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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 6, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

BANGLADESH

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

Mr. GEORGE MILLER of California. Mr. Speaker, over the past several years, more than a thousand workers have died from working in Bangladesh's garment industry.

In the latest tragedy, an eight-story building called Rana Plaza collapsed. It housed five garment factories. It has killed more than 650 workers so far, injured more than a thousand, with still more buried in the rubble. This staggering body count occurred just 5 months after the Tazreen factory fire that killed at least 112 workers. Forty more incidents, including explosions and fires, causing death and injury, have taken place since the Tazreen factory fire.

I met with one of the Tazreen survivors when she visited Washington last month. She described the outrageous working conditions leading up to the fire. She toiled in a factory with bars on the windows and no place to run if a fire broke out. She told me how she jumped from the third floor of the burning factory to save her body from the fire so her family could recognize her in case of her death, and many of her coworkers jumped with her, but did not survive the fall. During our meeting, it became clear that it was only a matter of time before the next Tazreen would take place.

Two weeks later, Rana Plaza collapsed.

Unfortunately, these tragedies in Bangladesh are not isolated, and more of these tragedies, undoubtedly, will occur unless the major international corporations that keep these dangerous factories open decide to change their business practices. Clearly, there is a greater role for the U.S. and other governments to play, including the Bangladesh Government. However, the primary burden for action now lies with the major brands and retailers.

Let's remember what is at stake here: the lives of thousands of young women and mothers trying to scrape together an existence by working 12-hour shifts for pennies a garment.

They produce clothing under contract with corporations we all know well: Walmart, J. C. Penney, Mango, Benetton, H&M, The Children's Place, GAP, and Dress Barn, among others. The clothes these women sew in Bangladesh we buy here in America. Unfortunately, these young women are caught working in a garment industry that pits supplier against supplier and country against country in a calculated race to the bottom.

Often, the margin for these corporations is subsistence wages and the needless disregard for the safety of these young women. That is the subsidy they receive—low wages and unsafe working conditions for the workers who produce these garments. Four million Bangladeshi workers in 5,000 factories provide clothing to Americans and to European brands while earning one of the lowest minimum wages in the world—about $37 a month.

But they shouldn't have to risk their lives for the fashion industry's profits.

These young women are forced to work in factories with overtaxed electrical circuits, unenforced building codes, and premises without firefighting equipment and adequate exits, and in most cases, the exits are chained closed. Americans who are the consumers of these products are increasingly worried that the label ''Made in Bangladesh'' actually means ''made in a death trap.''

Why are the managers of these factories forcing these employees to work in these deplorable conditions? Because of fear—fear that the international brands and the retailers, which we know so well, will take their orders elsewhere because of a missed day of production, a late delivery, or a minuscule increase in production costs. The brands know this. That's why I believe they bear the ultimate responsibility for the horrendously unsafe working conditions in Bangladesh and elsewhere.

Corporate leaders in the fashion industry have a moral imperative to ensure that these tragedies do not happen again. These retailers and brands need to sign on to an enforceable agreement that will improve safety, called the Bangladesh Fire and Building Safety Agreement. It was developed by the Bangladeshi trade unions and nongovernmental organizations to prevent

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these types of disasters from occurring by addressing the most urgent elements:

One, public reporting of all fire and building audits conducted by independent safety experts;

Two, mandates that factory owners make timely repairs;

Three, an obligation for the brands to terminate a contract if a factory defies its responsibility to keep workers safe;

Four, the right for workers to refuse unsafe work without retribution—to be able to refuse work without being fired, being penalized—and union access to factories, among other labor protections, so they can see for themselves what are the working conditions on any given day.

To make this work, these commitments must be contained in an enforceable contract between the brands and worker representatives because it is the workers' lives that are on the line. The holding companies of Calvin Klein, Tommy Hilfiger, Van Heusen, and IZOD have signed on to this agreement already, and a major German retailer has signed on as well. Others are now meeting in Europe to discuss its provisions.

I applaud these efforts toward corporate responsibility. It is now time for the major U.S. corporations, like GAP, Walmart, and J.C. Penney, to join them, but we must also take note and call out any attempt to water down the key provisions of this agreement. Experts believe that this safety agreement will only cost a dime per garment over 5 years in order to make a real difference in the safety of these factories—a dime for the lives of these workers.

The major global brands now face a choice. They can attempt to wait out the storm and go back to business as usual and continue their race to the bottom, or they can chart a different course that includes healthy profits, without a human death toll, by signing on to an enforceable safety agreement.

I hope these American and international fashion brands sign on. In the meantime, the American consumer and those who follow the fashion industry are watching. We want to see which fashion brands will accept blood on their labels and which will not.

COMMUNICATION FROM DIRECTOR OF CONSTITUENT SERVICES, THE HONORABLE ROBERT ADERHOLT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jennifer Butler-Taylor, Director of Constituent Services, the Honorable ROBERT ADERHOLT, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 29, 2013.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the Circuit Court for Cullman County, Alabama, for documents a civil case to which I am not a party.

After consultation with the Office of General Counsel, I will determine whether compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JENNIFER BUTLER-TAYLOR,
Director of Constituent Services,
U.S. Representative Robert Aderholt (AL–04).

RECESS

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

Accordingly (at 12 o'clock and 8 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. COLLINS of New York) at 2 p.m.

PRAYER

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

We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom this authority of government is given. Help them to meet their responsibilities during these days, to attend to the immediate needs and concerns of the moment, enlightened by Your eternal Spirit.

The issues of the coming months remain complicated and divisive. Endow each Member with wisdom and equanimity, that productive solutions might be reached for the benefit of our Nation.

Please send Your Spirit of peace upon those areas of our world where violence and conflict endure and threaten to multiply. May all Your children learn to live in peace.

And may all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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.

SAVANNAH RIVER SITE REPROGRAMMING SUCCESSFUL

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

Mr. WILSON of South Carolina. Mr. Speaker, on Friday, I was grateful to conduct a town hall in Aiken, South Carolina, where I listened to hundreds of constituents who are very concerned about the reprogramming request at the Savannah River site. Fortunately, over the weekend, the President's Office of Management and Budget sent the request to both Houses of Congress for approval.

This is a crucial step to end the 20 percent pay cut for 2,600 employees of Savannah River Nuclear Solutions. I appreciate the town hall participants: President Terra Carroll of the North Augusta Chamber of Commerce; Chairman Ronnie Young of the Aiken County Council; Aiken City Council members, Philip Merry and Dick Dewar; State Senator Tom Young, Jr.; President David Jameson of the Greater Aiken Chamber of Commerce; Vice Chancellor Joe Sobieralski of USC-Aiken; DHEC facilities liaison, Shelly Wilson; USC-Aiken student, Hannah McClure. And dedicated congressional staff Ted Felder, Sara Beaulieu, and Baker Elmore were instrumental for success.

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

WORKING FAMILIES FLEXIBILITY ACT

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

Ms. FOXX. Mr. Speaker, for nearly 30 years, government employees have had the option to choose paid time off or comp time in lieu of overtime pay. Private sector employees, however, haven't had that choice because Washington and an old 1938 labor law won't let them.

That isn't fair. When life happens in the form of school plays, Little League games, or family members becoming sick, time and flexibility are essential to working parents and grandparents. Money doesn't buy time. It would certainly help if every worker had the choice to receive comp time when they put in extra hours.

Government shouldn't be standing in the way. There are a lot of moms and a few grandmas in the Republican Conference, and we want a solution for American families. That solution is the Working Families Flexibility Act. Our legislation will ensure all workers, whether public or private, benefit from the flexibility of choices in overtime compensation.

THE REMARKABLE RESILIENCE OF THE CITIZENS OF WEST, TEXAS

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

Mr. BURGESS. Mr. Speaker, this past Friday, I visited the town of West, Texas, to see for myself how the investigation of the fertilizer plant explosion is proceeding. The town has suffered incredible losses, but I was impressed by the resilience of the people in West, and it is remarkable how the community has come together after that tragedy.

It is at the very beginning stages of collecting the facts and findings into how these events transpired. I have been working closely with the staff on the Energy and Commerce Committee who are looking into the voluminous material on the matter and will continue to oversee the Federal Government's response to this tragedy as the investigation unfolds.

I wanted to personally thank Assistant State Fire Marshal Kelly Kistner; the ATF agents who handled the Federal investigation; the FEMA coordinating officer, Kevin Hannes; and the district director for Congressman BILL FLORES, Timothy Head. I want to thank each of them for their service to our country and to the community of West. God bless our State.

IMMIGRATION BILL OPPOSED

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

Mr. SMITH of Texas. Mr. Speaker, National Review and The Heritage Foundation both oppose the Senate immigration bill for many good reasons.

There is no deadline for secure borders, yet millions of illegal immigrants would be given amnesty 6 months after the bill is enacted. This would only encourage more illegal immigration.

The Senate immigration bill would double the already record 1 million legal immigrants admitted every year. Most Americans oppose this and instead want to make sure that current immigrants are assimilated.

The bill puts foreign workers ahead of the interests of American workers and the economic needs of our country.

Mr. Speaker, it is inconceivable that an immigration bill with these huge flaws would be approved.

READ THE BILLS ACT

(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, I rise today to introduce the Read the Bills Act to provide transparency and accountability from all of us to our constituents.

Read the Bills would provide that Members of Congress and the public have 1 week to review any bill and proposed amendments before voting on passage. It requires legislation be passed by rollcall, and it makes legislation easier to read by requiring that we show, in context, how bills would affect existing law.

It is a basic moral question that a Member of Congress should only vote to pass legislation having read and understood it. Every law affects how the American people live: who prospers and who suffers, who receives help and who is hurt, who is regulated and who benefits. We cannot pass laws without knowing what they do.

No legislation should be passed under cover of procedure. It is our duty to be transparent to our constituents, and I hope Members on both sides of the aisle will agree that this is an important step to rebuilding the trust between the American people and Congress.

RECESS

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

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1707

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 5 o'clock and 7 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on 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.

VIETNAM VETERANS DONOR ACKNOWLEDGMENT ACT OF 2013

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 588

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 ''Vietnam Veterans Donor Acknowledgment Act of 2013''.

SEC. 2. DONOR CONTRIBUTION ACKNOWLEDGMENTS AT THE VIETNAM VETERANS MEMORIAL VISITOR CENTER.

Section 6(b) of Public Law 96–297 (16 U.S.C. 431 note) is amended—

(1) in paragraph (4) by striking the ''and'' after the semicolon;

(2) in paragraph (5) by striking the period and inserting ''; and''; and

(3) by inserting at the end the following new paragraph:

''(6) notwithstanding section 8905(b)(7) of title 40, United States Code—

''(A) the Secretary of the Interior shall allow the Vietnam Veterans Memorial Fund, Inc. to acknowledge donor contributions to the visitor center by displaying, inside the visitor center, an appropriate statement or credit acknowledging the contribution;

''(B) donor contribution acknowledgments shall be displayed in a form approved by the Secretary of the Interior and for a period of time commensurate with the level of the contribution and the life of the facility;

''(C) the Vietnam Veterans Memorial Fund shall bear all expenses related to the display of donor acknowledgments;

''(D) prior to the display of donor acknowledgments, the Vietnam Veterans Memorial Fund, Inc. shall submit to the Secretary for approval, its plan for displaying donor acknowledgments;

''(E) such plan shall include the sample text and types of the acknowledgments or credits to be displayed and the form and location of all displays;

''(F) the Secretary shall approve the plan, if the Secretary determines that the plan—

''(i) allows only short, discrete, and unobtrusive acknowledgments or credits;

''(ii) does not permit any advertising slogans or company logos; and

''(iii) conforms to applicable National Park Service guidelines for indoor donor recognition; and

''(G) if the Secretary of the Interior determines that the proposed plan submitted under this paragraph, does not meet the requirements of this paragraph, the Secretary shall—

''(i) advise the Vietnam Veterans Memorial Fund, Inc. not later than 30 days after receipt of the proposed plan of the reasons that such plan does not meet the requirements; and

''(ii) allow the Vietnam Veterans Memorial Fund, Inc. to submit a revised donor recognition plan.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Speaker, last year, Jan Scruggs, president of the Vietnam Veterans Memorial Fund, came to my office and told me about an absurd fund-raising problem he had. He told me that in order to build a much-needed education center at the Vietnam Wall, he had to raise nearly $100 million of private money. Normally, this would not be a big problem; however, in this case,

VVMF had to raise all of this $100 million without the ability to recognize their donors because current law did not allow donor recognition.

