major league owners to help maintain fan interest while many major league players were away at war.

Pepper Paire quickly distinguished herself as an outstanding defensive catcher who could also play shortstop and third base, pitch when needed, and drive in runs in clutch situations. She also cowrote ''Victory Song,'' the AAGPBL's anthem, which was later featured in ''A League of Their Own.'' She helped the Racine Belles win the league championship in 1946 and was named to the AAGPBL all-star team in 1948.

In 1953, Pepper left baseball to marry Robert Davis, start a family, and establish an electronics business with her friend Faye Dancer. But ''A League of Their Own'' brought Ms. Paire Davis back in the public eye. A popular speaker, she used her renewed fame to promote women's professional sports and urge girls to fulfill their athletic dreams. In 2009 she published ''Dirt in the Skirt,'' a book about her adventures in the AAGPBL.

Lavone Paire Davis was a true inspiration both on and off the baseball diamond. On behalf of the people of California, I send my gratitude and condolences to her brother Joe, sons William and Rob, daughter Susan Gardner, four grandchildren, and great-grandson.•

MESSAGES FROM THE HOUSE

At 11 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agree to the amendment of the Senate 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 message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly: Mr. POE of Texas, Vice Chair, Mr. SHIMKUS of Illinois, Mr. JEFF MILLER of Florida, Mr. GUTHRIE of Kentucky, Mr. MARINO of Pennsylvania, and Mr. COTTON of Arkansas.

The message also announced that pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239), the Minority Leader appoints the following individual on the part of the House of Representatives to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Ellen Tauscher of Washington, DC.

The message further announced that pursuant to 44 U.S.C. 2702, the Minority Leader appoints the following member on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. John A. Lawrence of Washington, DC.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) announced that on March 4, 2013, he had signed the following enrolled bill, previously signed by the Speaker of the House:

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

ENROLLED BILL SIGNED

At 3:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 307. An act 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 enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

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–597. A communication from the Acting Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Carter F. Ham, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–598. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a notification of a completion date of May 2013 for a report relative to the Department of Defense purchases from foreign entities for fiscal year 2012; to the Committee on Armed Services.

EC–599. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the report of a meeting of the Economic Adjustment Committee (EAC) relative to considering additional funding sources for the Defense Access Roads (DAR) program; to the Committee on Armed Services.

EC–600. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–601. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on February 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–602. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Adjustments to Civil Monetary Penalty Amounts'' received in the Office of the President of the Senate on February 27, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–603. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC–604. A communication from the Administrator of the U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–605. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2013 Season'' (RIN1018–AY70) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC–606. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear Under Section 4(d) of the Endangered Species Act'' (RIN1018–AY40) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC–607. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Astragalus lentiginosus var. Coachellae (Coachella Valley milk–vetch'' (RIN1018–AX40) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC–608. A communication from the Chief of the Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Tidewater Goby'' (RIN1018–AX39) received in the Office of the President of the Senate on February 28, 2013; to the Committee on Environment and Public Works.

EC–609. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Postponement of Deadline for Making an Election to Deduct for the Preceding Taxable Year Losses Attributable to Hurricane Sandy'' (Announcement 2013–21) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC–610. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reduced 2009 Estimated Income Tax Payments for Individuals with Small Business Income'' ((RIN1545–BI67) (TD 9613)) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2013; to the Committee on Finance.

EC–611. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2013 Trade Policy Agenda and 2012 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC–612. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–018, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–613. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–003, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–614. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Report to Congress on United States Participation in the United Nations in 2011; to the Committee on Foreign Relations.

EC–615. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''2012 DHS Data Mining Report to Congress''; to the Committee on the Judiciary.

EC–616. A communication from the President, Chief Scout Executive, and the National Commissioner, Boy Scouts of America, transmitting, pursuant to law, the organization's 2012 annual report; to the Committee on the Judiciary.

EC–617. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2013''; to the Committee on Veterans' Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

*John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. FLAKE:

S. 446. A bill to amend the Federal Crop Insurance Act to reduce Federal crop insurance subsidies, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself and Mr. JOHNSON of South Dakota):

S. 447. A bill to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. NELSON, Mr. LEE, and Mr. CARPER):

S. 448. A bill to allow seniors to file their Federal income tax on a new Form 1040SR; to the Committee on Finance.

By Mr. LEVIN:

S. 449. A bill for the relief of Anton Dodaj, Gjyljana Dodaj, Franc Dodaj, and Kristjan Dodaj; to the Committee on the Judiciary.

By Mr. SHELBY (for himself, Mr. CHAMBLISS, Mr. CRAPO, and Mr. JOHANNS):

S. 450. A bill to require enhanced economic analysis and justification of regulations proposed by certain Federal banking, housing, securities, and commodity regulators, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SHELBY:

S. 451. A bill to make technical corrections to the Dodd-Frank Wall Street Reform and

Consumer Protection Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRANKEN (for himself, Ms. COLLINS, Mr. ROCKEFELLER, Mrs. SHAHEEN, Mr. BROWN, Mr. WYDEN, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. CARDIN, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 452. A bill to amend title XVIII of the Social Security Act to reduce the incidence of diabetes among Medicare beneficiaries; to the Committee on Finance.

By Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY):

S. 453. A bill to require that certain Federal job training and career education programs give priority to programs that lead to an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself and Mr. BLUNT):

S. 454. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself, Mr. CHAMBLISS, Mr. BEGICH, and Mr. MORAN):

S. 455. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Mrs. BOXER, Ms. STABENOW, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. GRASSLEY):

S. 456. A bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. COLLINS, Mrs. BOXER, and Ms. STABENOW):

S. 457. A bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNS):

S. 458. A bill to improve and extend certain nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON of South Dakota (for himself and Mr. THUNE):

S. 459. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, Ms. WARREN, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Ms. STABENOW, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. COWAN):

S. 460. A bill to provide for an increase in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. REID, Mrs. BOXER, Mr. MENENDEZ, Mr. SCHATZ, and Mr. BEGICH):

S. 461. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself, Mr. BLUNT, Mr. MANCHIN, Mr. CORNYN, Mr. CARDIN, and Ms. COLLINS):

S. 462. A bill to enhance the strategic partnership between the United States and Israel; to the Committee on Foreign Relations.

By Mr. PRYOR (for himself, Mr. BLUNT, Mr. BOOZMAN, Mr. KING, Ms. COLLINS, Mr. CRAPO, Mr. HATCH, and Mr. CHAMBLISS):

S. 463. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. INHOFE (for himself, Mr. COBURN, and Mr. CHAMBLISS):

S. 464. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Mr. UDALL of Colorado):

S. 465. A bill to permit flexibility in the application of the budget sequester by Federal agencies; to the Committee on the Budget.

By Mr. MENENDEZ:

S. 466. A bill to assist low-income individuals in obtaining recommended dental care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 467. A bill to allow consumers to unlock mobile wireless devices for interoperability purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Mr. LAUTENBERG, Mr. HARKIN, Ms. HIRONO, Mr. LEVIN, Ms. STABENOW, and Ms. WARREN):

S.J. Res. 10. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BURR (for himself and Mr. SANDERS):

S. Res. 67. A resolution designating April 5, 2013, as ''Gold Star Wives Day''; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. REID, and Mr. COWAN):

S. Con. Res. 5. A concurrent resolution expressing the sense of Congress that John Arthur ''Jack'' Johnson should receive a posthumous pardon for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 17, a bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 20

At the request of Mr. VITTER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 20, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 33

At the request of Mr. LAUTENBERG, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 33, a bill to prohibit the transfer or possession of large capacity ammunition feeding devices, and for other purposes.

S. 34

At the request of Mr. LAUTENBERG, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 34, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 44

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 44, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 77

At the request of Mr. FRANKEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 77, a bill to amend part D of title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate for lower prices for Medicare prescription drugs.

S. 168

At the request of Mr. HARKIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 168, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Mississippi

(Mr. COCHRAN) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 210

At the request of Mr. HELLER, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 226

At the request of Mr. TESTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 273

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 273, a bill to modify the definition of fiduciary under the Employee Retirement Income Security Act of 1974 to exclude appraisers of employee stock ownership plans.

S. 294

At the request of Mr. TESTER, the name of the Senator from California (Mrs. BOXER) 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. 316

At the request of Mr. SANDERS, the name of the Senator from Iowa (Mr. HARKIN) 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. 333

At the request of Mr. LAUTENBERG, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 333, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 336

At the request of Mr. ENZI, the names of the Senator from Massachusetts (Mr. COWAN), the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Mr. FRANKEN) 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. 344

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

S. 346

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) 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. 370

At the request of Mr. COCHRAN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Alaska (Mr. BEGICH), the Senator from Colorado (Mr. BENNET) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 370, supra.

S. 372

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 372, a bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 380

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 380, a bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress.

S. 392

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 399

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. MORAN) 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. 411

At the request of Mr. ROCKEFELLER, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 427

At the request of Mr. HOEVEN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 427, a bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in meeting certain nutritional requirements for the school lunch and breakfast programs, and for other purposes.

S. 443

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 443, a bill to increase public safety by punishing and deterring firearms trafficking.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Arkansas

(Mr. BOOZMAN), the Senator from Georgia (Mr. ISAKSON), the Senator from Nevada (Mr. HELLER), the Senator from Kansas (Mr. ROBERTS), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Ms. STABENOW), the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CRUZ), the Senator from Indiana (Mr. DONNELLY), the Senator from Montana (Mr. TESTER), the Senator from Maryland (Ms. MIKULSKI), the Senator from North Carolina (Mr. BURR), the Senator from Hawaii (Ms. HIRONO), the Senator from Colorado (Mr. BENNET), the Senator from Georgia (Mr. CHAMBLISS), the Senator from North Carolina (Mrs. HAGAN), the Senator from Kansas (Mr. MORAN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. JOHANNS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. BLUNT):

S. 454. A bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am reintroducing the Family Self-Sufficiency Act, and I am pleased this Congress to be joined in this effort by my colleague, Senator BLUNT of Missouri.

The Family Self Sufficiency, FSS, program is an existing Department of Housing and Urban Development, HUD, employment and savings incentive initiative for families that have section 8 vouchers or live in public housing. The FSS program provides two key tools for its participants: first, it provides access to the resources and training that help participants pursue employment opportunities and meet financial goals, and second, it encourages FSS families to save by establishing an interest-bearing escrow account for them. Upon graduation from the FSS program, the family can use these savings to pay for job-related expenses, such as additional workforce training or the purchase or maintenance of a car needed for commuting purposes.

Our bipartisan legislation seeks to enhance the FSS program by streamlining the administration of this program, by broadening the supportive services that can be provided to a participant, and by extending the FSS program to tenants who live in privately-owned properties with project-based assistance. In short, we seek to make the FSS program easier to administer and more effective.

First, to streamline the FSS program, our bill would combine two separate FSS programs into one. Today, HUD operates one FSS program for those families served by the Housing Choice Voucher Program and another for those families served by the Public Housing program. This is the case even though the core purpose of each FSS program, to increase economic independence and self-sufficiency, is the same. Unfortunately, Public Housing Agencies, PHA, have to operate essentially two programs to achieve the same goal. With our bill, PHAs would be relieved of this unnecessary burden.

Second, our legislation broadens the scope of the supportive services that may be offered to include attainment of a GED, education in pursuit of a post-secondary degree or certification, and training in financial literacy. Providing families in need with affordable rental housing is critical, but coupling it with the support and services to help families get ahead increases the effectiveness of this federal investment. Our legislation makes it easier for FSS participants to obtain the training necessary to secure employment and the education to make prudent financial decisions to better safeguard their earnings.