Mr. Speaker, I think we can agree that it is ridiculous to force any organization to fund-raise without the ability to recognize donors. How are we supposed to raise any money? Even the National Park Service understands the importance of donor recognition. I personally have seen hundreds of benches in national parks all across this country that have little metal plaques on them thanking people for their generous donations.

In spite of current law and this donor recognition handicap, VVMF has raised over 25 percent of the nearly $100 million needed to build this education center. My bill, H.R. 588, will give them the extra pulling power they need to quickly complete their fund-raising and finally cross the $100 million finish line.

Overall, my bill is very straightforward. It merely provides VVMF the ability to recognize their donors. This recognition will lead to larger donations, a faster fund-raising pace, and quick and timely construction of the education center. It will also make the act of giving more personal and more rewarding. Put simply, every donor deserves a ''thank you,'' and my bill will finally allow VVMF to give the ''thank you'' their donors so rightly deserve.

□ 1710

Also, in order to ensure that appropriate standards for donor recognition were met, I made sure that H.R. 588 dovetailed exactly with existing Parks Service guidelines. This regulatory overlap ensures that any donor recognition will be discreet, unobtrusive, and will not contain any advertising or company logos.

Mr. Speaker, H.R. 588 is supported by numerous veterans' organizations, including the VFW, the American Gold Star Mothers, the Iraq and Afghanistan Veterans of America, and the Military Order of the Purple Heart, among many others. I urge my colleagues to support the quick passage this bill.

I reserve the balance of my time.

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

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

Mr. GRIJALVA. Mr. Speaker, I want to thank Congressman YOUNG for his work on this legislation, and I am very proud to be a cosponsor.

H.R. 588 allows the Vietnam Veterans Memorial Fund to acknowledge donor contributions to the Vietnam Veterans Memorial Visitor Center. The Memorial Fund has raised $45 million in private funds and anticipates the cost of the center to be approximately $85 million. This legislation is specific to the Vietnam Veterans Memorial Visitor Center and deserves immediate attention.

I am hopeful that subcommittee Chairman BISHOP and I might explore whether a broader amendment to the Commemorative Works Act, setting standards for donor acknowledgment for all memorials covered under the act, makes sense, but that project should not slow down this legislation.

Again, I thank Congressman YOUNG for his leadership, the leadership of the foundation, and others who have worked very hard on this issue for the past 2 years.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 588.

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. GRIJALVA. 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.

BLACK HILLS CEMETERY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 291) to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 291

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 ''Black Hills Cemetery Act''.

SEC. 2. LAND CONVEYANCES, CERTAIN CEMETERIES LOCATED IN BLACK HILLS NATIONAL FOREST, SOUTH DAKOTA.

(a) CEMETERY CONVEYANCES REQUIRED.—The Secretary of Agriculture shall convey, without consideration, to the local communities in South Dakota that are currently managing and maintaining certain community cemeteries (as specified in subsection (b)) all right, title, and interest of the United States in and to—

(1) the parcels of National Forest System land containing such cemeteries; and

(2) up to an additional two acres adjoining each cemetery in order to ensure the conveyances include unmarked gravesites and allow for expansion of the cemeteries.

(b) PROPERTY AND RECIPIENTS.—The properties to be conveyed under subsection (a), and the recipients of each property, are as follows:

(1) The Silver City Cemetery to the Silver City Volunteer Fire Department.

(2) The Hayward Cemetery to the Hayward Volunteer Fire Department.

(3) The encumbered land adjacent to the Englewood Cemetery (encompassing the cemetery entrance portal, access road, fences, 2,500 gallon reservoir and building housing such reservoir, and piping to provide sprinkling system to the cemetery) to the City of Lead.

(4) The land adjacent to the Mountain Meadow Cemetery to the Mountain Meadow Cemetery Association.

(5) The Roubaix Cemetery to the Roubaix Cemetery Association.

(6) The Nemo Cemetery to the Nemo Cemetery Association.

(7) The Galena Cemetery to the Galena Historical Society.

(8) The Rockerville Cemetery to the Rockerville Community Club.

(9) The Cold Springs Cemetery (including adjacent school yard and log building) to the Cold Springs Historical Society.

(c) CONDITION OF CONVEYANCE.—Each conveyance under subsection (a) shall be subject to the condition that the recipient accept the conveyed real property in its condition at the time of the conveyance.

(d) USE OF LAND CONVEYED.—The lands conveyed under subsection (a) shall continue to be used in the same manner and for the same purposes as they were immediately prior to their conveyance under this Act.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of each parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the survey for a particular parcel shall be borne by the recipient of such parcel.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as she may consume to the gentlewoman from South Dakota (Mrs. NOEM), the author of the bill, to explain the bill.

Mrs. NOEM. Mr. Speaker, I thank the chairman for his work on these important issues. I appreciate it.

Today I rise in support of H.R. 291, the Black Hills Cemetery Act. This bill is of great importance to the communities of the Black Hills area of South Dakota. The Black Hills of South Dakota are home to a number of historic cemeteries. Many of these originated in old mining towns dating back to the 1800s, and they have unique significance to the communities surrounding them. These include the Englewood, Galena, Hayward, Mountain Meadows, Roubaix, Nemo, Rockerville, Silver City, and the Cold Springs cemeteries.

These cemeteries are currently being managed by local cemetery associations and community groups in the

surrounding areas, but have been technically owned by the U.S. Forest Service since the 1900s. This causes unnecessary liability for the U.S. Forest Service because of the responsibility for upkeep and dealing with possible vandalism or damage to property in these cemeteries.

At almost no cost to taxpayers, the Black Hills Cemetery Act would simply transfer ownership of these cemeteries and up to 2 acres of adjacent land to the caretaking communities. They have managed them for generations under special use permits issued by the Forest Service. It also makes clear that these cemeteries will continue to be used for the same purpose as they always have been in the past.

I sponsored this bill at the request of these communities and the current caretakers of the cemeteries, and in consultation with the U.S. Forest Service. In fact, this bill was introduced and passed last year by the House with broad, bipartisan support. I look forward to seeing this bill pass again this year, and pass through the Senate this time so we can resolve this matter for the communities in South Dakota.

I would like to thank the communities and local residents for their help in working with my office and for advocating for this bill. I would also like to thank Chairmen HASTINGS and BISHOP and their staffs for pushing this bill forward for the second time. These communities have been asking for a solution to this situation for a number of years, and as their Representative, I'm glad that we have the opportunity to pass this bill again in the House today.

I want to thank Chairman YOUNG for his leadership as well, and I urge my colleagues to support and pass this bill for these communities in South Dakota.

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

H.R. 291 conveys cemeteries, currently on Forest Service lands, to communities in South Dakota. These local communities already manage and maintain these cemeteries and the legislation requires that these lands continue to be used for cemetery purposes. We have no objections to the legislation.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I have no further speakers.

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

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 291.

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. GRIJALVA. 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.

PASCUA YAQUI TRIBE TRUST LAND ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 507) to provide for the conveyance of certain inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 507

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 ''Pascua Yaqui Tribe Trust Land Act''.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) DISTRICT.—The term ''District'' means the Tucson Unified School District, a school district recognized as such under the laws of the State of Arizona.

(2) MAP.—The term ''map'' means the map titled ''PYT Land Department'' and dated January 15, 2013.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBE.—The term ''Tribe'' means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LANDS TO BE HELD IN TRUST.

(a) PARCEL A.—Subject to subsection (c) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel A are declared to be held in trust by the United States for the benefit of the Tribe.

(b) PARCEL B.—Subject to subsection (c) and valid existing rights, all right, title, and interest of the United States in and to the approximately 10 acres of Federal lands generally depicted on the map as Parcel B are declared to be held in trust by the United States for the benefit of the Tribe.

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall take effect on the day after the date on which—

(1) the District relinquishes all right, title, and interest of the District in and to the land described in subsection (b); and

(2) the Secretary (or a delegate of the Secretary) approves and records the lease agreement between the Tribe and the District for the construction and operation of a regional transportation facility located on the restricted Indian land of the Tribe in accordance with the requirements of the first section of the Act entitled ''An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases'', approved August 9, 1955 (25 U.S.C. 415), and part 162 of title 25, Code of Federal Regulations (including successor regulations).

SEC. 4. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on the lands held in trust under this Act, as a matter of claimed inherent authority, or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 5. WATER RIGHTS.

(a) IN GENERAL.—There shall not be Federal reserved rights to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) FORFEITURE OR ABANDONMENT.—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) ADMINISTRATION.—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95–375 (25 U.S.C. 1300f et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 507 directs the Secretary of the Interior to take two 10-acre parcels into trust for a tribe in Arizona. These two parcels are both completely surrounded by either the tribe's reservation or by fee lands owned by the tribe. Before the parcels can be taken into trust, however, the Tucson Unified School District will first need to relinquish its possessory interest in one parcel. The school district no longer needs the land, which it had previously received under the Recreation and Public Purposes Act.

The Secretary of the Interior will also need to approve a lease agreement between the tribe and the school district for the construction and operation of a regional transportation facility on the tribe's land.

Both parcels would be utilized as part of a golf course that is currently under construction. Neither parcel is necessary for the construction of the golf course, but if the tribe does not acquire and use these parcels, they will be orphaned and of relatively no use to either the tribe or to the United States.

As has become customary when taking land into trust, the bill includes language that prohibits any gaming on the two parcels to be taken into trust.

Finally, I would like to commend the gentleman from Arizona for his bill, and I urge its adoption.

I reserve the balance of my time.

□ 1720

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

H.R. 507 is an important piece of legislation that will enable the Pascua Yaqui Tribe in my district in Arizona to consolidate its landholdings and remove two isolated, undeveloped parcels of land from the Bureau of Land Management responsibility.

The two 10-acre parcels are islands of ''trapped'' Federal land surrounded by Pascua Yaqui land on all sides. The tribe is developing a golf course in this area, and conveying these two parcels to the tribe will make managing the land easier for the tribe and the Federal Government.

Without this legislation, the tribe would have to design around the parcels, slowing down the project, weakening economic development that will benefit the entire Yaqui community. Passage of this bill will further the Federal Government's responsibility to enhance tribal trust resources.

I want to thank my colleagues and the leadership within the Natural Resources Committee for making this bill a priority for passage this session. I urge my colleagues to support H.R. 507, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 507.

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. YOUNG of Alaska. 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 until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WENSTRUP) at 6 o'clock and 31 minutes 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. 588, H.R. 291, and H.R. 507, in each case by the yeas and nays.

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

VIETNAM VETERANS DONOR ACKNOWLEDGMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 588) to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, 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 Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 398, nays 2, not voting 32, as follows:

[Roll No. 129]

YEAS—398

Aderholt
Alexander
Amodei
Andrews
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)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
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
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
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
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
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
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
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
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Amash
Mulvaney

NOT VOTING—32

Bachmann
Carter
Cicilline
Deutch
Ellison
Fattah
Gerlach
Gingrey (GA)
Graves (MO)
Gutierrez
Hastings (FL)
Herrera Beutler
Jordan
Kuster
Lee (CA)
Lynch
Maloney, Carolyn
Markey
McKeon
Moran
Nadler
Nunnelee
Peters (MI)
Richmond
Rogers (KY)
Rohrabacher
Speier
Tiberi
Walberg
Walorski
Westmoreland
Wolf

□ 1856

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:

Mr. CICILLINE. Mr. Speaker, on rollcall No. 129, had I been present, I would have voted "yea."

BLACK HILLS CEMETERY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 291) to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, 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 Alaska (Mr. YOUNG) 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 390, nays 2, not voting 40, as follows:

[Roll No. 130]

YEAS—390

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
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)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
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
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
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
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
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
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Amash
Massie

NOT VOTING—40

Bachmann
Bass
Castro (TX)
Denham
Deutch
Ellison
Fattah
Gerlach
Gingrey (GA)
Graves (MO)
Grimm
Gutierrez
Hastings (FL)
Hinojosa
Jordan
Kuster
Larsen (WA)
Larson (CT)
Lee (CA)
Lynch
Maloney, Carolyn
Markey
McKeon
Moore
Moran
Nadler
Nunnelee
Peters (MI)
Richmond
Rogers (KY)
Rohrabacher
Rush
Sánchez, Linda T.
Schweikert
Speier
Tiberi
Walberg
Walorski
Westmoreland
Wolf

□ 1905

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:

Mr. GRIMM. Mr. Speaker, on rollcall No. 130 I was unavoidably detained and couldn't vote within the time allotted. Had I been present, I would have voted "yea."

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 130, had I been present, I would have voted "yea."

PASCUA YAQUI TRIBE TRUST LAND ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 507) to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, 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 Alaska (Mr. YOUNG) 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 401, nays 2, not voting 29, as follows:

[Roll No. 131]

YEAS—401

Aderholt
Alexander
Amodei
Andrews
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
Coble
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
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling

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
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
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
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
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
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Amash
Herrera Beutler

NOT VOTING—29

Bachmann
Deutch
Ellison
Fattah
Gerlach
Gingrey (GA)
Graves (MO)
Gutierrez
Hastings (FL)
Jordan
Kuster
Larsen (WA)
Lee (CA)
Lynch
Maloney, Carolyn
Markey
McKeon
Moran
Nadler
Nunnelee
Peters (MI)
Richmond
Rohrabacher
Speier
Tiberi
Walberg
Walorski
Westmoreland
Wolf

□ 1912

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRAVES of Missouri. Mr. Speaker, on Monday, May 6 I missed three rollcall votes. Had I been present, I would have voted "yea" on No. 129, No. 130, and No. 131.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 32, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 32

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the ''event''), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bag pipe exhibition.

(b) DATE OF EVENT.—The event shall be held on May 14, 2013, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1406, WORKING FAMILIES FLEXIBILITY ACT OF 2013

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113–51) on the resolution (H. Res. 198) providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector, which was referred to the House Calendar and ordered to be printed.

CHIP GERDES

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

Mrs. WAGNER. Mr. Speaker, today, I want to honor a legendary man, a loyal soldier in the battle for freedom in this great country—Chip Gerdes of my neighboring State of Illinois.

Chip suddenly passed away this morning in his home, where he was a loving father and a devoted husband. He was a loyal friend to me and to my family and was a faithful patriot to so many. Chip was the type of person we all strive to be in politics: he reached across all divides to bring people together for a common purpose.

I know Chip is smiling down on all of us today, cracking a joke about how serious we are about a man who never missed an opportunity to lighten the mood—and who would always fire up the room. Chip Gerdes will be missed by many, but his memory and his fight will continue.

We love you, Chip. We already miss you, and we will never stop fighting for what you devoted your life to defend: life, liberty, and the pursuit of happiness. Rest easy, my friend. We've got it from here.

SAFE CLIMATE CAUCUS

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

Mr. WAXMAN. Mr. Speaker, I rise today to continue the work of the Safe Climate Caucus in focusing on the threats posed to our Nation by climate change.

The world's top scientific institutions are all telling us that we have a rapidly closing window to reduce our carbon pollution before the catastrophic impacts of climate change cannot be avoided. The World Bank recently answered the question of why we should address climate change. Their report described what the world

will look like if we continue on our current path.

According to the World Bank, a world that warms by 4 degrees Celsius would suffer from unprecedented heat waves, the flooding of coastal cities, increased risks of food and water scarcity, severe droughts, and irreversible damage to ecosystems. Coral reefs would dissolve due to ocean acidification unmatched in the Earth's history. Extreme heat waves would likely become the new normal for summertime.

With impacts like these, it is clear that we cannot allow 4 degrees of warming to occur. There is widespread agreement that we must act. Members of the House must take action.

□ 1920

HONORING CHIP GERDES

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today without prepared remarks but to join my colleague, ANN WAGNER, in honoring a great friend, Chip Gerdes.

Chip, a 41-year-old who leaves behind a beautiful wife and a beautiful daughter and is someone who was larger than life in Illinois and in Illinois politics, died this morning way too young.

With Chip Gerdes, you never knew what that phone call was going to bring when his name popped through on your caller ID, and it's a phone call that I sadly stand here today to say I will never be able to take again.

But it was my friendship with Chip and friendship that he had with others like ANN, and many throughout Illinois and Missouri, that made us stand here today and honor him and honor his legacy.

Chip Gerdes, you were a friend to many and a foe to none. Chip Gerdes, rest in peace, my friend, and I will say this on the floor today in your honor: ''Roll Tide.''

CONGRATULATING AMADOR VALLEY HIGH SCHOOL'S ''WE THE PEOPLE'' TEAM

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

Mr. SWALWELL of California. Last week, Amador Valley High School from California, in my congressional district, competed in the national We the People competition held right here in Washington, D.C., and I'm proud to report that the students of Amador Valley High School's We the People competition team took second place out of 44 participating teams representing their States across the country.

The We the People competition is held annually, where each State can send one team to Washington, D.C., to compete in mock congressional hearings that test the high school students' knowledge of U.S. history and the Constitution.

I met with Amador Valley's We the People team while they were here, and I was thoroughly impressed with their participation, preparation, and knowledge of our history, government, and political system. The students' love of history and civics was welcome to see. They're truly a model for students across the country.

I also want to recognize their coaches, Brian Ladd and Mairi Wohlgemuth, who worked tirelessly to organize the team and prepare the students for this competition.

Congratulations again to Amador Valley High School and their students from the We the People program. You make me, our region, and our country proud.

TERRORIST ATTACK IN BENGHAZI, LIBYA

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

Mr. POE of Texas. Mr. Speaker, ''Benghazi happened a long time ago.''

''What difference does it make?''

''Let's get done with this, folks. I don't think anybody lied to anybody. I do not want to spend the next year coming up here talking about Benghazi.''

Mr. Speaker, these are statements made by the President's Pinocchio puppet press secretary, Jay Carney, and both the current and former Secretaries of State.

Americans are learning the White House bungled Benghazi, and now it faces accusations by whistleblowers of intimidation and hiding the facts.

Fearful of a terrorist attack, Ambassador Stevens asked for more security; calls for help were ignored; the cavalry never came; and he and three others were murdered. But the White House spinmaster said after the attack it was a ''spontaneous protest'' caused by a video. That was a made-up yarn. The attack was a carefully coordinated and calculated terrorist attack.

So why did the administration intentionally and knowingly mislead Americans?

The President told a graduating class over the weekend to reject those who say our government can't be trusted. Well, Mr. Speaker, Benghazi is a perfect example of why the national motto is not ''In Government We Trust.''

And that's just the way it is.

CONGRATULATING THE CITY COLLEGES OF CHICAGO

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, on Friday of last week, I had the opportunity to attend the City Colleges of Chicago's graduation, seven city colleges with more than 4,000 graduates.

So I congratulate the mayor of the city of Chicago; the chairman of the board of the City Colleges, Dr. Paula Wolff; the chancellor, Cheryl Hyman; and all of the faculty and staff. This was the highest number of individuals who have ever graduated from the City Colleges of Chicago at one time. I congratulate them, all of the administration and all of those who made it happen.

TO OUR FRIENDS IN COLOMBIA

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

Mr. RADEL. Mr. Speaker, I was recently in the beautiful, spectacular, booming country of Colombia, in part reaffirming a relationship with our ally and friend, and also there to make sure our investments are safe.

Our investments are safe, and they're paying off by growing the Colombian economy, and for you, the hardworking American taxpayer, growing our economy right here in the United States. Free trade and economic freedom mean that both countries prosper.

Their economy is growing and the income inequality gap is getting smaller and smaller, meaning a larger middle class. When Colombia does well, the United States does well. And while we may have a few differences here and there with other countries in Latin America, let there be no doubt that Colombia is a bright, shining example for all of the world when we work together.

So to our friends from all over Colombia: paisas, rolos, costenos, vallunos, opitas, llaneros, y Calenos.

Using your native language, let's continue to share our common dream of opportunidad y libertad para todos: opportunity and freedom for all.

WALK TO CREATE A WORLD FREE OF MULTIPLE SCLEROSIS

(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 past Saturday, I had the honor of participating in the Walk to Create a World Free of Multiple Sclerosis. Sponsored by the Pennsylvania Chapter of the National MS Society, this Erie County event provided hope for people living with MS, their families and loved ones.

Nationwide, the Walk MS: 2013 campaign will include 250,000 participants across 700 cities to raise awareness and support for research and services for those living with multiple sclerosis.

Now, more than any time in history, there are more therapies in development for MS. Basic and clinical research has led to the development of many of the approved disease-modifying drugs for MS, including new oral medications.

Congratulations to the National Multiple Sclerosis Society for having

trained or funded many of the leading MS researchers creating these life-changing breakthroughs.

Mr. Speaker, I also want to thank Lori and Tommy Straub for inviting me to be a part of Team ''Walk a Myelin My Shoes.'' Together, we will continue to work towards a world free of MS.

STOP CLOSING PUBLIC SCHOOLS IN AMERICA

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

Ms. JACKSON LEE. Mr. Speaker, I want to congratulate and thank the community of North Forest and the North Forest Independent School District.

This has been a tumultuous week. This school district, undeserving, has fallen prey and victim to the closing of public schools in a public school system—this district that has acceptable schools; this district that has homeowners who have taxed themselves to ensure excellence in the teaching of these children, 7,500 students that are happy to be in a small pond and be a big fish. It is sad that the TEA administrator has undeservedly offered to close this school district without accepting an offer of compromise.

This is time for the Secretary of Education to act on the massive closings of public schools throughout America. This is time for the U.S. Department of Justice to act on preventing the elimination of elected school board members and utilizing section 5.

But more importantly, I want to thank the ombudsman coalition headed by Dr. Ken Campbell and President Robinson, the presidents of the Ministers Alliance who carried on a prayer vigil this last week. I do believe that prayers will be answered, the children will be saved, and we'll stop closing public schools in America.

□ 1930

PETSMART PROMISE

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

Mr. SCHWEIKERT. Mr. Speaker, this is actually one of those moments when you get to stand in front of the House with sort of a happy story. There's an organization out there called Family Promise. They are in 41 States with, I believe, about 160,000 volunteers, and they've had an issue for years now. They bring in homeless families, but often those homeless families would have a pet, a furry family member.

Just this week, PetSmart set up PetSmart Promise. I actually got to see this firsthand in Scottsdale, Arizona, where they actually are taking care of that furry friend of that homeless family that needs to get their life back in order. So PetSmart gets a real call out from us. Family Promise is doing amazing things, and this is just one of those moments where you're very proud of a corporate entity like this, stepping up and working with Family Promise to help homeless families around the country.

CBC HOUR: ELIMINATING HEALTH DISPARITIES

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

Mr. HORSFORD. Mr. Speaker, thank you.

We are pleased to come to this body at this time for this hour of power with the Congressional Black Caucus. This evening, we'd like to focus on eliminating health disparities in America.

Health is a cornerstone of equal opportunity, which is why access to quality, affordable care is so important. Sickness not only decreases individual and social productivity, but without access to health resources, many get sick and never truly recover. Over this next hour, members of the Congressional Black Caucus will discuss our priorities, working together with the President, our colleagues on the other side and throughout this body, and in the other Chamber, to address the needs of health care for all Americans, and specifically to eliminate the health disparities in the African-American communities.