Lastly, our bill opens up the FSS program to families who live in privately-owned properties subsidized with project-based rental assistance. It shouldn't matter what kind of housing assistance a family gets, and families seeking to achieve self-sufficiency shouldn't be held back by this sort of technicality.

I thank Senator BLUNT for his partnership, and I urge my colleagues to support this bipartisan bill, which will help give those receiving housing assistance a better chance to build their skills and achieve economic independence.

By Mr. ROBERTS (for himself, Mr. THUNE, and Mr. JOHANNS):

S. 458. A bill to improve and extend certain nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. ROBERTS. Mr. President, my colleagues, I rise today to introduce a bill that has a long title: Improve Nutrition Program Integrity and Deficit Reduction Act of 2013. Big title, but it is a good bill.

Last June, I stood in this body, along with Chairperson STABENOW of the Agriculture Committee, to encourage my colleagues to pass bipartisan reform legislation known as the farm bill.

The legislation we put together in the Senate Agriculture Committee would have strengthened and preserved the safety net for our farmers and ranchers while also being responsible to taxpayers by providing billions of dollars for deficit reduction. At the time we were told by the Congressional Budget Office, the CBO, that the farm bill passed by the Agriculture Committee, one of the first bills, by the way, that we were able to pass under regular order and in record amount of time, 2½ days—the CBO estimated at that time the farm bill that was passed by the Agriculture Committee in the Senate would save $24 billion over 10 years, including $4 billion from the nutrition title.

However, according to the latest CBO projections, a projection that has reverberated in farm country, released just last Friday, the farm bill we passed last year would now only save $13 billion and no longer represents savings in the nutrition title. We could have done more last year, and we must do more this year to rein in the largest expenditure within the Department of Agriculture budget.

No, it does not go to farmers. We are talking about specifically the Supplemental Nutrition Assistance Program, called SNAP, more commonly known as food stamps.

In the context of sequestration, SNAP was exempted from any across-the-board cuts, along with Medicare, Medicaid, and Social Security. It was in that pasture. A lot of other things were in different pastures, especially national security.

However, it is clear there are several areas within the program that could provide significant savings that were, unfortunately, left untouched. The legislation I introduce today, along with Senator JOHANNS and Senator THUNE, builds off of several amendments previously offered in a piecemeal fashion. We have wrapped them all together. Each should be enacted, but combined in this bill they represent over $36 billion in savings.

By eliminating loopholes, duplicative programs, unnecessary bonuses, inflation adjustments, and restricting lottery winners from receiving benefits, this legislation will instill and restore integrity to SNAP while still providing benefits to those truly in need. I ought to repeat that this restores integrity to SNAP while still providing benefits to those truly in need.

I am not proposing a dramatic change in the policy of nutrition programs. Instead, this legislation enforces the principles of good government and returns SNAP spending to much more responsible levels. While saving over $36 billion, our legislation also makes commonsense and comprehensive reforms to SNAP, the Food Stamp Program, that can and should be enacted immediately.

Over one-half of the SNAP food benefits in our country are utilized by households with children, and SNAP can play, and does play, a critical role in helping people put food on the table in times of need. However, at least 17 States, I am sorry to report, 17 States are gaming the system by designing their Low-Income Home Energy Assistance Program—the acronym for that is

LIHEAP, a very commonly used term with regards to nutrition programs and the energy programs. But these 17 States designed their programs to exploit the Food Stamp Program. This is not right. It is not right.

The LIHEAP loophole works like this: A participating State agency annually issues extremely low LIHEAP benefits to qualify otherwise ineligible households for standard utility allowances, which then result in increased monthly food stamp benefits. For example, today a State agency can issue only $1 annually in LIHEAP benefits to increase monthly food stamp benefits on an average of $90 a month. That is $1,080 per year for households that do not otherwise pay out-of-pocket utility bills.

That is not right. Last year the Senate farm bill included a provision to tighten the LIHEAP loophole. Even though it would only reduce the loophole, it set the minimum qualifying LIHEAP benefit at $10 annually—not $1, $10. At the time it would have saved taxpayers nearly $450 million every year for a total of $4 billion over a 10-year period.

Completely eliminating the LIHEAP loophole, as my legislation does, will save taxpayers $12 billion. Let me be very clear about it. Eliminating the LIHEAP loophole does not affect SNAP eligibility for anyone using the Food Stamp Program. Eliminating the LIHEAP loophole would only decrease SNAP benefits for those who would not otherwise qualify for the higher SNAP benefits, the food stamp benefits.

Let me point out another area that must be reformed: States using categorical eligibility for automatic eligibility to provide food stamp benefits. Categorical eligibility is simply known as Cat-El. It was designed to help streamline the administration of SNAP by allowing households to be certified as eligible for the food stamp benefits and be certified without evaluating household assets or gross income, a previous requirement.

Now, 42 States, unfortunately—I do not like to report these kinds of things. However, 42 States are exploiting an unintended loophole of the Temporary Assistance to Needy Families Program and simply provided informational brochures and informational 1–800 numbers to maximize the food stamp enrollment and the corresponding increase in Federal food benefits.

These States are gaming the system to bring otherwise ineligible SNAP participants into the program. My legislation ties categorical eligibility to cash assistance, thereby eliminating this loophole. That saves taxpayers $11.5 billion, a lot of money. To be clear, this represents a cut to SNAP food benefits. However, this amount represents the amount of benefits to people who would not otherwise be eligible for these benefits were it not for States gaming the system.

In an ongoing effort to streamline government programs and reduce redundancy and taxpayer spending, we should also look at the unnecessary spending in Federal employment and training programs. According to a GAO report last year, there are currently 47 such programs that annually cost $18 billion. Let me repeat that. There are 47 programs annually costing $18 billion—Federal employment and training programs.

Nobody would object to a Federal employment and training program given the problems we have with our country. But 47, according to a GAO report, $18 billion. Eliminating the duplicative SNAP employment and training programs would save more than $4 billion and would not affect SNAP food benefits. I repeat. This provision of this legislation would not cut the buying power of any food stamp household to put food in their refrigerators and also their kitchen cupboards.

What am I talking about? In addition to the base program funding that we are talking about with employment and training help, States have the option of providing their own funding to their State education and training program. Then the Department of Agriculture is required to match that.

Currently, four States receive over 80 percent of the total 50–50 match funding. Four States, 80 percent? What about the rest of the States? They include New York, California, Pennsylvania, and New Jersey. New York, 36, 37, percent; California, 21 percent; Pennsylvania, about 13 percent; New Jersey, about 10.

This optional 50–50 Federal match is uncapped. It can be used by States to provide reimbursement for participant expenses in regard to education and training that are deemed reasonable and necessary. But somebody has to define ''reasonable and necessary.'' The following items have come under ''reasonable and necessary,'' especially in these four States: union dues, test fees, clothing and tools required for the job, relocation expenses, licensing, bonding fees, transportation, childcare, tennis lessons. I made that up. I thought it would catch your attention, Mr. President. No, there are no tennis lessons. There might be, could be. But at least in regards to this reform, let's go to another provision of my legislation.

It ends the USDA practice of giving $48 million in awards every year to State agencies for basically doing their job to ensure proper use of the American tax dollar. Currently, bonuses are given to States for ''best program access,'' signing up as many people for food stamps as possible. ''Most improved program access.'' How many more people signed up for SNAP compared to the previous year? So if you sign up more people then you signed up last year, well, you get an award. ''Best application timeliness.'' That is handling applications within the required guidelines, and we are getting a benefit from that.

State agencies are rewarded for performing the minimum expectations for stewardship of the Food Stamp Program and also of the American tax dollar. The bonuses are not even required to be used for food stamp administration. A recipient State may choose the funding for any State priority. So we are talking about $48 million.

That goes to State agencies of these four Oscar Awards in regard to food stamps, but they can use the funding for anything, for any State priority. Eliminating these unnecessary State bonuses will save taxpayers, over 10 years, $480 million.

Another area where my legislation streamlines government programs is through the elimination of the SNAP Nutrition Education Grant Program. A number of existing nutrition education programs are delivered more equitably with a cost-benefit ratio that makes more sense, at least six Federal programs administered by the Department of Agriculture and the National Institutes of Health and Land Grant University Extension Programs.

In practice, the SNAP Nutrition Education Program is inequitably distributed with the top four States—here we go again—receiving over 54 percent of the funding. The bottom 33 State agencies receive less than 1 percent of the total funding. That is not right.

Additionally our bill ends inflation adjustments for countable resources and for emergency food assistance, saving over $600 million.

The legislation also terminates the ongoing stimulus of several years ago enacted by the American Recovery and Reinvestment Act of 2009, which provided extra funding to increase monthly SNAP food benefits.

Finally, the legislation does prohibit lottery winners—Senator STABENOW insisted on this in the last farm bill and it makes a lot of sense—from receiving SNAP benefits and keeps them from receiving new benefits if they do not meet the financial requirements of SNAP.

Overall, by eliminating several duplicative programs, closing loopholes, and ending unnecessary spending, the Improve Nutrition Program Integrity and Deficit Reduction Act will save taxpayers over $36 billion, the latest score by the CBO.

I understand the importance of domestic food assistance programs for many hard-working Americans, including many Kansans. I know that. In 1996, when I was chairman of the House Agriculture Committee, there was an effort to send the Food Stamp Program back to the States—and the Governors wanted it. They wanted the money, they didn't want the food stamps. We made an effort under a very historic farm bill at that time not only to save and reform but restore integrity to the Food Stamp Program. We have another opportunity right now. I do understand the importance of domestic food assistance programs for many hard-working Americans and Kansans.

My goal is very simple, again restoring integrity to the Supplemental Nutrition Assistance Program in a commonsense and comprehensive manner. Enacting this package of reforms will allow the Federal Government to continue to help those who truly need SNAP food benefits and assistance.

Again, I thank Senators THUNE and JOHANNS for their assistance in this effort. I look forward to working with my colleagues to enact these reforms for the benefit of all Americans.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, Ms. WARREN, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mrs. BOXER, Mr. WYDEN, Mr. DURBIN, Mr. REED, Mr. SCHUMER, Ms. STABENOW, Mr. LAUTENBERG, Mr. BROWN, Ms. KLOBUCHAR, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. COWAN):

S. 460. A bill to provide for an increase in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, for several years now I have come to the floor to talk about the need to bolster the middle class in this country and restore the American Dream. The American Dream is supposed to be about building a better life. If you work hard and play by the rules, you should be able to support your family, join the middle class, and provide a bright future for your children.

But tens of millions of hardworking Americans who are earning at or near the minimum wage are not only struggling to reach the middle class and achieve the American Dream, they are falling behind. We need to do more to support these workers as they try to build opportunity for their families and their futures. A critical first step is to ensure that they earn a fair day's pay for a hard day's work. That is why today I am joining with Congressman GEORGE MILLER to introduce the Fair Minimum Wage Act of 2013 to raise the minimum wage.

Our bill will do three things: first, it will gradually increase the minimum wage to $10.10 an hour in three annual steps. Second, our bill will link future increases in the minimum wage to the cost of living, through the Consumer Price Index, so that people who are trying to get ahead don't fall behind as our economy grows. Finally, our bill will—for the first time in more than 20 years—raise the minimum wage for workers who earn tips, from a paltry $2.13 per hour to a level that is 70 percent of the regular minimum wage. This will be gradually phased in over the course of 6 years, which will give businesses time to adjust while providing more fairness for hardworking people in tipped industries.