I'd like to recognize the chair of the Congressional Black Caucus. Under her leadership, the CBC is advancing a number of priorities during this 113th Congress. I yield to the gentlelady from Ohio, Chairwoman FUDGE.

Ms. FUDGE. I thank the gentleman for yielding, and I want to thank my colleagues, both Congressmen HORSFORD AND JEFFRIES, again for leading the Congressional Black Caucus Special Order hour. This hour is to discuss health disparities. You both have done an incredible job carrying the message of the CBC on the House floor each week, and I thank you.

Mr. Speaker, the health disparities between African Americans and other racial and ethnic populations are striking. When compared with the country as a whole, African Americans are three times more likely to die from diabetes. We account for about 44 percent of all new HIV infections among adults and adolescents, despite representing only about 13 percent of the U.S. population. African-American men can expect to live approximately 6 years less than White men. African-American women are twice as likely to give birth to low-weight infants, and our children are almost five times more likely to be hospitalized for asthma.

Though health disparities manifest in life-threatening ways, such as lower life expectancy and higher disease rates, the root cause is poverty. Where you live and how you live have a direct effect on how long and how well you live. Until we address the persistent poverty that plagues our communities, the debilitating cost of health disparities will continue to rise.

According to the Joint Center for Political and Economic Studies, health disparities collectively cost minorities more than $1.24 trillion from 2003 to 2006. We must create and maintain a path toward greater health equity in America. We can't afford the status quo.

Thankfully, a path to equity has begun to take shape, a path that reduces the rates of illness and premature death and increases access to quality health care. The solution was and is the Affordable Care Act—or, as it is known to many, ObamaCare. We are proud to call it ObamaCare because it proves that the President and many in this Congress really do care about the health of Americans.

ObamaCare has already begun to lower the cost of health care by providing financial relief for consumers, increasing insurance options, investing in preventative and primary care, and placing a focus on minority health. The ACA helps decrease health disparities by collecting data, strengthening cultural training, and increasing diversity in the health care field. These investments are critically important and will strengthen America's financial future.

Some on the other side of the aisle believe the status quo is sufficient, that health disparities are not real. Some don't believe that the impact of disparities on families is devastating. That's why a number of Republicans are again calling for the repeal of the ACA. How many times do we have to play this game?

The CBC will continue to stand up, speak out and defend the Affordable Care Act against all of those who oppose it for political or ideological reasons. Attaining health equity is to the benefit of all Americans, and is not only consistent with the American promise of opportunity, but it is critical to the future of Black America.

Mr. HORSFORD. At this time I would like to recognize the vice chairman of the Congressional Black Caucus, a leader on a number of key issues that the Congressional Black Caucus is facing this 113th Congress, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me thank you, Mr. HORSFORD, for yielding time this evening, and thank you for your leadership not only here in the Congress but in the Congressional Black Caucus. You have come to this Congress, and you've done so much in such a short period of time. Thank you, Mr. JEFFRIES and Ms. FUDGE as well, for your leadership.

But, Mr. Speaker, I want to start this conversation this evening by talking about a 1985 report. President Ronald Reagan was President at the time, and the U.S. Department of Health and

Human Services issued a statement. They called health disparities in the United States of America ''an affront both to our ideals and to the ongoing genius of American medicine.''

It's disgusting, Mr. Speaker, that in this year, 2013, health disparities still exist in the richest and most powerful country in the world. African Americans are disproportionately less healthy. Life-threatening diseases like high blood pressure, diabetes, and heart disease are ravaging our population.

Oftentimes African Americans that live in rural communities, like the one that I represent in North Carolina, don't have insurance, and they have difficulty finding a regular primary care doctor, and so they go without an annual physical or regular checkups. Sometimes their only interaction with a health care provider is when they call 911 because their unchecked blood pressure resulted in a heart attack or stroke. By then it's too late. If that same person suffering from a stroke would have had access to care, their high blood pressure may have been diagnosed early.

□ 1940

They may have been put on medication meant to regulate their condition, making a heart attack or stroke less likely.

Many African Americans do play an active role in their health care, but the quality of the care they receive can be much worse than their white counterparts, further widening the gulf of disparities.

A significant driver of these disparities is the lack of health insurance, and that's what the gentlelady spoke about a moment ago. African Americans make up 13 percent of the entire population, but account for more than 50 percent of all people who are uninsured.

African Americans are also likely to have disproportionately lower access to primary care and often receive poorer quality care and face more barriers in seeking treatment for chronic-disease management.

The Affordable Care Act that we're all so proud of was designed to put a premium on quality of care, increase access, and encourage and reward good health care outcomes. I am a strong supporter of the Affordable Care Act, and my constituents in North Carolina are as well.

Every person should have access to affordable quality health care, regardless of who they are, where they come from, or how much money they have in their bank accounts.

Before the Affordable Care Act was signed into law, 50 million people lived without health insurance. An additional 38 million people had insurance, but it was woefully inadequate and charged them exorbitant coinsurance payments and huge copays and completely unmanageable out-of-pocket expenses, essentially making them uninsured too. That means nearly one-third of all Americans were without the very basic insurance needed to see a health care professional and receive care at an affordable price.

When President Barack Obama proposed, and Congressional Democrats introduced, the Affordable Care Act, Republicans stirred up for a battle. And they would scream in the town hall meetings all across the country, and even right here on this House floor, about how the bill would create death panels that would decide if a person was worthy of receiving treatment for a particular disease. That was not correct.

They would insist that the bill would cut hundreds of millions of dollars from Medicare. Not correct. In fact, the Affordable Care Act specifically prohibits cuts to the guaranteed Medicare benefits.

They would bring out charts on this floor and graphs that showed how the Affordable Care Act will be a ''job killer'' worse than we have ever experienced before. That turned out to be a lie.

The cost of health care has risen each year, insurance coverage has decreased each year, and the amount of uncompensated care has increased every year.

Mr. HORSFORD, here's a statistic that really stands out with me: in 1970, the United States spent $75 billion on health care. That was 7.2 percent of GDP. In 2010, health care spending represented 17.9 percent of GDP and, if not for the Affordable Care Act, was expected to reach 20 percent by the year 2020.

The U.S. spends more of its dollars for health care-related expenses than any other country in the world, and the uncontrolled rise in the cost of health care would have been completely unsustainable if not for ObamaCare.

President Obama signed the Affordable Care Act into law and, with the stroke of a pen, revolutionized health care in America. Insurance companies can no longer deny coverage to people with preexisting conditions or charge them more than anyone else. There is now no lifetime dollar limit on what insurers will pay for claims.

Preventative visits to health care providers are now free, yes, free, and even include some free vaccinations. Young adults can now stay on their parents' policy until they're 26 years old. And all new group health plans now have to cover all recommendations by the U.S. Preventative Services Task Force.

Now, millions of people in our country, and in my congressional district and, Mr. HORSFORD, in your congressional district, who were living without the most basic health insurance can benefit from the most advanced health care technology in the world.

My only disappointment, Mr. Speaker, is that some of our Republican Governors and State legislatures across the country are refusing to participate in the expansion of Medicaid. Shame on them.

Mr. Speaker, in closing, I am confident that because of the Affordable Care Act the delta of health disparities in America will begin to shrink. No matter the color of your skin or the amount of money you have, each and every American deserves high-quality health care so they can live long and prosperous lives.

Mr. HORSFORD, I thank you so very much for yielding time.

Mr. HORSFORD. Thank you, Mr. Vice Chairman, and thank you for your leadership and commitment on these issues. And I know we will continue to fight and advocate for the preservation of the Affordable Care Act and, as you indicate, the proper implementation of that act with the expansion of Medicaid and the other key provisions of the law which we need our local and State partners to work with us in providing quality health care for all Americans.

GENERAL LEAVE

Mr. HORSFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the subject of this Special Order.

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

There was no objection.

Mr. HORSFORD. At this time I'd like to yield to the chair of the Congressional Black Caucus' Health Brain Trust, the doctor in the House, the person who knows more about health care than most, the honorable gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Thank you, Mr. HORSFORD. Thank you and our other colleague, Mr. JEFFRIES, for hosting these Special Orders every week. It's been with great pride that we've watched our young new Members come to the floor and present the case so forcefully and so effectively to the American people and the disparities in all areas that African Americans and other people of color and the poor are facing.

Before I start, Representative BARBARA LEE of California could not be with us this evening, but her work on HIV and AIDS, and other areas in health care, but specifically in HIV and AIDS, both here in the United States and across the globe, is worthy of recognition; and I know that she'll be entering a statement for the RECORD on some of the issues around HIV and AIDS.

I want to just go back a little bit and present a little bit of historical context on just how long this battle to eliminate health disparities has been going on. I'm going to go back—of course, it goes back to slavery, but I want to go back to W.E.B. DuBois in 1899, when he said, and I'm quoting:

> There have been few other cases in the history of civilized peoples where human suffering has been viewed with such peculiar indifference.

And then 25 or so years later, and this was mentioned by Congressman

BUTTERFIELD, in 1985, the Heckler Report, where it was said, and I'm quoting here:

> There was a continuing disparity in the burden of dealt and illness experienced by blacks and other minority Americans as compared with our Nation's population as a whole.

And as he said:

> The stubborn disparity remained. The stubborn disparity remained an affront to both our ideals and the genius of American medicine.

Surgeon General Heckler was very surprised by what that report found, but when she asked her researchers, well, why is this, the only answer that they could give her is, it's always been that way.

And so that stubborn indifference that W.E.B. DuBois mentioned in 1899 continued into as far as 25 years later.

Almost 20 years later, the IOM issued its unequal treatment report which said:

> In unassailable terms, the report found that even when insurance and income are as the same as those of whites, minorities often receive fewer tests, less sophisticated treatment for a panoply of ailments, including heart disease, cancer, diabetes and HIV/AIDS.

So even when you have insurance, even when your educational level, even when your income is the same, you are still not getting the same treatment. And so it's no wonder that African Americans and other people of color have suffered from disparities for so long.

So in 2003, led then by Jesse Jackson, Jr., we insisted that there be a report every year on health disparities, a national report. And the very last one, so we're in our 11th year now, well, we're in our 10th year now, and the very last report shows very little change.

□ 1950

It showed that blacks received worse care—it talks about quality—than whites for 41 percent of quality measures. Hispanics receive worse care than non-Hispanic whites for 39 percent of measures. Asians and American Indians and Alaskan Natives receive worse care than whites for nearly 30 percent of quality measures. And in terms of access, blacks had worse access to care for 32 percent of access measures, Asians for 17 percent, American Indians and Alaskan Natives for 62 percent, and Hispanics 63 percent of the measures.

So as we look over the years from 1899 to 2011, which is what this report is on, there has been very, very little change. Among the themes that emerge from the report, health care quality and access are suboptimal, especially for racial and ethnic minorities, and this is in 2011. I'm sure the report this year is not going to be any different. Quality is improving, but disparities are not improving.

There are several areas where disparities are worsening over time between minorities and whites. Those are maternal deaths in the black population and breast cancer diagnosed at an advanced age for women in the black population. Children zero to 40 pounds—their families are not getting advice in the Asian population about seatbelts. Adults over 50 not receiving colonoscopy, sigmoidoscopy or anything in the American Indian and Alaskan Native populations.

So when looking at these reports coming back the same way year after year, the Tri-Caucus, the Black, Hispanic and Asian Caucus, when we began to debate the Affordable Care Act and to write the Affordable Care Act, we came together and said health equity had to be a major and core goal of health care reform. We were able to insert into the bill many of the provisions that we had worked on for many years to create health equity and to begin to eliminate health disparities. So we call on all people across the country to support us and make sure that all of those attempts to repeal the Affordable Care Act, which would close the door that we have been able to open for so many who have not had access to quality health care for so long—that door would not be closed again.