These raises are long overdue. Over the past several decades, average wages in this country have stagnated, but the minimum wage has actually declined in real terms. It has not kept up with costs, average wages, or rapid growth in productivity.

Since its peak in 1968, the minimum wage has lost 31 percent of its purchasing power. That means minimum-wage workers are effectively earning almost a third less than they did four decades ago. In fact, if the minimum wage had kept up with rising prices for food, rent, utilities, clothing, and other goods, then the wage would be $10.56 today. But instead it's $7.25. My bill will restore much of the buying power of the minimum wage.

The minimum wage also used to be a meaningful standard compared with what most people earned and compared with what workers in the economy produced. In 1968, it was just over half of average production wages. But today the minimum wage has fallen to 37 percent of the average production wage.

While Americans are working longer and harder than ever, their paychecks don't reflect their contribution. Workers are much more productive now than in the past. Productivity has risen more than 130 percent since 1968. But average wages have not budged in real terms and the minimum wage has lost ground. So while companies have reaped the benefits of all this productivity growth, the people who actually do the work have seen none of these gains.

As Congress has allowed the minimum wage to languish, working families have fallen below the poverty line. In the 1960s and 1970s, the minimum wage kept a family of three above the poverty line—20 percent above it in 1968. But today, a family of three with one minimum wage earner working full-time, year-round, will bring home a paycheck that is 18 percent below the poverty line.

The Fair Minimum Wage Act will restore the value of the minimum wage, bringing families back above the poverty line, to 106 percent of the poverty line for a family of three. With its provision to index the minimum wage to the cost of living in the future, the minimum wage will no longer lose value. It will rise as the economy grows, which will allow working families to keep up with rising costs.

I think it is very important that we talk about the people who will benefit from the Fair Minimum Wage Act. There are 30 million Americans who will get a fair wage because of this bill, either directly by the legislation or indirectly through the ''trickle up'' effects of a higher wage floor. That's one out of five workers in our country that will be impacted.

They do the hard, important jobs to keep our economy running. They are cashiers and sales help in stores; waiters, waitresses, bussers, runners and hostesses in restaurants. They care for our children, elders, and other loved ones. They help us at the gas station or in the parking garage. They clean offices and homes, and maintain buildings and grounds. They provide administrative support in offices. They work in the fields to bring food to our tables. They all deserve a fair wage.

The families of these 30 million workers will also benefit. Eighteen million children have parents who will get a raise. This will be so meaningful for these families, who are working to build a better life. For a full-time, year-round worker earning right at the minimum wage, it will mean gradually moving from $15,000 a year to $21,000 a year. Think about that. Most of us in this Chamber would not take too much notice of a $6,000 raise. But for minimum wage workers, that's nearly 40 percent more, and that will go a long way to buying groceries and school supplies, paying rent, and saving for college or retirement.

Everyone in our country who works hard and plays by the rules deserves these opportunities: and not just to survive, but to aspire to the middle class.

Raising the minimum wage will benefit our economy as well. With an increase in the minimum wage, workers will have more money to spend. This is just basic economics: increased demand means increased economic activity. They will spend their money in their local economies, giving a boost to Main Street. In fact, economists estimate that the Fair Minimum Wage Act will boost our GDP by $33 billion as it is implemented over the course of three years, generating 140,000 jobs in that time.

We know we can afford this. Wages aren't stuck at rock-bottom levels because our economy isn't growing. Our economy is growing. The problem is that growth is going to profits, to shareholders and executives. Inequality is at the highest level we have seen since the eve of the Great Depression. CEOs are raking in millions, while the people who do the real work in this country are struggling just to get by. In 2011, S&P 500 CEOs earned an average of $13 million. The average CEO earns more before lunchtime on his first day of work than a minimum wage worker earns all year. That is simply appalling.

Now some people, specially the big corporations with these lavish salaries, will criticize my bill, saying it will force businesses to lay off workers or cut back their hours. They say workers will be hurt if the minimum wage goes up. But history proves that these assertions are just plain wrong. We know from decades of rigorous research analyzing the real-life effects of minimum wage increases that minimum wage raises along the lines what I am proposing do not result in job losses or reduced hours. Second, these raises do, in fact, boost workers' earnings. This research applies to teenagers, too. I will say it again: minimum wage increases do not cause teenage unemployment.

So we will not see negative effects from raising the minimum wage. But

we will see positive effects for businesses and our economy. We know that increased wages boosts productivity and morale. Turnover falls significantly, which saves businesses thousands of dollars in recruitment, hiring, and training costs. Moreover, all businesses would have the same minimum wage, meaning businesses that are doing the right thing by paying fair wages will not be undercut by competitors who pay rock-bottom wages.

The American public knows that opponents' outlandish claims about raising the minimum wage don't hold water. That is why raising the minimum wage is incredibly popular among the American public. A national poll last year showed that 73 percent of Americans support raising the minimum wage to $10 an hour and linking it in the future to the cost of living. Even 50 percent of Republicans support raising and indexing the minimum wage. A 2011 poll showed that more than seventy percent of Americans believe that indexing the minimum wage to keep up with inflation will be good for the country.

The Fair Minimum Wage Act has been endorsed by nearly 200 national and local organizations around the country, and the support is only growing. They represent a wide cross-section of the American community. They are working to end poverty, hunger, and homelessness; to increase community involvement; and to ensure fairness for women and people of color. They are organizations of people of faith and organizations of workers. They are retirees and moms and members of the LGBT community. They are social workers, direct care workers, and steelworkers. And they are small businesses. The bill has been endorsed by the US Women's Chamber of Commerce, representing 500,000 small businesses around the country; by the Main Street Alliance, with chapters in a dozen states and 12,000 small business members; by the American Sustainable Business Council, which along with its member organizations represents more than 150,000 businesses nationwide, as well as more than 300,000 entrepreneurs, managers and investors; and by Business for a Fair Minimum Wage and Business for Shared Prosperity.

Because raising the minimum wage is so popular, and so necessary, many States have moved ahead of the Federal Government to do so. Nineteen states and the District of Columbia have raised their minimum wage above the federal level, all across the country. Ten states have already implemented annual indexing of the minimum wage to keep up with the rising cost of living. Thirty States have increased their minimum wage for tipped workers above the Federal level.

I am proud to introduce the Fair Minimum Wage Act of 2013. It is long past time to give Americans a raise. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 460

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair Minimum Wage Act of 2013''.

SEC. 2. MINIMUM WAGE INCREASES.

(a) MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $8.20 an hour, beginning on the first day of the third month that begins after the date of enactment of the Fair Minimum Wage Act of 2013 Act;

''(B) $9.15 an hour, beginning 1 year after that first day;

''(C) $10.10 an hour, beginning 2 years after that first day; and

''(D) beginning on the date that is 3 years after that first day, and annually thereafter, the amount determined by the Secretary pursuant to subsection (h);''.

(2) DETERMINATION BASED ON INCREASE IN THE CONSUMER PRICE INDEX.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

''(h)(1) Each year, by not later than the date that is 90 days before a new minimum wage determined under subsection (a)(1)(D) is to take effect, the Secretary shall determine the minimum wage to be in effect pursuant to this subsection for the subsequent 1-year period. The wage determined pursuant to this subsection for a year shall be—

''(A) not less than the amount in effect under subsection (a)(1) on the date of such determination;

''(B) increased from such amount by the annual percentage increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (United States city average, all items, not seasonally adjusted), or its successor publication, as determined by the Bureau of Labor Statistics; and

''(C) rounded to the nearest multiple of $0.05.

''(2) In calculating the annual percentage increase in the Consumer Price Index for purposes of paragraph (1)(B), the Secretary shall compare such Consumer Price Index for the most recent month, quarter, or year available (as selected by the Secretary prior to the first year for which a minimum wage is in effect pursuant to this subsection) with the Consumer Price Index for the same month in the preceding year, the same quarter in the preceding year, or the preceding year, respectively.''.

(b) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES.—Section 3(m)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(1)) is amended to read as follows:

''(1) the cash wage paid such employee, which for purposes of such determination shall be not less than—

''(A) for the 1-year period beginning on the first day of the third month that begins after the date of enactment of the Fair Minimum Wage Act of 2013, $3.00 an hour;

''(B) for each succeeding 1-year period until the hourly wage under this paragraph equals 70 percent of the wage in effect under section 6(a)(1) for such period, an hourly wage equal to the amount determined under this paragraph for the preceding year, increased by the lesser of—

''(i) $0.95; or

''(ii) the amount necessary for the wage in effect under this paragraph to equal 70 percent of the wage in effect under section 6(a)(1) for such period, rounded to the nearest multiple of $0.05; and

''(C) for each succeeding 1-year period after the year in which the hourly wage under this paragraph first equals 70 percent of the wage in effect under section 6(a)(1) for the same period, the amount necessary to ensure that the wage in effect under this paragraph remains equal to 70 percent of the wage in effect under section 6(a)(1), rounded to the nearest multiple of $0.05; and''.

(c) PUBLICATION OF NOTICE.—Section 6 of the Fair Labor Standards Act of 1938 (as amended by subsection (a)) (29 U.S.C. 206) is further amended by adding at the end the following:

''(i) Not later than 60 days prior to the effective date of any increase in the minimum wage determined under subsection (h) or required for tipped employees in accordance with subparagraph (B) or (C) of section 3(m)(1), as amended by the Fair Minimum Wage Act of 2013, the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing the adjusted required wage.''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the first day of the third month that begins after the date of enactment of this Act.

By Mr. INHOFE (for himself, Mr. COBURN, and Mr. CHAMBLISS):

S. 464. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

Mr. INHOFE. Mr. President, today I would like to introduce a piece of legislation that I believe is of great importance to the unity of the American people—the English Language Unity Act of 2013.

That English Language Unity Act of 2013 recognizes the practical reality of the role of English as our national language and makes English the official language of the United States government, a status in law it has not had before, and calls on government to preserve and enhance the role of English as the official language.

Let me be clear, nothing in the bill prohibits the use of a language other than English. The bill specifically exempts certain actions from requiring English, such as actions necessary for national security, trade, and protecting the public health and safety. The English Language Unity Act is an attempt to legislate a common sense language policy that a nation of immigrants needs one national language. Our Nation was settled by a group of people with a common vision. As our population has grown, our cultural diversity has grown as well. This diversity is part of what makes our nation great.

However, we must be able to communicate with one another so that we can

appreciate our differences. When members of our society cannot speak a common language, misunderstandings arise. Furthermore, the individuals who do not speak the language of the majority miss out on many opportunities to advance in society and achieve the American Dream.

The English Language Unity Act of 2013 requires the establishment of a uniform language requirement for naturalization and requires that all naturalization ceremonies be conducted in English. I want to empower new immigrants coming to our nation by helping them understand and become successful in their new home. I believe that one of the most important ways immigrants can achieve success is by learning English.

There is enormous popular support for English as the official language according to polling that has taken place over the last few years. A large majority of Americans support making English the official language of the United States. There is also widespread and bipartisan support for this legislation, and I hope that you will join me this Congress in supporting the English Language Unity Act of 2013.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 464

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''English Language Unity Act of 2013''.

SEC. 2. FINDINGS.

Congress finds and declares the following:

(1) The United States is comprised of individuals from diverse ethnic, cultural, and linguistic backgrounds, and continues to benefit from this rich diversity.

(2) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language.

(3) Among the powers reserved to the States respectively is the power to establish the English language as the official language of the respective States, and otherwise to promote the English language within the respective States, subject to the prohibitions enumerated in the Constitution of the United States and in laws of the respective States.

SEC. 3. ENGLISH AS OFFICIAL LANGUAGE OF THE UNITED STATES.