Mr. HORSFORD. Thank you again to the gentlelady from the Virgin Islands and the chair of the Congressional Black Caucus' health brain trust for laying out, again, the hard work that the Congressional Black Caucus has been involved with for many years in getting to the point with the Affordable Care Act now on the cusp of being fully implemented in January of 2014. So when our colleagues on the other side spend time bringing up legislation to repeal the Affordable Care Act now more than 30 times after this legislation has been approved by Congress, it has been upheld by the courts, it has been signed by the President, and the American public are desperate for quality health care—that is why we are coming here today to say enough is enough. Thirty times to repeal the Affordable Care Act—how many more times will we waste the people's, House's and our time bringing these issues forward when we need to be working together to implement the Affordable Care Act in the way that it is intended?

At this time, I would like to yield to the second vice chair of the Congressional Black Caucus. She is a strong leader for her constituents, the gentlelady from New York (Ms. CLARKE).

Ms. CLARKE. Thank you, very much, Congressman HORSFORD, and I thank you for your leadership along with Congressman JEFFRIES in leading the Special Order hour for the Congressional Black Caucus.

Mr. Speaker, I rise today to join my colleagues in the Congressional Black Caucus to raise awareness about health disparities that continue to affect racial and ethnic minorities in the United States of America. Despite medical advances that save many lives in our country, there has been very limited progress in ending the racial and ethnic disparities in health. In a 1985 report, the United States Department of Health and Human Services called health disparities in this country ''an affront both to our ideals and to the ongoing genius of American medicine.'' Now, decades later, health disparities still exist between black and white and rich and poor.

A primary reason for these disparities is, quite frankly, the lack of health insurance that has been a problem for all these many years. For instance, African Americans make up 13 percent of the entire population but account for more than half of all people who are uninsured. Blacks also have disproportionately lower access to primary care and face more obstacles in seeking treatment.

Across our Nation, health disparities continue to persist and widen in communities historically marginalized as a result of poverty and other social, economic and environmental barriers. These communities are experiencing a high burden of life-threatening diseases and poor health outcomes.

Population-based approaches such as recent efforts to reduce childhood obesity rates, while showing evidence of success, have been primarily focused on white children in affluent communities. For example, in a report released in 2012 by the CDC, New York showed an overall decline of as much as 10 percent in obesity rates for kindergartners. However, for poor black children, the decline was only 1.9 percent, and for Hispanic children it was 3.4 percent.

In my district in Brooklyn, New York, I represent a very large number of immigrants. Close to 40 percent of the residents are first- and second-generation Americans. Culturally significant and linguistically tailored education is required to address health disparities. This education is one of the building blocks upon which improvements in early detection and screening in these communities have been built.

Health disparities are a serious matter. According to the National Urban League's State of Urban Health report, in 2009, health disparities cost the United States economy $82.2 billion. I firmly believe in prevention and addressing health disparities, and that it will go a long way in bringing these costs down. It is important that we fully engage in a full implementation of the Affordable Care Act. This will lead us to closing these disparities, this health disparity gap.

I look forward to working with my colleagues in the Congressional Black Caucus and, quite frankly, all Members of goodwill to find solid solutions to addressing health disparities in communities of color across this Nation.

Having said that, Mr. Speaker, I thank you for the time.

Mr. HORSFORD. Thank you to the gentlelady from New York, and I appreciate, again, all of her hard work and her commitment on these issues and her willingness to, again, reach across

the aisle as you said. We are here to work with anybody who wants to work with us to find solutions to the health care crisis that exists in America. But we need them to understand that voting to repeal the Affordable Care Act is not that solution. There are many more things that we can do together to provide access to health care than we can by repealing this very important legislation.

At this time, I would like to recognize, Mr. Speaker, the gentleman from Illinois (Mr. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to first of all commend our colleagues for coming here every week raising issues and promoting awareness. Tonight it is health care, health care disparities.

I believe that the big problem with the eradication of the disparities is the fact that we, as a nation, have not committed ourselves to the concept that health care ought to be a right and not a privilege. As the most technologically proficient nation on the face of the Earth, as the wealthiest nation with a quality of life for large numbers of people—that is commendable—we still have not reached the point where we take the position that every person, no matter what their status or circumstance, deserves the highest quality of health care that our Nation can afford for them.

□ 2000

So until we reach that point, we will continue to have studies and reports and we will continue to look at disparities, and we'll keep doing it and doing it and doing it and doing it again.

We will have legislation like the Affordable Care Act that is designed to close some of the gaps. And it does, in fact, close some of the gaps, and it's commendable that we have done that.

But I maintain that we have a health care system that really is a sickness care system. We do a good job of treating illnesses and sickness when people can get to the places where they get the treatment.

I had a call yesterday from a person who suggested that they had gone to the emergency room at the hospital and were given two Tylenol and sat in a room for a good period of time. When they inquired of the hospital why they had done that, they told them, Well, it's because of the ObamaCare; that ObamaCare is causing this to happen to you.

Now, the person actually has been on Social Security disability for a long time, before there was any ObamaCare and there was a way to pay for their health care, and somebody took the opportunity to misrepresent ObamaCare. I would hope that people would not, especially people in the industry, people in the business, would not do that.

But I also urge individual citizens to take more responsibility for our health. You know, there's still disparities in smoking, still disparities in drinking too much alcohol, still disparities in not having the appropriate diet or the exercise that is needed. So we've got to tack on several fronts. We've never put enough resources into the systems to make sure that they work properly and appropriately. We need to put more money into health education, health promotion, health awareness, so that individual citizens have a greater understanding of what it is that they individually can do.

Of course, people who know me know that I promote community health centers as the best way of providing ambulatory health care to large numbers of low-income people more effectively than anything else we've come up with, with the exception of Medicare and Medicaid, in a long time. I still promote these institutions as being one of the best ways in local communities of having health care delivery where people themselves are involved. These centers provide jobs and work opportunities and help keep the money in the neighborhood so that the impact of poverty is not as great as it would be.

So, Mr. HORSFORD, again, I want to thank you; I want to thank Mr. JEFFRIES; and I want to commend the caucus for raising the issues, promoting awareness, and helping, hopefully, to develop a different level of understanding. Health care ought to be a right and not a privilege.

Mr. HORSFORD. I'd like to thank the gentleman from Illinois and, again, just to highlight, as you indicated, the community health centers as an important provision of support within the health care delivery system.

Both rural and urban communities suffer from the disproportionate distribution of health care resources and access to care. Community health care centers play an important component in overcoming that care, providing millions of health care services, particularly to people of color, access to high-quality and affordable care in both rural and urban areas.

I know in my own district, in Nevada's Fourth Congressional District, we have 14 health centers throughout our region. From my rural parts to the urban parts, these are very important areas. But unfortunately, under the sequester, Mr. Speaker, these are still areas that are under attack because cuts to these health care centers are still being imposed because of the uncertainty of the sequester.

In my district, Nevada health centers, they're looking at over $700,000 worth of reductions between now and September; elimination of nursing positions and elimination of services for children and seniors at a time when people are sick and they need it the most.

So I would hope that, again, we can work together with Members on the other side to come up with solutions to replace the sequester and to fully fund community health centers, who are providing such good care to our citizens at this time.

I would like to yield now, Mr. Speaker, to the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the conveners of this Special Order and express my appreciation to Mr. HORSFORD and to Mr. JEFFRIES for continuing to educate our colleagues on extremely important issues. And I'm delighted to join the Congressional Black Caucus as it proceeds continuously to ensure that we advocate for those who cannot speak for themselves.

I want to take up an issue that has struck home and is being confronted by many States, some of which are in the South and some are in other places throughout the Nation. I was very pleased to stand with my fellow Democrats and support the Affordable Care Act. I could go through the journey of 2009 and 2010, when many of us spread out across the country and confronted misinformation through town hall meetings, controversy, and conflictedness.

I think that what should be continuously emphasized as the President's leadership on one single point: that although health care was not listed, per se, in the Constitution, it should be a constitutional right. If you read the words or quote the words of the Declaration of Independence, we hold these truths to be self-evident, that we have certain unalienable rights of life, liberty, and the pursuit of happiness, one might argue that education and health care fall into those provisions of life, liberty, and the pursuit of happiness.

It was in the context of that framework in the original words of the Constitution that, as you open the book that has the provisions of the Constitution, the opening phraseology indicates that we have come together to create a more perfect Union. I think the Affordable Care Act was intended to try and lift the boats of all people.

Interestingly enough, major hospitals across America were clamoring for the passage of this legislation to really do what we're speaking about, which is to cut into the health disparities, because our hospitals across America were suffering from not being reimbursed on uncompensated care for those people who came without insurance. Many of them included African Americans, who suffered in larger numbers from the difficulties with diabetes, for example.

Texas, which is now in the eye of the storm, is one of those States that has rejected the expansion of Medicaid, which goes to the very point of increasing opportunities for those who suffer disparities so they can have access to health care. That is largely the problem in Texas. Federal funding for the adult expansion far exceeds current local expenses for unreimbursed health care costs, having 3 years without any match whatsoever and then having the ability to have a very small match later on.

It is estimated that Medicaid expansion would generate more than 231,000

jobs in 2016, a 1.8 percentage point reduction in the State's current unemployment from 6.1 percent to 4.3 percent, and it would directly address the disparities in diabetes, heart disease, and HIV/AIDS, in partnership with our federally qualified health clinics, which many States have seen expanded because of the Affordable Care Act. And now in my home State, my city in particular, Central Care has now put more community health clinics in areas where disparities were severe and lives were being lost.

It benefits children as well. I'd like to cite some numbers here for my colleagues to indicate what we would benefit from by the expansion of Medicare.

□ 2010

Unreimbursed health care costs for charity care in 2010, for an estimated $4.4 billion in unreimbursed expenses. We would be covering that.

We would also get off the number one list. Texas, number one, ranking among States with the greatest share of uninsured residents at 23.8 percent in 2011, more than 6 million people, compared with the national average of 15.7 percent.

And then, as I indicated, we would, again, eliminate the opportunity for low-income adults to be able to secure care. When low-income adults don't get care, the children don't get care.

So I am suggesting that the rejection by Governor Perry, along with other Governors, to not accept expanded Medicaid has a direct impact on the increase, not only of the uninsured, but the increase in the numbers of those suffering from certain diseases who cannot get care and, therefore, rather than have preventative care, which an expansion of Medicaid would provide, allowing for doctor visits, then the only time that we are able to secure health care for them is when they arrive in the cities and the counties and the States' emergency rooms, where we see a surge in emergency room costs, health care costs, and we eliminate the good will and the good intentions of a very good bill that answers the question, are we attempting to form a more perfect union by establishing a framework of insurance for all Americans, hardworking Americans, Americans of Asian descent and African descent and Hispanic descent, who have different DNA and cultural indices that would lead them to have certain diseases more than others.

Let me also take note of the fact that one of those particular diseases that impacts the African American woman in a more devastating manner than in others, and that is triple negative breast cancer that impacts Hispanic women, African American women and Anglo women, but more so in the African American community. That kind of diagnosis gives in this current phrase of time a short and almost devastating diagnosis, one that is difficult to recover from, one that sees an increase in the loss of life.

So I would make the argument to Governor Perry and to Governors across the Nation who have rejected the expanded Medicaid as a budget issue, as a political issue, as a ''I'm going to stand up to the President'' issue, you are wrong, you are absolutely wrong, because this is not a political issue; this is a life and death question. And I want to applaud Governors like those in Florida, who certainly, obviously, may not welcome the applause. But I think it's important when people stand on principle or what is good for others, that they should be applauded.

So I applaud the Governor of Ohio and the Governor of Florida for moving forward on Medicaid expansion. And I would say to my good friend, who is leading this very important Special Order, that we need to begin to work with the President to find ways to substitute the rejection of the Medicaid expansion so that individuals that are in these States who cannot speak for themselves, who in actuality have a head of State Governor that is making a political decision, a simple political decision, will not lose out on the benefits intended by the Affordable Care Act, which is to give comfort and to give help and aid to those who need health care.

I finish on this note. I want to thank Dr. CHRISTENSEN, because when we began to write this legislation with the Congressional Black Caucus that, one, talked about the health care disparity, which was the premise of the fact of expanding health care, it would be a shame if after all this work and passage of this bill there would be innocent persons in our respective States like Texas that could not benefit from something that could save lives.

I thank the gentleman for yielding.

WHY TEXAS SHOULD EXTEND MEDICAID COVERAGE TO LOW-INCOME ADULTS

LOCAL BENEFITS

Local savings from the expansion would offset much if not all of the state match in 2016 and 2017. According to reports that cities, counties, hospital districts and local hospitals submit to the state, unreimbursed local health care spending in Texas that local property taxes largely support, totaled $2.5 billion in 2011. In addition, Texas hospitals reported at least $1.8 billion in conservatively estimated unreimbursed health care costs for charity care in 2010, for an estimated total of $4.4 billion in unreimbursed expenses

The math is simple—federal funding for the adult expansion far exceeds current local expenses for unreimbursed health care costs. Although the impact of the Medicaid expansion and ACA subsidized insurance would not entirely offset total local expenses, since not everyone currently receiving charity care, such as undocumented immigrants, would be eligible for these programs and since some services may not be covered, much of it would.

If necessary, the state could use some portion of these savings to fund the required match through an intergovernmental transfer arrangement. Local governments and hospitals would still realize a net gain over current costs from the federal funds the match would generate.

It is estimated that the Medicaid expansion would generate more than 231,000 jobs in 2016, equivalent to a 1.8 percentage point reduction in the state's current unemployment rate—from 6.1 percent to 4.3 percent.

STATE BENEFITS

In numerous programs, the state pays 100 percent for adult health care that Medicaid would cover under an expansion. For example, the Texas Department of Criminal Justice requested $186.5 million in state appropriations for hospital inpatient and clinical care for its inmates for 2014.

The federal federal government contributes nothing toward this purpose now, but with a Medicaid expansion, the state would spend nothing on in-patient hospital care for eligible inmates from 2014 through 2016, and a maximum of just 10 percent of these costs by 2020. Similarly, the expansion would cover eligible adults in state mental institutions and juvenile facilities that need non-psychiatric hospital in-patient care.

The state also spends unmatched general revenue for community primary care services, mental and behavioral health services and, soon, women's health care delivered to low-income individuals who are not eligible for Medicaid. Other programs include the breast and cervical cancer program, the kidney health care program and the HIV Medication assistance and STD program. Furthermore, the state supplements funding for the County Indigent Health Care (CIHC) program, much of which would be unnecessary under a Medicaid expansion. The state also pays the regular state match for medically needy adults that currently qualify for Medicaid. Under an expansion, the state would be able to use the high federal match rate for newly eligible individuals not covered by Medicare.

The Comptroller's office estimates that larger caseloads from a Medicaid expansion would net increased revenues from the insurance premium tax due to the large number of persons who will buy health insurance under the exchange, as well as those covered in the expansion. The Comptroller estimates the increased insurance premium tax revenue due to ACA implementation and the Medicaid expansion at $1.3 billion from 2015 through 2019, or an average of $250 million a year.

In addition to these savings and new revenue that could offset the required state match, the expansion would generate an additional $1.8 billion in new tax revenue from 2014 through 2017, assuming moderate enrollment—enough to offset nearly half of the required state match from 2014 through 2017. These jobs, many of them in health care, would provide substantial benefits and increased economic security to families and local communities. As employees spend their wages on taxable items, state and local governments benefit from increased tax collections, and the increased economic activity in turn creates other jobs.

BENEFITS TO CHILDREN

According to the Census Bureau, in 2011 Texas had about 900,000 or 16.7 percent of the nation's 5 million uninsured children, and nearly 600,000 of the nation's 3.5 million uninsured children with family incomes below 200 percent FPL, again a 16.7 percent share. About 13.2 percent of all Texas children are uninsured, compared to a national average of 7.5 percent.

Bringing Texas up to the national average would require the state to insure an additional 393,000 children, less than the 550,000 expected to enroll in Medicaid under a Moderate scenario. After 2014, the national average will increase significantly since most states will expand Medicaid, which means that, without the expansion, the disparity between Texas and other states will grow.

Studies conducted in the 1980s found that expanding Medicaid to children reduced child mortality by 5.1 percent and infant mortality by 8.5 percent. Assuming the lower 5.1 percent rate, the expansion would save the lives of 2,700 Texas children every year after full implementation.

BENEFITS TO ADULTS

Our children also need healthy parents to provide for their care. Many low-income individuals and families simply cannot afford basic living expenses, health insurance and out-of-pocket health care expenses, making a Medicaid expansion imperative.

The Kaiser Family Foundation estimates that about 41 percent of adults covered under the expansion would be parents. Many of them work, but lack health insurance. According to the Census Bureau, 59.9 percent of uninsured adults in Texas work, a higher labor force participation rate than the total population's. According to Kaiser, about 1.2 million adults who would be covered under the expansion in Texas are working, about 60 percent of them in agriculture or service industries that tend toward smaller firms and are less likely to offer insurance to employees.

Only 28.4 percent of the 320,334 Texas private firms with fewer than 50 employees insured their employees in 2011, versus 92.3 percent of the 132,109 larger private firms. And besides working for low wages in firms that do not offer health insurance, many low-income individuals find work only on a part-time or seasonal basis, resulting in poverty-level incomes.

The Medicaid expansion would cover a person employed in a full-time, minimum-wage job paying $7.25 per hour, which equates to $15,080 per year, just below the 138 percent FPL cutoff. It also would cover a single parent earning $10 per hour (annual wages of $20,800). These wages are generally insufficient to cover basic living and working expenses as well as health insurance.

The high cost of health insurance affects both employers and workers, but high premiums as well as out-of-pocket medical expenses make it impossible for most low-income workers to afford health care. The 2012 average cost of single coverage was $5,615, and family coverage was $15,745, a 30 percent increase since 2007, according to a recent study by the Kaiser Family Foundation and the Health Research and Educational Trust. Employees paid an average of $951 for single coverage and $4,316 for and $11,429 for family coverage per employee, it is unsurprising that most small employers find it difficult to provide insurance.

Although the ACA provides subsidized health insurance for individuals above 100 percent of FPL, about 1.4 million uninsured Texas adults aged 18 to 64 who are below 100 percent of FPL will not be eligible. Covering most of these adults through Medicaid would mean a healthier workforce and would reduce absenteeism, job loss and unemployment insurance costs to employers. It also would increase income for families with children, thus reducing stress and providing more opportunities.

And, it would save lives. The Harvard School of Public Health recently compared three states (New York, Arizona and Maine) that expanded Medicaid to childless adults aged 20 to 64 between 2000 and 2005 with neighboring states that did not (New Hampshire, Pennsylvania, Nevada and New Mexico). They found not only a higher insured rate in the expansion states, but a 6.1 percent drop in the death rate for adults under age 65, or about 2,840 deaths prevented each year for every 500,000 persons newly insured. This translates into one life saved per year in the five-year follow-up period for every 176 newly insured. In Texas, that would amount to about 5,700 lives saved per year under the Moderate enrollment scenario once fully implemented.

BENEFITS TO EMPLOYERS

Only 36 percent of U.S. workers in firms with fewer than 25 workers have insurance.36 In a Kaiser Family Foundation survey, 48 percent of small employers indicated that the cost of insurance was too high for them to offer it to employees.

On the other hand, when their uninsured employees become sick, they are more likely to be absent from work longer, creating a burden to their employer and fellow employees. Frequent or prolonged absences for common untreated conditions such as asthma, diabetes, heart disease, allergies and flu can lead to terminations and the costs of recruiting, hiring and training new employees. Expanding Medicaid to adults aged 18 through 64 who are making marginal wages or working in part-time or seasonal positions is an effective way to assist small businesses and their employees alike.

Finally, we estimate that the Medicaid expansion would generate nearly 71,500 jobs in Texas in 2014, rising to 231,100 jobs in 2016, the first year of full implementation. Many of these jobs would be in health care, an industry that pays well and provides good job security and benefits, including health insurance, and wages would average $50,818 during the 2014–2017 period—the same as the statewide average for all industries.

Texas already has the highest rate of uninsured for adults aged 18 to 64 of any state—31 percent compared to a national average of 21 percent in 2011.45 If Texas does not expand Medicaid, and Wal-Mart and other companies implement their intended policies, the number of uninsured in Texas will grow as it shrinks in states that acted, leaving Texas still at the bottom and digging a deeper hole.

FINDINGS IN OTHER STATES

Recent studies in other states have also found that states can finance their share of the expansion using funds already spent on state and locally funded health care for adults and new revenues generated from the expansion. After further study and considering revised trends, several states besides Texas have also substantially reduced their estimates of the state funds required for the expansion.

Some governors that previously expressed opposition to the expansion have changed their minds. In particular, Arizona's governor, Jan Brewer, initially in opposition, has recently announced that she will support it as long as Arizona includes an automatic trigger reducing Medicaid optional coverage should the federal government reduce its match rate in the future, a concern expressed by several state governors.46 After reviewing a new study that identified sufficient existing revenue sources, New Mexico's governor, Susana Martinez, also announced her support for the expansion.

California. A recent study by the University of California at Berkeley and the University of California at Los Angeles on the California expansion found that increased state tax revenues and savings would largely offset additional spending. It also found that savings in other areas of the budget, including other state health programs, mental health services and state prisons due to the expansion ''would likely be more than enough to offset the $46 to $381 million in annual state General Fund spending for the newly eligible population through 2019.''

Florida. Florida has recently reduced its estimate of state costs from $26 billion to $5.066 billion over 10 years from 2013–14 to 2022–23, including costs for newly eligible adults ($1.767 billion), children who are currently eligible but not enrolled ($3.012 billion) and the cost of shifting, called ''crowd out,'' of currently insured individuals to Medicaid ($0.287 billion). The state now estimates that the expansion would generate $37 billion in federal funds over the ten-year period, of which about $30 billion is for newly eligible adults.

Ohio. Estimates just published by Ohio State University compare the state's match requirements with the net savings the state would receive from moving adults from state-funded programs to Medicaid over a nine-year period from 2014 through 2019, concluding that savings in these programs would provide 41.2 percent of the state match necessary for the expansion. The study estimated that the state would receive net savings of about $1 billion on:

Better match rate for medically needy adults of $709 million.

Breast and Cervical Cancer Program costs of $48 million.

Inpatient prison health care costs of $273 million.

In addition, the study pointed out that there would also be savings on non-Medicaid substance abuse treatment, family planning, pregnant women and other state health care programs for uninsured adults. The study identified other areas of savings as well, including reduced criminal justice costs due to better access to substance abuse treatment.

The study also found net increases in state revenue from taxes of $2,898 million on: managed care plans ($1.823 billion), general revenue ($857 million) from increased economic activity and increased drug rebates to the state from pharmaceutical companies ($218 million). The study estimates that the state will need about $2.5 billion for state match, which would leave a net state fiscal gain of $1.4 billion.

Wyoming. The Wyoming Department of Health issued a report in November 2012 that also looked for offsets to pay for the Medicaid expansion. The department found that ''participating in the optional expansion of the Medicaid program would result in a projected cost savings for the State General Fund throughout the first 6 years of the ACA implementation (fiscal years 2014–2020).''

OBJECTIONS TO MEDICAID EXPANSION

The ACA and the Medicaid expansion have raised concerns in Texas and some other states about its long-term costs for state and local budgets, as well as other concerns. Objections to expansion in Texas primarily revolve around three arguments:

Medicaid is ''socialized medicine'' like that practiced in western Europe and expanding it would spread it further;

The federal government should abandon Medicaid and move to a system of block grants to states, to provide them with more ''flexibility'' in meeting their citizens' health care needs; and

The added cost burden of expansion, despite extremely favorable federal matching rates, is too much for a program that has already overburdened the state financially.

Socialized medicine: Medicaid is not socialized medicine. Socialized medicine as practiced in Western Europe, and specifically Great Britain, is a system under which the government not only funds but also operates hospitals, hires health care providers and controls every aspect of health care. Medicaid does not do these things; patients and their health care providers make health care decisions. Medicaid in no way meets the definition of ''socialized medicine.''