(a) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 6—OFFICIAL LANGUAGE

''§ 161. Official language of the United States

''The official language of the United States is English.

''§ 162. Preserving and enhancing the role of the official language

''Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

''§ 163. Official functions of Government to be conducted in English

''(a) OFFICIAL FUNCTIONS.—The official functions of the Government of the United States shall be conducted in English.

''(b) SCOPE.—For the purposes of this section—

''(1) the term 'United States' means the several States and the District of Columbia; and

''(2) the term 'official' refers to any function that—

''(A) binds the Government;

''(B) is required by law; or

''(C) is otherwise subject to scrutiny by either the press or the public.

''(c) PRACTICAL EFFECT.—This section shall apply to all laws, public proceedings, regulations, publications, orders, actions, programs, and policies, but does not apply to—

''(1) teaching of languages;

''(2) requirements under the Individuals with Disabilities Education Act;

''(3) actions, documents, or policies necessary for national security, international relations, trade, tourism, or commerce;

''(4) actions or documents that protect the public health and safety;

''(5) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

''(6) actions that protect the rights of victims of crimes or criminal defendants; or

''(7) using terms of art or phrases from languages other than English.

''§ 164. Uniform English language rule for naturalization

''(a) UNIFORM LANGUAGE TESTING STANDARD.—All citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the laws of the United States made in pursuance of the Constitution.

''(b) CEREMONIES.—All naturalization ceremonies shall be conducted in English.

''§ 165. Rules of construction

''Nothing in this chapter shall be construed—

''(1) to prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English);

''(2) to limit the preservation or use of Native Alaskan or Native American languages (as defined in the Native American Languages Act);

''(3) to disparage any language or to discourage any person from learning or using a language; or

''(4) to be inconsistent with the Constitution of the United States.

''§ 166. Standing

''A person injured by a violation of this chapter may in a civil action (including an action under chapter 151 of title 28) obtain appropriate relief.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 4, United States Code, is amended by inserting after the item relating to chapter 5 the following new item:

''CHAPTER 6. OFFICIAL LANGUAGE''.

SEC. 4. GENERAL RULES OF CONSTRUCTION FOR ENGLISH LANGUAGE TEXTS OF THE LAWS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following new section:

''§ 8. General rules of construction for laws of the United States

''(a) English language requirements and workplace policies, whether in the public or private sector, shall be presumptively consistent with the Laws of the United States.

''(b) Any ambiguity in the English language text of the Laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, is amended by inserting after the item relating to section 7 the following new item:

''8. General Rules of Construction for Laws of the United States.''.

SEC. 5. IMPLEMENTING REGULATIONS.

The Secretary of Homeland Security shall, within 180 days after the date of enactment of this Act, issue for public notice and comment a proposed rule for uniform testing English language ability of candidates for naturalization, based upon the principles that—

(1) all citizens should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution, and the laws of the United States which are made in pursuance thereof; and

(2) any exceptions to this standard should be limited to extraordinary circumstances, such as asylum.

SEC. 6. EFFECTIVE DATE.

The amendments made by sections 3 and 4 shall take effect on the date that is 180 days after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 67—DESIGNATING APRIL 5, 2013, AS ''GOLD STAR WIVES DAY''

Mr. BURR (for himself and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 67

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas, in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2013, marks the 68th anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2013, as ''Gold Star Wives Day'';

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE CONCURRENT RESOLUTION 5—EXPRESSING THE SENSE OF CONGRESS THAT JOHN ARTHUR ''JACK'' JOHNSON SHOULD RECEIVE A POSTHUMOUS PARDON FOR THE RACIALLY MOTIVATED CONVICTION IN 1913 THAT DIMINISHED THE ATHLETIC, CULTURAL, AND HISTORIC SIGNIFICANCE OF JACK JOHNSON AND UNDULY TARNISHED HIS REPUTATION

Mr. MCCAIN (for himself, Mr. REID, and Mr. COWAN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 5

Whereas John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White titleholder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World;

Whereas the victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the ''great white hope'';

Whereas, in 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the ''Battle of the Century'';

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially motivated murder of African-Americans nationwide;

Whereas the relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites;

Whereas, between 1901 and 1910, 754 African-Americans were lynched, some simply for being ''too familiar'' with White women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the ''White Slave Traffic Act'' or the ''Mann Act'') (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose'';

Whereas, in October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an ''immoral purpose'' in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of ''prostitution and debauchery'';

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946;

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame: and

Whereas, on July 29, 2009, the 111th Congress agreed to Senate Concurrent Resolution 29, which expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially motivated 1913 conviction: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

Mr. MCCAIN. Mr. President, I come to the floor to speak about a resolution I have submitted which calls on the President of the United States to posthumously pardon the world's first African-American heavyweight champion, John Arthur ''Jack'' Johnson. I am proud to be joined in this effort by my friend, the majority leader, HARRY REID and the Senator from Massachusetts Mr. COWAN.

I would point out that the majority leader of the Senate was once an excellent fighter himself, of great skill and agility, which he continues to display here as majority leader of the Senate. I would also like to thank him for his commitment to the sport of boxing and for joining me again in attempting to do justice for a man who was done a great injustice.

For my colleagues who may not be familiar with the story of the late Jack Johnson, he is considered by many to be the most dominant athlete in boxing history. Arthur John Johnson was born in Galveston, TX, in 1878 to parents who were former slaves. At an early age, he realized his talent for the sweet science. In order to make a living, Johnson traveled across the country fighting anyone willing to face him. But he was denied repeatedly, on purely racial grounds, a chance to fight for the world heavyweight title. For too long African-American fighters were not seen as legitimate contenders for the championship. Fortunately, after years of perseverance, Johnson was finally granted an opportunity in 1908 to fight the then-reigning title holder, Tommy Burns, in Sydney, Australia. Even though the fight lasted 14 rounds, Johnson handily defeated Burns to become the first African-American heavyweight champion of the world.

Jack Johnson's success in the ring, and sometimes indulgent lifestyle outside of it, fostered resentment among many and raised concerns that his continued dominance in the ring would somehow disrupt what was then perceived by many as a racial order. So as history tells us, a search for a Caucasian boxer who could defeat Johnson began. This recruitment effort became known as the search for the ''Great White Hope.'' The so-called hope arrived in the person of former champion Jim Jeffries, who returned from retirement to fight Johnson in 1910. Johnson went on to defeat Jeffries, and as a shameful consequence race riots broke out in several cities as many sought to avenge Jeffries' defeat.

Following the loss of the ''Great White Hope,'' the Federal Government launched an investigation into the legality of Johnson's relationships with Caucasian women. At that time the Mann Act, which was enacted in 1910, outlawed the transport of Caucasian women across State lines for the purpose of prostitution or debauchery or for ''any other immoral purpose.'' Using the ''any other immoral purpose'' clause as a pretext, Federal law enforcement officials set out to get Jack Johnson.

On October 18, 1912, the Federal Government got their man. On that day, Johnson was arrested for transporting his Caucasian girlfriend across State lines in violation of the Mann Act. However, the charges were subsequently dropped when the Caucasian female, whose mother had originally tipped off Federal officials, refused to cooperate with authorities. She later married Jack Johnson.

Not to be outdone, the Federal authorities remained persistent in their determination to persecute Johnson, persuading a former scorned Caucasian

girlfriend of Johnson's to testify that he had transported her across State lines. Her testimony resulted in Johnson's conviction in 1913, when he was sentenced to 1 year and a day in Federal prison. During Johnson's appeal, one prosecutor admitted:

> Mr. Johnson was perhaps persecuted as an individual, but that it was his misfortune to be the foremost example of the evil in permitting the intermarriage of whites and blacks.

After the trial, Johnson fled the country to Canada and then traveled to various European and South American countries before losing his heavyweight champion title in Cuba in 1915. Ultimately overcome by homesickness, Jack Johnson returned to the United States in 1920, surrendering to Federal authorities, and served nearly 1 year in Federal prison. Despite this obvious and clear injustice, Johnson refused to turn his back on the country that betrayed him. Mr. Johnson died in an automobile accident in 1946 at the age of 68 years.

Today, as we look back on our Nation's history, the Jack Johnson case is a shameful stain apparent to all. Rectifying this injustice is long overdue. The resolution we submit today calls on the President to pardon Mr. Johnson posthumously. It recognizes the unjustness of what transpired and sheds light on the achievements of an athlete who was forced into the shadows of bigotry and prejudice. Jack Johnson may have been a flawed individual, and he was certainly controversial during his day, but he was also a historic American figure whose life and accomplishments played an instrumental role in our Nation's development and progress toward true equality under the law.

There is no doubt Jack Johnson deserved much better than a racially motivated conviction which denied him his liberty and served to diminish his athletic, cultural, and historic significance. As a body we should adopt this resolution and continue to fight for a posthumous pardon for Jack Johnson to afford future generations the opportunity to grasp fully what Jack Johnson accomplished—against great odds—and appreciate his contributions to society unencumbered by the taint of an unjust, racially motivated criminal conviction.

Sadly, there is no way for us to possibly right the wrong that was done to Jack Johnson during his lifetime, but what we can do is take this small step toward acknowledging his mistreatment and remove the cloud that casts a shadow on his legacy. After all, that cloud over Jack Johnson's legacy says more about our past wrongs than it could honestly ever say about Johnson's own. As such, I urge my colleagues to support and swiftly adopt the resolution which requests the President of the United States grant Jack Johnson a posthumous pardon.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 5, 2013, at 9:30 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 5, 2013, at 10:00 a.m. in room SD–G50 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 5, 2013, at 2:30 p.m.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, as amended by Public Law 110–315, appoints the following individual to the Advisory Committee on Student Financial Assistance: Roberta Johnson of Iowa vice Norm Bedford of Nevada.

ORDERS FOR WEDNESDAY, MARCH 6, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 6, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume executive session to consider the nomination of Caitlin Halligan to be a U.S. circuit judge for the DC Circuit, with the time until 10:30 a.m. equally divided and controlled in the usual form; further, that at 10:30 a.m. the cloture vote on the Halligan nomination occur.