Medicaid is a federal insurance program that matches state funding to provide health care to eligible, low-income citizens who cannot afford private health insurance. States receive federal matching funds and

administer the program under federal rules that limit eligibility to certain groups and services and that provide states with flexibility within certain eligibility and service requirements. Texas participates in many similar federal programs that require state matching funds, including transportation, historic preservation and homeland security programs, among others.

Block grants: Some Texas lawmakers suggest that Medicaid is a ''one-size-fits-all'' program that fails to meet the state's unique demographic and industry needs. They are petitioning the federal government to convert federal Medicaid funding to a block grant, with each state receiving a fixed amount to establish its own state-specific program that might or might not include all the features of the current program. Even for lawmakers who favor a block-grant approach, however, this argument should not affect the decision to extend Medicaid coverage under the ACA. In fact, lawmakers who favor a Medicaid block grant in particular should support extending Medicaid to low-income adults: the government typically bases block grants on historical funding levels, so maximizing federal funding now would better position Texas in the event of any future conversion to block grants.

Cost burdens: As noted above, state and local governments currently fund all of our expenditures for indigent care and in-patient hospital costs for eligible incarcerated individuals, while the state supplies 100 percent of funding for some adults served in state health care programs that would be eligible for Medicaid. These, combined with hospital charity costs, far exceed the amount Texas would be required to contribute to expand Medicaid. New revenue from insurance premium taxes and economic growth from the infusion of $100 billion in federal funds would provide additional revenue sources. Furthermore, opting out of the expansion will not reduce Texans' federal tax burden, nor will expanding Medicaid increase it.

Concerns that the federal government will not be able to maintain high match rates in the future are unlikely to become reality given that Congressional representatives and senators represent their states. To ensure against this event, however, Texas could build in an automatic ''trigger,'' such as Arizona is doing, to reduce Medicaid optional populations and services should Congress reduce the match rate in the future.

Governor Rick Perry has described extending Medicaid to low-income adults as ''adding more passengers to the Titanic.'' It would be closer to the case to say that failing to cover adults will doom them like those hapless travelers. Experience in other states indicates that the death rate would fall by 6.1 percent for adults under age 65 if the state expands Medicaid, preventing premature deaths of 5,700 Texas adults in each of the five years following the implementation year, or 28,500 Texans over five years. Previous studies also have found reductions of 5.1 percent in the child mortality rate and 8.5 percent in the infant mortality rate attributable to Medicaid coverage.

Such studies led one author from the Harvard study, Arnold M. Epstein, to conclude: Sometimes the political rhetoric is at odds with the evidence, such as claims that Medicaid is a 'broken program' or worse than no insurance at all; our findings suggest precisely the opposite.

CONCLUSION

Extending Medicaid to low-income adults will save tens of thousands of lives and improve millions more over the next decade and beyond. The jobs created will support hundreds of thousands of people and boost the economy. The additional tax revenue will benefit state and local governments and important public purposes such as education, infrastructure and public safety. Businesses will benefit from healthier employees and lower employer insurance costs.

State and local government and the state's hospitals collectively spend far more on piecemeal health care for low-income Texans than the state's expected match for the expansion. Expanding Medicaid would move thousands of people into managed care from these programs and significantly reduce the use of expensive emergency room treatment for routine care.

Without expanding Medicaid to adults, Texas will still have to find additional state match for many of the eligible but unenrolled children identified in this report—but without the benefit of the additional state funds that an expansion would free up and without the new revenues that the additional federal funding would generate.

The decision to expand Medicaid—or not—will affect the lives of millions of Texans for years into the future and is arguably one of the most important decisions that the Legislature has had to make in decades. If politics are set aside, the right decision is obvious.

Mr. HORSFORD. I thank the gentlelady from Texas. We stand with you and your colleagues here on the floor to continue to put pressure on leaders, not only in Texas but throughout the country, who do not see the value of expanding Medicaid.

I'm fortunate in Nevada—we have a Republican Governor, but he has agreed to provide the expansion for Medicaid, because he understands that in Nevada a third of our population is currently uninsured, and with the expansion of Medicaid that's going to make sure that fewer people turn up in the emergency rooms through uncompensated care, which all of us as taxpayers end up paying for.

So this is an issue where Republicans who understand the bottom line in terms of health care and cost can work together with us to implement good policy for the American people. We'll continue to work with Governors that have not seen the light, but we believe that this is a plan that will work very effectively.

Mr. Speaker, can I ask how much time we have remaining?

The SPEAKER pro tempore. The gentleman has 18 minutes.

Mr. HORSFORD. Thank you, Mr. Speaker.

At this time, I would like to turn to several of our new Members of the 113th Congress. I'm very pleased and honored to be serving with them. I've learned so much from all the Members here, but particularly have enjoyed getting to know the new Members of the Congressional Black Caucus. There are five new Members.

I would now like to recognize my good friend, the gentleman from New Jersey, the man with the great legacy, who's carrying on the legacy of the late Congressman Payne, Representative PAYNE, Jr., at this time.

Mr. PAYNE. Mr. Speaker, I thank the gentleman.

Let me first thank my colleagues, Congressman HORSFORD from Nevada and Congressman JEFFRIES of New York, for anchoring tonight's CBC's Special Order on eliminating health disparities.

I would also be remiss if I did not acknowledge our leader on health issues in the Congressional Black Caucus, Dr. CHRISTENSEN.

Mr. Speaker, I would also like to take the opportunity to acknowledge a young person on the floor, the gentlelady from Nevada, the young Miss Horsford, who is here tonight. This is truly unique quality time to spend with your daughter.

There are numerous factors that contribute to the growing health disparities in New Jersey's 10th District—poverty, environmental threats, inadequate access to health care, and educational inequities. These issues are so interconnected that a piecemeal approach to fixing them just will not work. A comprehensive approach that focuses on providing access to quality care to all, creating good jobs that provide a decent living and increasing educational opportunities for low-income communities, is the only way to eliminate health disparities once and for all.

Even in the 21st century, health disparities are stark, especially in the African American community, in which life expectancies are lower and infant mortality rates are higher. Children of color who live at or below the poverty line are much more likely to have asthma, develop ADHD and contract diseases because they cannot afford vaccinations.

So we have a moral obligation to eliminate health disparities. Our children and our future generations are depending on us. But narrowing the health disparities that exist is not only good for our Nation's health, it's good for our Nation's pocketbook.

Research tells us that access to quality health care could eliminate or reduce the onset of many chronic illnesses and disproportionate health outcomes that add to astronomical health care costs every year. Yet many of my colleagues won't rest until they repeal ObamaCare. The fact is, the Affordable Care Act will now provide health care to 9 million African Americans who are uninsured or underinsured. ObamaCare ensures that everyone has access to lifesaving care such as preventative cancer screenings, as well as coverage for children with preexisting conditions.

□ 2020

We know that ObamaCare's preventative services will help save lives and save money. So why are my Republican colleagues so set on repealing it? We have to protect ObamaCare just like we have to protect Medicare and Medicaid.

Sequestration is a direct attack on these already limited health resources. Sequestration is an irresponsible, across-the-board cut approach that will only contribute to the widening health disparity gap. Because of sequestration, Medicare has been cut by $11 billion; cancer patients are being turned

away from clinics, and they cannot get access to the life-saving treatments they need to live; millions in funding have been cut from community health centers.

Furthermore, the effects are very real for the people in New Jersey. In my State, nearly 4,000 fewer children will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B. There will be millions in cuts to grants that would help prevent and treat substance abuse. New Jersey will lose nearly $4.9 million in environmental funding that ensures clean air and clean water.

We live in a first world country, and you want me to go back home and tell my constituents that we cannot provide them with clean water and clean air? This is absolute insanity.

And to make matters worse, the New Jersey State Department of Health and Senior Services will be forced to provide 19,000 fewer HIV tests to low-income communities. Sequestration is directly contributing to the spread of this fatal disease. In essence, it is providing a death sentence to those who are poor and who can't afford the testing.

So I say to my colleagues tonight: addressing health disparities in this country is both a moral obligation and a financial imperative. If we are going to truly eliminate disparities, we must start by eliminating sequestration, which does nothing but further the burden of our distressed citizens. Finally, we must maintain and strengthen our investments in health care access and resources for the disadvantaged populations that we serve.

In closing, just as Medicaid and Medicare and Social Security have become common threads and fibers of this great Nation, one day ObamaCare will be looked at in the same manner.

Mr. HORSFORD. Thank you very much to the gentleman from New Jersey.

I would like to now turn to the gentlelady from Ohio. She has come to Congress, providing great perspective as a member of the Financial Services Committee specifically, but also in her background of higher education and in her working on a number of these issues, one of which being the need to create a workforce that's trained and ready, particularly in the health care sector. I would like to yield to the gentlelady from Ohio, Congresswoman BEATTY.

Mrs. BEATTY. First, let me join my other colleagues in thanking my freshman class members, Mr. HORSFORD and Mr. JEFFRIES, for leading the Congressional Black Caucus' important discussion tonight on eliminating health disparities in America.

Tonight, you are hearing a lot of statistics because it is so important for us to let America know that low-income Americans, racial and ethnic minorities and other underserved populations often have a higher rate of disease and fewer treatment options and reduced access to health care. So you will hear facts tonight.

The facts are that African Americans have the highest rate of high blood pressure of all population groups and tend to develop it earlier in life; African Americans are twice as likely to have diabetes than Whites; African Americans are twice as likely to die from stroke than Whites; African Americans are more than twice as likely to die from prostate cancer than White men; and African American women younger than 40 years of age are more likely to develop breast cancer than White women; infants born to Black women are 1.5 to 3 times more likely to die than those born to women of other races or ethnicities; African Americans are estimated to be 44 percent of all new HIV infections despite representing only 13 percent of the U.S. population.

These disparities are shocking, and the Congressional Black Caucus will not let us ignore them. In 2009, health disparities cost the United States economy $82.2 billion. We have to continue to bring awareness to this issue within our communities and develop strategies to eliminate these disparities in a cost-effective way.

On March 23, 2010, President Obama signed the Affordable Care Act, which is a monumental step that helps us address these overwhelming statistics in health disparities within our communities. We now have in place comprehensive health care reform that improves access to affordable care and guarantees that millions of our most at-risk citizens will finally be able to receive care. By improving access to quality health care for all Americans, the Affordable Care Act actually reduces health disparities.

We share this information so citizens will know that this law invests in prevention and wellness, that it gives individuals and families more control over their own care, that it expands initiatives to increase racial and ethnic diversity in health care professionals by strengthening cultural competency training for all health providers, and that it improves communications between providers and patients.

As a lifelong health care advocate and as a stroke survivor and as an African American woman, I know the importance of protecting access to affordable health care coverage for all Americans, particularly for those who are most in need. We need to continue to move forward with this legislation and with initiatives that eliminate health disparities in America, and I look forward to continuing to work with all of my colleagues to improve our health care system. In order to have a successful Nation, we must have a healthy Nation. So this is my clarion call to all my colleagues—Democrats and Republicans—to help us make progress on this critical issue.

Mr. HORSFORD. I thank the gentlelady from Ohio.

At this time, I would like to turn to the gentleman from Texas, Congressman VEASEY, and I would like to thank him again for his hard work and contributions to this new 113th Congress.

Mr. VEASEY. Thank you.

I would also like to thank the gentleman from the Sagebrush State, STEVEN HORSFORD, and from the Empire State, HAKEEM JEFFRIES, for all of their work on this very important issue and also in talking about the importance of the Affordable Care Act and everything that it's going to bring to our country. I also want to talk about the health care crisis that is ongoing in America today.

Unfortunately, obesity and the long-term effects associated with this condition are all too prevalent in our country. When you look at the health statistics, it's quite astounding to say the least. Today in America, nearly two-thirds of adults and one in three children are overweight. In my own home State of Texas, we have one of the highest obesity rates in the country. According to the Centers for Disease Control and Prevention, 30 percent or more of Texans are obese.