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

PROGRAM

Mr. REID. There will be a cloture vote, then, Mr. President, on the Halligan nomination at 10:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 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 7:15 p.m., adjourned until Wednesday, March 6, 2013, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5, 2013:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL ARNOLD W. BUNCH, JR.
BRIGADIER GENERAL THERESA C. CARTER
BRIGADIER GENERAL SANDRA E. FINAN
BRIGADIER GENERAL JEFFREY L. HARRIGIAN
BRIGADIER GENERAL TIMOTHY J. LEAHY
BRIGADIER GENERAL GREGORY J. LENGYEL
BRIGADIER GENERAL LEE K. LEVY II
BRIGADIER GENERAL JAMES F. MARTIN, JR.
BRIGADIER GENERAL JERRY P. MARTINEZ
BRIGADIER GENERAL PAUL H. MCGILLICUDDY
BRIGADIER GENERAL ROBERT D. MCMURRY, JR.
BRIGADIER GENERAL EDWARD M. MINAHAN
BRIGADIER GENERAL MARK C. NOWLAND
BRIGADIER GENERAL TERRENCE J. O'SHAUGHNESSY
BRIGADIER GENERAL MICHAEL T. PLEHN
BRIGADIER GENERAL MARGARET B. POORE
BRIGADIER GENERAL JAMES N. POST III
BRIGADIER GENERAL STEVEN M. SHEPRO
BRIGADIER GENERAL DAVID D. THOMPSON
BRIGADIER GENERAL SCOTT A. VANDER HAMM
BRIGADIER GENERAL MARSHALL B. WEBB
BRIGADIER GENERAL BURKE E. WILSON
BRIGADIER GENERAL SCOTT J. ZOBRIST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL NINA M. ARMAGNO
COLONEL SAM C. BARRETT
COLONEL STEVEN L. BASHAM
COLONEL RONALD D. BUCKLEY
COLONEL CARL A. BUHLER
COLONEL JOHN A. CHERREY
COLONEL JAMES C. DAWKINS, JR.
COLONEL PATRICK J. DOHERTY
COLONEL DAWN M. DUNLOP
COLONEL THOMAS L. GIBSON
COLONEL JAMES B. HECKER
COLONEL PATRICK C. HIGBY
COLONEL MARK K. JOHNSON
COLONEL BRIAN M. KILLOUGH
COLONEL ROBERT D. LABRUTTA
COLONEL RUSSELL L. MACK
COLONEL PATRICK X. MORDENTE
COLONEL SHAUN Q. MORRIS
COLONEL PAUL D. NELSON
COLONEL JOHN M. PLETCHER
COLONEL DUKE Z. RICHARDSON
COLONEL BRIAN S. ROBINSON
COLONEL BARRE R. SEGUIN
COLONEL JOHN S. SHAPLAND
COLONEL ROBERT J. SKINNER
COLONEL JAMES C. SLIFE
COLONEL DIRK D. SMITH
COLONEL JEFFREY B. TALIAFERRO
COLONEL JON T. THOMAS
COLONEL GLEN D. VANHERCK
COLONEL STEPHEN N. WHITING
COLONEL JOHN M. WOOD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBIN RAND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN M. BEDNAREK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GENERAL LLOYD J. AUSTIN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LIEUTENANT GENERAL ROBERT L. CASLEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3034:

To be general

LT. GEN. JOHN F. CAMPBELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. VINCENT K. BROOKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DAVID M. RODRIGUEZ

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL W. BRIER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADMIRAL WILLIAM H. HILARIDES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. AUCOIN

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH ALAN S. FINE AND ENDING WITH PAUL R. NEWBOLD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

IN THE ARMY

ARMY NOMINATION OF JASMINE T. N. DANIELS, TO BE COLONEL.

ARMY NOMINATION OF PAUL W. ROECKER, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JAMES B. BARKLEY AND ENDING WITH MICHAEL E. SPRAGGINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATION OF LENA M. FABIAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH YIMING A. CHING AND ENDING WITH JOSEPH F. GOODMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH WILLIAM C. ALLEY AND ENDING WITH D010916, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH ALISON R. HUPPMAN AND ENDING WITH ALLEGRA E. LOBELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

ARMY NOMINATIONS BEGINNING WITH THOMAS M. GREGO AND ENDING WITH GEORGE J. ZECKLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH ANDREW W. DELEY AND ENDING WITH GREGORY E. RINGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 7, 2013.

EXTENSIONS OF REMARKS

TRIBUTE TO MATTHEW CONNOLLY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Matthew Connolly for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Matthew Connolly is the president of his own green builder company, Generation Green Builders Company, and resides in the Beaverdale neighborhood of Des Moines with his wife Jodi and their two children, Malaya Rose and Lane Matthew. Mr. Connolly's path to being a successful businessman and family man was anything but easy and required overcoming a serious mental illness, schizophrenia. Matt credits his ability to maintain his recovery since 2004 on five pillars of recovery—medication, therapy, social worker support, family and friends, and support groups. Today, Mr. Connolly is running his own company and serving as an advocate for mental illness awareness. Matt's ability to not only survive, but thrive, amidst his mental illness is a testament to his unwavering work ethic and commitment to bettering himself and those around him.

Mr. Speaker, it is a profound honor to represent leaders like Matthew in the United States Congress and it is with great pride that I recognize and applaud Mr. Connolly for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Matthew on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING CASIMIR PULASKI DAY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the life of Polish and American freedom fighter Casimir Pulaski. In my home state of Illinois, we celebrate Casimir Pulaski Day, which is observed on the first Monday of March.

Born in Warsaw, Poland, on March 6, 1745, Casimir Pulaski was a skilled commander who fought against Russian forces in Poland. Based upon his work fighting for freedom in Poland, Pulaski was recruited by Benjamin Franklin to join in the American Revolution. In his first correspondence to George Washington, Pulaski famously wrote, "I came here, where freedom is being defended, to serve it, and to live or die for it." In his first battle of the Revolution, the Battle of Brandywine on September 11, 1777, Pulaski helped alter the course of history by rallying a counterattack against advancing British forces that afforded Washington and countless American troops the time needed to successfully retreat. As a result, Washington promoted Pulaski to brigadier general of the American cavalry.

His influence on American independence did not end there. Pulaski introduced some modern military tactics to the American revolutionaries and led troops in numerous battles and sieges up and down the eastern seaboard. He organized the Continental Army's first successful cavalry unit, often using his own money to finance equipment for his men.

On October 9, 1779, during the Battle of Savannah, Pulaski was struck by grapeshot while attempting to lead a secondary charge against the entrenched British. He was taken aboard the USS *Wasp* and died from his wounds two days later. On October 15, he was buried at sea. Today Pulaski is remembered as the father of the American cavalry and one of the heroes of the American Revolution. He has been memorialized across America, through the naming of towns, counties, roads, and other landmarks.

In 2009, on the 230th anniversary of his death, Congress honored Pulaski posthumously as an honorary citizen of the United States, marking only the seventh time in American history that an individual has been granted such an honor.

This past Saturday, I joined the Polish Highlanders Alliance at their headquarters in Chicago's Archer Heights community to celebrate Pulaski Day. In my address to the group gathered to remember Casimir Pulaski, I praised the long friendship between the United States and Poland, and pledged my continued support for bringing Poland into the Visa Waiver Program.

Today, I ask all Americans to remember a true Polish and American hero who devoted and ultimately sacrificed his life to the pursuit of freedom.

HONORING NANCY ANN DANIEL

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. VALADAO. Mr. Speaker, I rise today, along with my colleague Mr. COSTA, to honor Nancy Ann Daniel, of Mendota, California. For years, she served as a tireless advocate and leader in California's San Joaquin Valley. Mrs. Daniel passed away on February 4, 2013 after decades of service to our Valley's most vulnerable citizens. She will be sorely missed.

Nancy and her husband, David, were labor contractors who specialized in cantaloupe harvesting. Using their own resources, they founded the Westside Youth Center in 1977 as a local boxing club for Mendota's at-risk youth. Over the years, the center added computers to help students with homework, a football team, and provided a safe place where children could spend afternoons and weekends with positive role models.

Through her leadership and financial stewardship, Nancy was able to ensure that the services at the Westside Youth Center remained free of charge. Due to the economic downturn impacting many in the community, the Westside Youth Center has become an absolutely integral part of our Valley.

The many lives that have been impacted by the Westside Youth Center will ensure that Nancy's legacy lives on for years to come. Her passion and dedication to her community provided an excellent example to the Mendota community. She will be remembered for her smile and her constant positive and upbeat attitude.

Mrs. Daniel was humble in her commitment and dedication to the City of Mendota. She once reflected, "You can't help them all, but it makes a big difference when you help a couple." Mr. Speaker, I ask my colleagues to join me and Mr. COSTA in remembering Mrs. Nancy Ann Daniel for her invaluable service to the San Joaquin Valley.

TRIBUTE TO MATTHEW HARRIS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Matthew Harris for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Matthew Harris is an Iowa native and alumnus of the University of Northern Iowa. In March of 2011, Matthew was appointed Administrator of the Iowa Arts Council, a division

of the Iowa Department of Cultural Affairs. Professionally, Harris is charged with leading the state arts agency's staff, grant-making initiatives and programming while helping advance the agency's mission of enriching the quality of life in Iowa through support of the arts. Outside of work, Matthew is heavily involved with the Character Counts in Iowa program and the Les Hale Endowment Fund. In both facets of his life, Matt is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Matthew in the United States Congress and it is with great pride that I recognize and applaud Mr. Harris for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Matthew on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING THE PEOPLE OF NAGORNO KARABAKH

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. NUNES. Mr. Speaker, I rise today alongside my colleague, Representative DAVID VALADAO, to pay tribute to the people of Nagorno Karabakh.

Armenians have suffered some of the worst savagery of recent history, from the massacre of more than a million people in the Armenian Genocide, to the cruel repression of Soviet rule, to Azerbaijan's war against Nagorno Karabakh and the ongoing siege of that region. Through these trials and tribulations, the Armenian people have paid a steep price for their freedom. The hero's welcome Azerbaijan recently afforded to Ramil Safarov, an Azerbaijani military officer who murdered a sleeping Armenian officer during a NATO-sponsored program in Hungary, is a stark reminder of the unrelenting hostility Armenians face today.

In this year, which marks the twenty-fifth anniversary of another anti-Armenian atrocity—the Sumgait pogroms—we pay homage to the Armenian people and particularly the people of Nagorno Karabakh, who bravely struggle to maintain their right to self-determination.

COMMEMORATING THE EPILEPSY FOUNDATION

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. GIBSON. Mr. Speaker, I rise today to commemorate the Epilepsy Foundation and two remarkable constituents of New York's 19th Congressional District. Recently, Fiona Carroll of Averill Park and Angelina Dutcher of Glasco had the distinction of being named Northeastern New York's Winning Kids of 2013. This is a noteworthy accomplishment and shows their dedication to fighting epilepsy.

Every year, the Epilepsy Foundation of Northeastern New York names two individuals to represent all of the children throughout our region who suffer from epilepsy. Through this designation, Fiona and Angelina will attend special events and fundraisers to raise awareness of and to fight this terrible disorder. Additionally, both will receive a scholarship to the summer camp of their choosing.

These two young ladies are incredible individuals and should serve as role models for us all. Fiona is an avid recreationalist and nature enthusiast. She also participates in the Girl Scouts of America, the Averill Park Youth Soccer League travel team, and uses her spare time to try to help others who are less fortunate, including recently cutting and donating her hair to the charity Locks of Love. Angelina is also an unbelievably driven and hard-working individual. She plays various sports and trains in martial arts while attending the 4th grade at the Windham-Ashland-Jewitt School.

I am very proud to have such extraordinary individuals as constituents of the 19th Congressional District. Congratulations Angelina and Fiona. I look forward to working with you both and the Epilepsy Foundation of Northeastern New York to combat epilepsy.

TRIBUTE TO CURTIS BROWN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Curtis Brown for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Curtis Brown lives in Ankeny, Iowa with his wife Rachel and sons Maximilian, Adrian Benet, and Jude, and serves as Economic Development Director for the city. Professionally, Curtis serves the people of Ankeny by building relationships with business leaders and economic development leaders. Privately, Mr. Brown is an active member of Our Lady's Immaculate Conception Church and volunteers as a Spanish interpreter for the Make-A-Wish Foundation of Iowa. Both personally and professionally, Curtis is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Curtis in the United States Congress and it is with great pride that I recognize and applaud Mr. Brown for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Curtis on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING LARRY DOBKIN AND ''TUNED IN: THE LARRY DOBKIN MUSIC SHOWCASE''

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor my friend Larry Dobkin. The world sometimes has a cruel way of taking the best among us, and Larry was one of the best. In September, he succumbed after a noble battle with cancer. He left behind a wife, Nanci and three kids, Alex, Carlie and Sydnie. But Larry's loss was felt far beyond his immediate family. That was Larry's gift—we all felt like family.

Perhaps never have I met another person so fiercely loyal, devoted and loving. If you were a friend—and Larry considered pretty much everyone a friend—then Larry would work himself to exhaustion for you. He made a recruiting visit to his beloved University of Illinois law school even as he was battling late-stage cancer. From his hospital bed, Larry still advocated on behalf of young lawyers in his firm and the children of friends.

I had the privilege of knowing Larry through many lenses, from Aitz Hayam, to the Jewish Federation, to Response Center and Nachshon. His passion for Israel was second to none. On countless trips to Israel, Larry touched countless more people overseas. The Jewish community lost a giant. We all did.

He thought deeply about the world and religion and family and community. Conversations with Larry always sought the highest ground, and they always focused on making the world safer, making it better for the next generation.

One of Larry's greatest endeavors was his support for Response Center, which provides outreach, counseling and sexual health services to teens and their families. For those of us who knew Larry, this isn't a surprise: it's helping kids. In recognition of his peerless efforts, Response Center has created an endowment in his honor and—perhaps even more to Larry's liking—they renamed their annual teen music showcase in his memory. From this year forward, it will be ''Tuned In: The Larry Dobkin Music Showcase.''

Now, Larry will be responsible for helping support young people and their families. I can't think of anything he'd want more, and I know that somewhere Larry is bear-hugging everyone in sight, not because he's proud of a personal achievement, but because his mission continues.

Though we miss him with all our hearts, our lives are immeasurably better for having shared a lot of his life together. We have to dedicate ourselves to working tirelessly, every single day, working ourselves to exhaustion and beyond because there's a void that Larry left. As we continue to grieve, we continue to work. Larry never stopped and neither can we.

Larry, I miss you. We all miss you.

TRIBUTE TO DESMUND ADAMS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Desmund Adams

for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Desmund Adams is the epitome of an ''American success story.'' Once a high school dropout and later a graduate of Drake University Law School, Desmund has gone on to live his life as an example of what is possible through hard work and dedication. In 2005, he started his own executive search firm, AdamsDouglas, and today is accountable for more than half of gross revenues for the company. Desmund resides in Clive, Iowa with his wife Dr. Shondalette Adams and their two sons, Khalil Desmund Adams and Solomon Douglas Adams. Desmund's selection as a Forty Under 40 honoree by Business Record reflects what is possible when Iowa work ethic intersects with leadership and character.

Mr. Speaker, it is a profound honor to represent leaders like Desmund in the United States Congress and it is with great pride that I recognize and applaud Mr. Adams for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Desmund on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

IN HONOR OF K9 VETERANS DAY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. MEEHAN. Mr. Speaker, I rise in honor of K9 Veteran's Day. March 13, 1942 is the official birthday of the United States K9 Corps and many states across the country, including Pennsylvania, have officially recognized this date as K9 Veterans Day. For decades, military and police working dogs have served alongside our brave troops and law enforcement officers. They have sacrificed and lost their lives in the line of duty, and they deserve our respect and gratitude. It is important that we take a moment to remember those canines that have served diligently to protect lives.

HONORING SHEN YUN PERFORMING ARTS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Shen Yun Performing Arts' upcoming visit to the tri-state area and the company's significant contributions to the advancement of the arts in the Philadelphia area.

Reviving the essence of 5000 years of Chinese culture, Shen Yun is a world-class dance company that has performed in cities across the United States and abroad. The company's performers practice the Falun Dafa spiritual discipline and are hosted by local Falun Dafa Associations around the world. Founded in 2006, Shen Yun has graced many of the world's greatest stages in its short tenure, including Lincoln Center in New York City, The Kennedy Center in D.C., Royal Festival Hall in London, and Le Palais de Congrès in Paris.

Philadelphia has been blessed with a vibrant and active Chinese community, one that has been bettered through the contributions of Shen Yun. I ask that you and my other distinguished colleagues help me in honoring Shen Yun and their upcoming trip to the Philadelphia area. I am thrilled that my community will be able to enjoy the beauty of this dance company in the upcoming months.

TRIBUTE TO LAWRENCE CUNNINGHAM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Lawrence Cunningham for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Lawrence Cunningham is the Director of Business Development at Catchfire Media, where he is responsible for adding $2 million a year in new business. Outside of his career, Mr. Cunningham is heavily involved with a number of young professional organizations across the state. Lawrence resides in Urbandale with his wife Brandy and their two-year-old son Asher. In both facets of his life, Lawrence is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Lawrence in the United States Congress and it is with great pride that I recognize and applaud Mr. Cunningham for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Lawrence on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

THE STANDARD DATA ACT OF 2013

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. REED. Mr. Speaker, today I join my colleague Mr. DOGGETT of Texas, to introduce the Standard Data and Technology Advancement Act of 2013, or the ''Standard DATA Act.'' This legislation follows legislation previously introduced and championed by former Congressman Geoff Davis during his time as the Committee on Ways and Means Human Resources Subcommittee Chairman.

The Standard DATA Act builds on the progress that has been made to establish consistent requirements for the electronic content and format of data used in the administration of key human services programs authorized by the Social Security Act.

Human services programs serve overlapping populations and should, from an information technology standpoint, operate consistently within and across programs. By continuing the process of data standardization and the use of common reporting mechanisms, this bill will help achieve three goals: better prevent and identify fraud and abuse; increase the efficiency of administrative resources to serve eligible beneficiaries; and produce program savings for U.S. taxpayers.

This bill continues the efforts begun in the bipartisan, bicameral Child and Family Services Extension and Enhancement Act of 2011, which was the first effort at requiring a human services program to implement standard data elements and reporting. President Obama signed that bill into law on September 30, 2011.

The Middle Class Tax Relief and Job Creation Act of 2012, signed by the President in February 2012, applied similar data standards provisions to unemployment insurance and the Temporary Assistance for Needy Families program.

This program-by-program approach has been useful, but the ultimate goal is to work across programs. The legislation being introduced today provides a path forward to cover additional programs under the jurisdiction of the Human Resources subcommittee, with the intention of moving to create a complete system of program information exchange.

As a member of the Human Resources subcommittee I commend these efforts and recognize the data provisions enacted in P.L. 112–96 are designed to be a catalyst for continued action.

Consistent with the bipartisan approach developed and maintained by former Subcommittee Chairman Geoff Davis and Ranking Member LLOYD DOGGETT, today I introduce this bill with the full support of the Human Resources Subcommittee, from both sides of the aisle.

Improved data standards will help increase the efficiency of data exchanges to use and reuse data within and across programs. That will allow States to automate the exchange of claimant data on work and benefit receipt, reducing delays and minimizing improper payments. It will also help to automate application forms by pre-populating them with reliable and verified data, which can reduce the manual burden on staff and allow them more time to engage beneficiaries, all while reducing error.

This efficiency will better serve program beneficiaries and taxpayers at the same time.

I thank my colleagues for co-sponsoring this important legislation, starting with Mr. DOGGETT, the Ranking Member on the Human Resources Subcommittee, Mr. REICHERT, Chairman of the Human Resources Subcommittee, as well as Mr. LEWIS of Georgia, Dr. BOUSTANY, Mr. YOUNG of Indiana, Mr. GRIFFIN, Mr. RENACCI, Mr. TIBERI, Mr. PAULSEN and Mr. DANNY DAVIS of Illinois.

I invite all Members to join us in supporting this important legislation designed to improve the integrity of the benefit programs millions of Americans access today, and ensure that taxpayer funds are properly spent.

TRIBUTE TO ERICA AXIOTIS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Erica Axiotis for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Erica Axiotis resides in Des Moines, Iowa with her husband Christopher and is currently serving as the Director of Development for the Mercy Foundation, where she works with businesses interested in providing donations to assist the healthcare work done by Mercy Medical Center. Also a board member of the Junior League of Des Moines, the Iowa Shakespeare Experience, and Young Variety, Mrs. Axiotis' commitment and passion for assisting her community and beyond are outstanding.

Mr. Speaker, it is a profound honor to represent leaders like Erica in the United States Congress and it is with great pride that I recognize and applaud Mrs. Axiotis for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Erica on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

COMMEMORATING THE 25TH ANNIVERSARY OF THE BEGINNING OF THE NAGORNO KARABAKH INDEPENDENCE MOVEMENT

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. GRIMM. Mr. Speaker, last month marked 25 years since the people of the Nagorno Karabakh region took a brave and bold first step in asserting their right to political freedom and national independence. Since the early 20th century the Nagorno Karabakh region and its people have been subject to the territorial squabbling and political gamesmanship of a number of foreign powers. In spite of this fact, the proud people of the Nagorno Karabakh have steadfastly asserted their desire for political autonomy, overwhelmingly approving a popular referendum declaring independence from Azerbaijan in 1991 and thereby affirming a distinct national identity driven by deep ethnic, cultural, and religious bonds. The Nagorno Karabakh Republic's steady advances in the industries of banking, agriculture, and telecommunications, provide further testament to their promise as a viable independent partner in the international community. Coupling this with the United States' longstanding and unambiguous role as a defender of free people's right to self-determination across the globe, I hope that my colleagues will join me in commemorating the 25th anniversary of the Nagorno Karabakh liberation movement as part of the promotion of peace, stability, and prosperity in the South Caucusus.

OPPOSITION TO BUDGET SEQUESTRATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. WAXMAN. Mr. Speaker, today we find ourselves in the midst of yet another manufactured crisis that threatens our economic recovery. Last Friday marked the beginning of $85 billion in arbitrary, across-the-board cuts to key domestic priorities and defense programs.

How did we get here? The Budget Control Act of 2011 created an automatic sequestration plan that was designed to be so senseless and so painful that Democrats and Republicans would be left with no choice but to come together to craft an alternative. Yet, the sequestration that was never supposed to happen has begun.

The impact of these cuts will be real. The Congressional Budget Office estimates that sequestration will reduce GDP by .6% and cost about 750,000 jobs by the fourth quarter of this year. These alarming figures don't even take into account the impact cuts will have on federal protections and services for American families.

They include:

Reductions in FDA funding that will result in fewer scheduled food safety inspections and delays in new drug approvals.

Reductions in substance abuse and mental health programs that will result in nearly 400,000 adults and children with serious mental illnesses going without treatment.

Reductions in funding for the National Institutes of Health (NIH) and National Science Foundation (NSF), resulting in delayed or halted scientific and medical research. Reductions in funding for the Aids Drug Assistance Program, resulting in thousands fewer patients having access to HIV medications, and reductions in funding for Centers for Disease Control (CDC), resulting in over 400,000 fewer AIDS tests being conducted this year.

Reductions in the Environmental Protection Agency (EPA), resulting in cuts in public health and environmental protections, including reductions in safe drinking water and wastewater treatment projects, water quality permitting, air quality monitoring, and hazardous waste cleanups.

Nearly 4 million individuals receiving federally funded unemployment benefits will face an 11% cut in their weekly payments. The WIC nutrition program for low-income pregnant women, infants, and young children could be forced to turn away over 700,000 women and children by the end of the year and 100,000 families could lose their housing vouchers.

California will be particularly hard hit by the deep cuts to defense spending. Billions of dollars and an estimated 225,464 jobs related to aerospace and defense are at risk.

We have an obligation to put partisanship aside and make budget decisions that reflect the priorities of the American people. President Obama has offered to work with Congress on a comprehensive plan to reduce the debt, create a fairer tax system, and rebuild the middle class, all of which are necessary to strengthen the economy and maintain our ability to compete. Democrats have introduced legislation that takes such a balanced approach, and I urge the Republican leadership to allow it to come to the floor for a vote.

TRIBUTE TO JONATHAN BRENDEMUEHL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Jonathan Brendemuehl for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Originally from Illinois, Jonathan Brendemuehl is a Drake University alumnus who now resides in Des Moines home with his partner Christopher Diebel. Mr. Brendemuehl, 26, serves as the Marketing Events Coordinator for Bankers Trust Co. In this role, Jonathan manages Bankers Trust's involvement in more than 125 annual events. Outside of his career, Mr. Brendemuehl serves as president of the Downtown Neighborhood Association and is actively involved in the Des Moines Symphony and Des Moines Community Playhouse. Jonathan's passion for his career and his community sets an example that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Jonathan in the United States Congress and it is with great pride that

I recognize and applaud Mr. Brendemuehl for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Jonathan on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

HONORING THE LIFE OF CLARENCE ATWELL, JR.

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. VALADAO. Mr. Speaker, I rise today, along with my colleague Mr. COSTA, to pay tribute to the life of Clarence Atwell, Jr., who passed away on February 28, 2013 at the age of 67. Clarence served as Chief of the Tachi Yokut Tribe for 42 years. His leadership, guidance, and compassion will be greatly missed.

Born in the early morning hours under a lone tree on the Rice Ranch, Clarence Atwell would grow to lead an extraordinary life. Raised by his grandmother on the reservation, Clarence spoke his native language of Tachi. It was only when he started grade school that he learned English. During his adolescent years, Clarence developed a strong passion for caring for the tribal elders. He would spend days hunting for food, sometimes walking several miles to bring home rabbit, deer, and fish for the elders. His love of the land grew as he became a young man, and Clarence worked in the fields from sunup to well beyond sundown each day.

Strongly connected to his tribe, Chief Atwell was first elected Tribal Chairman in his early 20s and would go on to hold the position for over 40 years. The Tachi Yokut Tribe prospered under the powerful and wise Tribal Leadership of Chief Atwell. For many years, the members worked hard to achieve self-sufficiency by expanding Tachi Palace in Lemoore from a small gaming facility into one of the San Joaquin Valley's top destinations. Partially due to his efforts, tribal members now have access to secure housing, the elders receive lunch each day, and the members have dental and medical care.

Acknowledged by Kings County, California as an official Spiritual Leader, Chief Atwell was renowned for his spiritual guidance and performed countless life-changing ceremonies, including weddings, baptisms, and funerals. Chief Atwell was a Bear Clan Leader for California, one of the highest native spiritual honors afforded to individuals. The Bears were part of the official inauguration ceremony of then-California Lt. Governor Cruz Bustamante where they performed in full regalia at the State's Capitol.

Chief Atwell advised many political leaders, having had the distinction of meeting Vice President Al Gore and President Bill Clinton. Chief Atwell was known for his candor and forthrightness, though always in a quiet and polite manner. Tribes across the country could count on Chief Atwell for his political savvy, keen knowledge, and intense wisdom.

Clarence leaves behind his wife, Jeanette, and children: Kimberly, Cheryl, Curtis, Aubrey, and Rufus; as well as many grandchildren, great grandchildren, nieces and nephews.

Mr. Speaker, it is with great respect that Mr. COSTA and I ask our colleagues in the House of Representatives to pay tribute to the life and service of Clarence Atwell, Jr. His advice and leadership will be missed by many, but his spirit will surely live on in the Tachi Yokut Tribe.

TRIBUTE TO JOHN MICKELSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Mickelson for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

John Mickelson is the Associate Managing Director at the PrivateBank and Trust Co. and also serves as a City Councilman for the City of West Des Moines. He has previously started, owned, and operated three small businesses. John received three degrees from the University of Iowa, where he was also a letterwinner on the football team. Outside of work, John serves as Vice-Chair for the State Historical Society of Iowa and a Board Member for the John Pappajohn Entrepreneurial Center. Mr. Mickelson resides in West Des Moines with his wife Brooke and their three sons. In both facets of his life, John is an example of hard work and service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like John in the United States Congress and it is with great pride that I recognize and applaud Mr. Mickelson for utilizing his talents to better both his community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

NATIONAL INVASIVE SPECIES AWARENESS WEEK

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Ms. MCCOLLUM. Mr. Speaker, today I rise to recognize this week as National Invasive Species Awareness Week.

The National Invasive Species Awareness Week is an opportunity to learn about invasive species in our communities and the risk they pose to our environments, economy, and native wildlife. These non-native plants, animals, and other microorganisms are costing our local communities, states, and the federal government millions of dollars each year. One species of concern for my district is Asian Carp.

If left unchecked, Asian Carp will destroy local ecosystems and potentially risk thousands of jobs in my home state of Minnesota. Since the 1970s, this environmental-invader has overwhelmed the Mississippi watershed. Asian Carp now threatens an estimated 10,000 lakes and 92,000 miles of rivers and streams in Minnesota. Jumping almost ten feet in the air, they pose a real hazard to boaters and fishermen. Our state is not alone in the devastating effects of this invasive species. Communities in Illinois, Indiana, Kentucky, Tennessee, Iowa, Kentucky, Ohio, and Wisconsin have all been affected by Asian Carp.

Earlier this year, I re-introduced the Strategic Response to Asian Carp Invasion Act (H.R. 358) along with Congressman MIKE KELLY (R–PA). Effectively combatting this serious problem requires the federal government to be an equal partner, engaged with our states and local communities. Senators SHERROD BROWN (D–OH) and PAT TOOMEY (R–PA) have introduced an identical version—S. 125.

Our legislation will hold federal agencies accountable and improve their coordination with local authorities to slow the spread of Asian Carp. The bill would require the U.S. Fish and Wildlife Service to lead a new multi-agency effort that includes the Army Corps of Engineers, the National Park Service and the U.S. Geological, Survey to develop a coordinated strategy that supports on-going state and regional efforts as well as provide high-level technical assistance, best practices, and other resources.

Ongoing work by the Asian Carp Regional Coordinating Commission, the Great Lakes Restoration Initiative, non-governmental organizations, our Canadian partners, and regional efforts demonstrate a broad recognition of the scope of this threat. However, no federal strategy currently exists to protect the Upper Mississippi and Ohio River basins and tributaries from this destructive, invasive species.

The Strategic Response to Asian Carp Invasion Act has the endorsement of several national wide organizations such as Trout Unlimited, National Wildlife Federation, National Parks Conservation Association, and B.A.S.S.

Last year, taxpayers paid an estimated $100 million for the control of Asian Carp. We will continue to waste taxpayer dollars without a national strategy that targets our resources, invests in new solutions, and coordinates ongoing, effective efforts to slow the spread of Asian Carp.

TRIBUTE TO TINA GRAY CARSTENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 05, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Tina Gray Carstensen for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Tina Gray Carstensen is a lifelong Iowa native who grew up in Newton and received her Bachelor of Arts from Central College in Pella. Since 2002, Tina has been a marketing coordinator for Shive-Hattery Architecture and Engineering in West Des Moines, a full service design firm. In this role Tina has built the marketing team and hired and trained other marketing coordinators in the firm's offices across Iowa and Illinois. Her passion for helping others has led her to become extremely involved with community organizations, including providing graphic design services for various animal rescue groups and serving as Chair of the West Des Moines Leadership Academy Board. Tina resides in the Beaverdale neighborhood in Des Moines with her husband Jay, her stepson Finn and their two cats Mo and Hershey. Her proud parents, James and Sandra Gray, continue to reside in Newton.

Mr. Speaker, it is a profound honor to represent leaders like Tina in the United States Congress and it is with great pride that I recognize and applaud Mrs. Carstensen for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Tina on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

ANNABELLE GLAZER

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. FITZPATRICK. Mr. Speaker, in light of Women's History Month, I would like to take this time to acknowledge an extremely special occasion: the 100th birthday of Mrs. Annabelle Glazer. Annabelle was born in Philadelphia, Pennsylvania on March 6, 1913. Throughout her life, Annabelle has fulfilled the important roles of loving wife, dedicated mother, and valued community member. She worked as a book keeper until her retirement, upon which she diligently served her community through MANNA and Hadassah, volunteer organizations in Philadelphia.

Not only is it important to acknowledge the personal successes and triumphs of Annabelle on her birthday, but it is also fitting to reflect on the momentous occasions that she has witnessed in her lifetime, such as women achieving the right to vote. As we celebrate the accomplishments of Annabelle, let us commemorate all women throughout history who paved the way for progress.

TRIBUTE TO HEATHER STARR

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Heather Starr for being named a 2013 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines area who are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious distinction, which is based on a combined criteria of community involvement and success in their chosen career field. The 2013 class of Forty Under 40 honorees join an impressive roster of 560 business leaders and growing.

Heather Starr is currently in the second year of her real estate career as a Real Estate Agent for RE/MAX Innovations. Prior to her current role, Heather owned her own communications firm, North Starr Communications, and was the director of development and communications for the Animal Rescue League of Iowa, tasked with raising nearly $4 million to meet the capital campaign goal. Mrs. Starr is an Iowa native with degrees from Iowa State University and Drake University. She currently resides in rural Winterset with her husband Jason and their two sons, Drake and Brody. Heather has lived her life as an example of the famous Iowan work ethic and dedication to service that our state can be proud of.

Mr. Speaker, it is a profound honor to represent leaders like Heather in the United States Congress and it is with great pride that I recognize and applaud Mrs. Starr for utilizing her talents to better both her community and the great state of Iowa. I invite my colleagues in the House to join me in congratulating Heather on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2013 Forty Under 40 class continued success.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1095–S1136

Measures Introduced: Twenty-two bills and three resolutions were introduced, as follows: S. 446–467, S.J. Res. 10, S. Res. 67, and S. Con. Res. 5. **Pages S1126–27**

Measures Passed:

Authorizing Committee Expenditures: Senate agreed to S. Res. 64, authorizing expenditures by committees of the Senate for the period March 1, 2013, through September 30, 2013, after taking action on the following amendment proposed thereto: **Pages S1103–04**

Rejected:

By 44 yeas to 53 nays (Vote No. 29), Paul Amendment No. 25, to strike supplemental staff funding available only to a limited number of Senators in a time of sequestration. **Page S1104**

Appointments:

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, as amended by Public Law 110–315, appointed the following individual to the Advisory Committee on Student Financial Assistance: Roberta Johnson of Iowa vice Norm Bedford of Nevada. **Page S1135**

Halligan Nomination—Agreement: Senate continued consideration of the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S1104–21**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 9:30 a.m., on Wednesday, March 6, 2013, with the time until 10:30 a.m., equally divided and controlled in the usual form; and that at 10:30 a.m., Senate vote on the motion to invoke cloture on the nomination. **Page S1135**

Nominations Confirmed: Senate confirmed the following nominations:

56 Air Force nominations in the rank of general.

6 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. **Pages S1121–22, S1135–36**

Messages from the House: **Page S1125**

Executive Communications: **Page S1126**

Executive Reports of Committees: **Page S1126**

Additional Cosponsors: **Pages S1127–29**

Statements on Introduced Bills/Resolutions: **Pages S1129–35**

Additional Statements: **Page S1125**

Authorities for Committees to Meet: **Page S1135**

Record Votes: One record vote was taken today. (Total—29) **Page S1104**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:15 p.m., until 9:30 a.m. on Wednesday, March 6, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1135.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the United States Central Command and United States Special Operations Command in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, after receiving testimony from General James N. Mattis, USMC, Commander, United States Central Command, and Admiral William H. McRaven, USN, Commander, Untied States Special Operations Command, both of the Department of Defense.

TAX CODE

Committee on the Budget: Committee concluded a hearing to examine reducing the deficit by eliminating wasteful spending in the tax code, after receiving testimony from Edward D. Kleinbard, University of

Southern California Gould School of Law, Los Angeles; and Jared Bernstein, Center on Budget and Policy Priorities, and Russ Roberts, Stanford University Hoover Institution, both of Washington, D.C.

LEGISLATIVE PRESENTATION

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of Veterans of Foreign Wars (VFW), after receiving testimony from John E. Hamilton, Veterans of Foreign Wars of the United States, St Augustine, Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nomination of John Owen Brennan, of Virginia, to be Director of the Central Intelligence Agency.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 943–976; 1 private bill, H.R. 977; and 6 resolutions, H. Con. Res. 21; and H.Res. 97–98, 100–102 were introduced. **Pages H980–82**

Additional Cosponsors: **Pages H983–84**

Reports Filed: Reports were filed today as follows:

Billions of Federal Tax Dollars Misspent on New York's Medicaid Program (H. Rept. 113–11) and

H. Res. 99, providing for consideration of the bill (H.R. 933) 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 (H. Rept. 113–12). **Page H980**

Speaker: Read a letter from the Speaker wherein he appointed Representative DeSantis to act as Speaker pro tempore for today. **Page H953**

Recess: The House recessed at 10:16 a.m. and reconvened at 12 noon. **Page H954**

Congressional-Executive Commission on the People's Republic of China—Appointment: The Chair announced the Speaker's appointment of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China: Representative Walz. **Page H958**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending 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: 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, by a ⅔ yea-and-nay vote of 392 yeas to 28 nays with 1 answering "present", Roll No. 57 and **Pages H958–65, H967**

Stop Tobacco Smuggling in the Territories Act of 2013: H.R. 338, to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco, by a ⅔ yea-and-nay vote of 421 yeas to 5 nays, Roll No. 58. **Pages H965–66, H967–68**

Recess: The House recessed at 1:39 p.m. and reconvened at 2 p.m. **Page H966**

Recess: The House recessed at 4:27 p.m. and reconvened at 5:36 p.m. **Page H979**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, March 6th. **Page H979**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H967 and H967–68. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:37 p.m.

Committee Meetings

STATE OF THE RURAL ECONOMY

Committee on Agriculture: Full Committee held a hearing entitled "To Review the State of the Rural Economy". Testimony was heard from Tom Vilsack, Secretary, Department of Agriculture.

APPROPRIATIONS—DEPARTMENT OF THE TREASURY OVERSIGHT

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Department of the Treasury Oversight. Testimony was heard from J. Russell George, Treasury Inspector General for Tax Administration, Department of Treasury.

APPROPRIATIONS—DEPARTMENT OF ENERGY FY 2014 BUDGET

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Department of Energy FY 2014 Budget. Testimony was heard from Bill Brinkman, Acting Under Secretary for Science, Department of Energy.

APPROPRIATIONS—ARCHITECT OF THE CAPITOL FY 2014 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Architect of the Capitol FY 2014 Budget. Testimony was heard from Stephen T. Ayers, Architect of the Capitol.

APPROPRIATIONS—OPEN WORLD LEADERSHIP CENTER FY 2014 BUDGET

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Open World Leadership Center FY 2014 Budget. Testimony was heard from John O'Keefe, Executive Director, Open World Leadership Center.

APPROPRIATIONS—PUBLIC HEALTH AND RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on the Public Health and Research Organization Oversight. Testimony was heard from Francis S. Collins, M.D., Director, National Institutes of Health; Tom Frieden, M.D., Director, Centers for Disease Control and Prevention; Carolyn M. Clancy, M.D., Director, Agency for Healthcare Research and Quality; Patrick Conway, M.D., Director, Center for Clinical Standards and Quality, Representing Medicare and Medicaid Innovation; and Mary Wakefield, Administrator, Health Resources and Services Administration.

APPROPRIATIONS—DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, and Science held a hearing on Oversight of the Department of Commerce. Testimony was heard from Todd J. Zinser, Inspector General, Department of Commerce.

APPROPRIATIONS—FORCE STRUCTURE ISSUES

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Force Structure Issues and the Impact on Military Construction. Testimony was heard from General Raymond T. Odierno, Chief of Staff of the Army; Admiral Jonathan W. Greenert, Chief of Naval Operations; General James F. Amos, Commandant of the Marine Corps; and General Mark A. Welsh III, Chief of Staff of the U.S. Air Force.

U.S. STRATEGIC COMMAND AND U.S. PACIFIC COMMAND

Committee on Armed Services: Full Committee held a hearing on the posture of the U.S. Strategic Command and the U.S. Pacific Command. Testimony was heard from General C. Robert Kehler, USAF, Commander, U.S. Strategic Command; and Admiral Samuel J. Locklear, USN, Commander, U.S. Pacific Command.

CHALLENGES FACING MULTIEMPLOYER PENSION PLANS

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor and Pensions held a hearing entitled "Challenges Facing Multiemployer Pension Plans: Reviewing the Latest Findings by PBGC and GAO". Testimony was heard from Joshua Gotbaum, Director, Pension Benefit Guaranty Corporation; and Charles Jeszeck, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.

AMERICAN ENERGY SECURITY AND INNOVATION

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled "American Energy Security and Innovation: The Role of a Diverse Electricity Generation Portfolio". Testimony was heard from public witnesses.

NEAR-ZERO RATE, NEAR-ZERO EFFECT—UNCONVENTIONAL MONETARY POLICY

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled "Near-Zero Rate, Near-Zero Effect? Is 'Unconventional' Monetary Policy Really Working?". Testimony was heard from public witnesses.

NORTH KOREA'S CRIMINAL ACTIVITIES: FINANCING THE REGIME

Committee on Foreign Affairs: Full Committee held a hearing entitled "North Korea's Criminal Activities: Financing the Regime". Testimony was heard from public witnesses.

COMMITTEE FUNDING FOR THE 113TH CONGRESS

Committee on House Administration: Full Committee began a hearing on Committee Funding for the 113th Congress. The Committee will continue the hearing tomorrow.

ENHANCING AMERICAN COMPETITIVENESS THROUGH SKILLED IMMIGRATION

Committee on the Judiciary: Subcommittee on Immigration and Border Security held a hearing entitled ''Enhancing American Competitiveness through Skilled Immigration''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURE

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 367, the ''REINS Act: Promoting Jobs, Growth and American Competitiveness''. Testimony was heard from public witnesses.

EXCESSIVE LITIGATION'S IMPACT ON AMERICA'S GLOBAL COMPETITIVENESS

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled ''Excessive Litigation's Impact on America's Global Competitiveness''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water and Power held a 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''. Testimony was heard from Lowell Pimley, Deputy Commissioner of Operations, Bureau of Reclamation; and public witnesses.

AMERICA'S OFFSHORE ENERGY RESOURCES: CREATING JOBS, SECURING AMERICA, AND LOWERING PRICES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''America's Offshore Energy Resources: Creating Jobs, Securing America, and Lowering Prices''. Testimony was heard from public witnesses.

REDUCING WASTE AND MISMANAGEMENT: IMPLEMENTING AGENCY WATCHDOGS' RECOMMENDATIONS

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Reducing Waste and Mismanagement: Implementing Agency Watchdogs' Recommendations Could Save Taxpayers Billions''. Testimony was heard from Anthony W. Miller, Deputy Secretary, Department of Education; Kathleen S. Tighe, Inspector General, Department of Education; John D. Porcari, Deputy Secretary, Department of Transportation; Calvin L. Scovell III, Inspector General, Department of Transportation.

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR FUNDING CONTINUING APPROPRIATIONS ACT, 2013

Committee on Rules: Full Committee held a hearing on H.R. 933, Department of Defense, Military Construction and Veterans Affairs, and Full-Year Funding Continuing Appropriations Act, 2013. The Committee granted, by record vote of 9–4, a closed rule for H.R. 933. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Rogers (KY), Representatives Lowey, Van Hollen, Huelskamp, and Bridenstine.

SCIENTIFIC INTEGRITY AND TRANSPARENCY

Committee on Science, Space, and Technology: Subcommittee on Research held a hearing entitled ''Scientific Integrity and Transparency''. Testimony was heard from Stanley Young, Assistant Director for Bioinformatics, National Institutes of Statistical Sciences; and public witnesses.

FREIGHT AND PASSENGER RAIL IN AMERICA'S TRANSPORTATION SYSTEM

Committee on Transportation and Infrastructure: Subcommittee on Railroad, Pipelines and Hazardous Materials held a hearing entitled ''Freight and Passenger Rail in America's Transportation System''. Testimony was heard from public witnesses.

ORGANIZATIONAL MEETING

Committee on Ways and Means: Subcommittee on Oversight held an organizational meeting. The Subcommittee agreed to its organizational plan for the 113th Congress.

TAX-RELATED PROVISIONS IN THE PRESIDENT'S HEALTH CARE LAW

Committee on Ways and Means: Subcommittee on Oversight held a hearing entitled ''Tax-Related Provisions in the President's Health Care Law''. Testimony was heard from public witnesses.

ORGANIZATIONAL MEETING

Committee on Ways and Means: Subcommittee on Trade held an organizational meeting. The Subcommittee agreed to its organizational plan for the 113th Congress.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 6, 2013

(Committee meetings are open unless otherwise indicated)

Senate

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, 10 a.m., SD–342.

Committee on the Judiciary: to hold an oversight hearing to examine the Department of Justice, 9:30 a.m., SD–226.

Committee on Veterans' Affairs: to hold a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation of the Paralyzed Veterans of American, Vietnam Veterans of America, National Association of State Directors of Veterans Affairs, Fleet Reserve Association, Gold Star Wives, Air Force Sergeants Association, and AMVETS, 10 a.m., 345, Cannon Building.

House

Committee on Appropriations: 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.

Committee on Appropriations: 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.

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on National Science Foundation, 11 a.m., H–309 Capitol.

Committee on Appropriations: Subcommittee on Financial Services and General Government, hearing on Small Business Administration, 2 p.m., 2359 Rayburn.

Committee Armed on Services: 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.

Committee on Armed Services: Subcommittee on Military Personnel, hearing on military suicide prevention, 2 p.m., 2212 Rayburn.

Committee on Armed Services: 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.

Committee on Education and the Workforce: 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: Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Our Nation of Builders: Powering U.S. Automobile Manufacturing Forward'', 10 a.m., 2123 Rayburn.

Committee on Energy and Commerce: Subcommittee on Health, hearing entitled ''Saving Seniors and Our Most Vulnerable Citizens from an Entitlement Crisis'', 10:15 a.m., 2322 Rayburn.

Committee on Financial Services: 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 Homeland Security: 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: Full Committee, hearing on Committee Funding for the 113th Congress, 10:30 a.m., 1310 Longworth.

Committee on Science, Space, and Technology: Full Committee, hearing entitled ''Threats from Space: Meteors and Comets, Part I'', 2 p.m., 2318 Rayburn.

Committee on Science, Space, and Technology: Subcommittee on the Environment, hearing entitled ''Policy-Relevant Climate Issues in Context'', 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing entitled ''FBI Headquarters Consolidation'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations, hearing entitled ''Waiting for Care: Examining Patient Wait Times at VA'', 1:30 p.m., 334 Cannon.

Committee on Ways and Means: Full Committee, markup on H.R. 890, ''Preserving Work Requirements for Welfare Programs Act of 2013'', 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 6

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, and vote on the motion to invoke cloture on the nomination at approximately 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 6

House Chamber

Program for Wednesday: Consideration of H.R. 933—Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013 (Subject to a Rule).

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