The high obesity rate has contributed to the pervasiveness of diabetes, heart disease, and other chronic diseases that drain resources from our health care system. Increases in food intake, a lack of physical activity, and environments that make nutritious choices more difficult have all played a role in this obesity epidemic.

Many children and adults do not have much control over the choices of foods they are able to get. Across this country, we are laden with food deserts or places where residents may not be able to get to a nutritious food option because they do not own a car or have access to public transportation, or maybe they don't live along walkable roads. This forces families to outsource their daily eating to more accessible and sometimes cheaper alternatives, such as fast food, to get their daily nutrients. A steady diet with high fat, salt- and sugar-based products has led to unhealthy lifestyles.

Diabetes is one of the more commonly known effects of being overweight or obese.

□ 2030

The disease affects 25.8 million Americans, roughly 8 percent of our population. The effects and complications of diabetes can include stroke, high blood pressure, blindness, kidney disease, and amputations.

Studies have shown that people with prediabetes who lose weight or increase their physical activity can prevent or delay type 2 diabetes and in some cases even return their blood glucose levels to normal.

Each of these statistics is more exacerbated when you look specifically at the minority population in our country such as Latinos and African Americans and our special-needs population.

When you break down obesity by race, African Americans have the highest rates of obesity at roughly over 35

percent; Latinos, a little over 28 percent as compared to the non-Hispanic White population of 23.7 percent. Individuals with disabilities also have higher rates of obesity at 31.2 percent. This is why I introduced House Resolution 195 designating May as Health and Fitness Month.

We need to correct our course as a country and get on the path to healthier lifestyles. The numbers are clear. We cannot sustain this unhealthy path we are on. Not only is it cutting the lives of too many Americans short, but it's also costing our country. In 2008, medical costs associated with diabetes were estimated to be at $147 billion. The medical costs for people who were obese were over $1,400 higher than those of normal weight.

We need to show our children that we can make healthy, nutritious choices and increase our physical activity. We must also not forget that this must be spread throughout all aspects of our population. While tremendous resources have been employed to help combat the growing obesity epidemic amongst children, markedly fewer have been used to address specific issues regarding how to best help obese children with disabilities.

So, today, let's declare a more nutritious and healthy lifestyle with better food choices and more active lives.

Mr. HORSFORD, thank you very much.

Mr. HORSFORD. I thank the gentleman from Texas.

I know we are wrapping up on our hour, Mr. Speaker.

I'd like to recognize the co-anchor for this hour, my good friend and colleague from New York (Mr. JEFFRIES), who will provide a bit of a synopsis.

Mr. JEFFRIES. Thank you, Mr. HORSFORD, for once again co-anchoring this Special Order and for your tremendous leadership, and also thanks to Dr. CHRISTENSEN. We are thankful for all that you have done in chairing the CBC Brain Trust on Health Care.

The Affordable Care Act is the law of the land; the President has been elected and reelected; the Supreme Court has ruled it constitutional. Let's move forward and address the health care disparities that have been set forth so eloquently here today, come together and deal with the ailments that are facing the American people.

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

The SPEAKER pro tempore (Mr. DESANTIS). Members are reminded not to refer to persons on the floor as guests of the House.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the contributions of the Affordable Care Act to eliminating health disparities. Health disparities refer to the unequal health outcomes, ability to access health care, and rates of disease that impact certain Americans based on their income, race, ethnicity, or other identities. These disparities not only have devastating impacts on communities of color in my district, but they undermine health in historically marginalized communities across the Nation.

The disparities are staggering. For instance, in 2006, the infants of African American women had death rates over twice as high as infants of white American women. In 2009, the average American could expect to live 78.5 years, but the average African American could only expect to live to 74.5 years. African Americans also have significantly higher rates of hypertension and HIV than white Americans.

The impacts are financial as well as human. Eliminating health disparities would prevent approximately one million hospital stays per year, saving $6.7 billion in health care costs alone. Even more stunning, from 2003 to 2006, the direct and indirect costs of racial and ethnic health disparities totaled $1.24 trillion in the United States.

Insurance coverage is strongly related to better health outcomes, and African Americans have substantially higher uninsured rates than white Americans. Beginning in 2014, the Affordable Care Act will expand health insurance coverage to millions of Americans who are currently uninsured, and will provide subsidies to make coverage affordable for low-income Americans. The Affordable Care Act will mandate that Medicare and some private insurance plans cover essential preventive services at no additional cost, so that more people will be able to prevent illness and stay healthy.

The Affordable Care Act invests in community health centers, which offer primary health care to patients regardless of income, and in coordinated care measures, such as providing care teams to help patients manage chronic diseases and funding home visits for pregnant mothers and infants. Patients may be more likely to visit the doctor and receive quality care if physicians are able to understand their cultural background, so the Affordable Care Act also devotes resources to increasing the racial and ethnic diversity of health care providers and improving cultural competency training for all providers.

These are just some of the important ways in which the Affordable Care Act is working to eliminate health disparities. I look forward to collaborating with my colleagues to support the successful implementation of the Affordable Care Act and eliminate health disparities for future generations.

CURRENT EVENTS

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

Mr. GOHMERT. Mr. Speaker, it's always an honor to come to the floor of the House of Representatives, especially when there's so much of great importance occurring in our Nation at this time.

We do need health care reform, and I appreciate my friends across the aisle talking about the importance of good health care.

I've continued to hear people find that they are going to lose their health insurance. I was talking to numerous employers this past week who say, I want to compete and have been notified insurance is going up higher next year. I heard from a small business employer, I'm not going to be able to carry insurance. I love my employees. I provide them good insurance. But come January, too many of my competitors have said they can't afford to keep the insurance for their employees, and so they're going to drop it and pay the $2,000 fine because $2,000 is so much cheaper than the cost of health insurance.

The reason we were told for pushing through the ObamaCare bill in a very partisan way was because there were 30 million or so who did not have insurance; and as some have indicated, there may be that many who lose their insurance as a result of ObamaCare. So I'm very concerned.

I, like my friends across the aisle, want to make sure not that people have insurance necessarily, but that they have affordable health care. And I'm hearing from health care providers that they're hearing from people who are no longer going to carry insurance for their employees, that it's going to be more and more expensive to provide health care since they made money off those who had insurance; and without people having the insurance they had in the past, as the President promised and has been made very clear was not true, there will be more pressure on those who are paying for their health care to pay substantially more, which means there are more people who will not be able to afford it, and it will break the system. Of course, with health insurance companies complaining that because of the things they're forced to cover, their insurance is going to necessarily have to go up.

There will likely be insurance companies that will have to give up the health insurance business, and then the administration can complain that, Well, we thought we were going to be able to work with the greedy health insurance companies; but as it turns out, they've gone out of business and doctors have abandoned their practices and retired early. So it looks like the government is going to have to take over the health care business.

Under ObamaCare, the Federal Government is already going to have everybody's health records. Their most private and personal secrets between them and their health care provider will then be available to the Federal Government and, as I understand it, to General Electric, who this administration, because of their great support of General Electric in this administration and their cozy working relationship, they'll have the contract to take care of everybody's health care records. So that will be just delightful.

The tragic thing, just as the one lady asked during the town hall that the President had at the White House when she asked about her elderly mother getting a pacemaker, though she was of late years—I believe 95—and that she's had the pacemaker for 10 or 11 years, would the panel that decided who would get what treatment, would they consider the quality of life of an individual in determining whether or not

they get a pacemaker or such things, and the answer the President ultimately gave is, Well, let's face it. Maybe we're better off telling your mother that instead of a pacemaker you get a pain pill.

So it's very clear that as we approach the day when ObamaCare kicks in fully, there will be more and more seniors, whatever age this panel—it's not really a death panel—but it will decide who gets pacemakers and who is perhaps too old or maybe has lived a good life but now is beyond being worthy of, in this administration's opinion, getting a new knee or a new hip or back surgery, those kinds of things. You'll have bureaucrats that are deciding those issues all in the name of helping people with their health care. Because as anyone who seriously looks deeply into socialized medicine finds out, the only way for socialized medicine to stay afloat is if you have people dying while they're waiting on a list to get their particular procedures.

I mentioned on the floor, I believe last year, about a report from England that they're hoping to reduce the length of time that patients have to wait for their procedures, whether therapeutic or diagnostic, surgery, therapy, whatever it is, reduce that wait from the time it's prescribed until the time it's obtained down to 10 months.

□ 2040

Well, there are a lot of people that we know find out they have cancer, they have some problem, perhaps need a bypass, and if they don't get it immediately, then they don't make it for 10 months. So that's where we are headed and eventually people will see that, and I just hope and pray it's not too late so enough people will put pressure on their Members of Congress, and especially the Senate, to repeal ObamaCare and get us true health care reform so that people can have the health care that they want to have, they deserve to have. And for those who are truly—and only those who are truly—chronically ill or chronically poor and are not able to work or obtain affordable health care, then those people, as a caring society, we would take care of.

But since ObamaCare cut $700 billion from Medicare, it's now appearing to more and more seniors that this administration effectively took money for treatment that they would get and provided that to young, healthier people who probably could, or possibly have their employer provide it if the employers were not being penalized for doing so, but whose employers will likely give up that insurance, and we'll see that as time goes on.

But nonetheless, seniors, although they were told by this administration and told by some people across the aisle that they wouldn't lose their doctor, well, many have already lost their doctor. People were told, if you like your insurance, you can keep it; and we've already found that's not true. So my heart breaks for people who are going to need health care in the next few years and are simply not going to be allowed to have it because the government will stand between them and the health care they need.

I do recall seeing the President on video saying some years back that he wanted single payer health care, the government taking over all health care, but we couldn't get there in one step. As you examine ObamaCare and you see it is ultimately going to bankrupt health insurance companies, it is going to drive doctors out of the profession, it is going to ultimately bring down the standard of care, we see that it has now set up the whole system to fail so that down the road the government will say, just as then Senator Obama said, we will get to government-run health care because, gee, the greedy insurance companies went bankrupt trying to be greedy and doctors got out of the business, and now it looks like the government is going to have to take it over, just like we hoped.

If there was ever any aspect of life that would ensure that the Federal Government could dictate people's lives to them, it would be health care. When the government controls all health care, the government will control all people in this country because they will make the decision basically who gets what treatment, when we get to that point, and I'm hoping and praying we will repeal ObamaCare before that happens. It's going to require a new Senate, obviously.

Well, another area that has had a lot of government intrusion has been in the area of the First Amendment. So many people simply do not understand and do not appreciate that the First Amendment does say, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.''

So we've had so many areas in which the government has moved forward to establish a nonreligion, has forced, like in the case of the major who shot and killed 13 of our servicemembers at Fort Hood, he and his Islamic faith were forced upon people who needed counseling about having to go, Christians who had to go to the Middle East, to Iraq, to Afghanistan, to serve their country. They had to get counseling from someone who made very clear that his faith was everything, and his faith in Islam so overwhelmed him that not only must it have affected the advice he gave to Christians who were forced to see him, but it also caused him to shoot and kill even those he had not wounded with his words.

But there does seem to be a war on Christianity in this country. Certainly, as the Founders anticipated, there should not be an establishment of religion, but most important was that they not prohibit the free exercise of religion.

When I was in the Army for 4 years, I had so many Christian friends. I had friends that were not. But I had so many Christian friends, and it seemed that especially around east Texas, where I grew up, so many Christians, those that came from Christian backgrounds, also had instilled not only a faith in God but also a love of country because of just how blessed this country has been, and because they understood that since most of the Founders had this Christian faith and over half, about two-thirds were even ordained Christian ministers, the signers of the Declaration of Independence, they wanted freedom of religion. So you could be an atheist. You could be a Muslim. You could be a Buddhist, whatever. You could believe in the power of crystals and nothing else, whatever it was, because it was the Christian faith. If it is truly Christian, then it provides everyone with the freedom of choice, as God has given us.

There are other religions that do not give freedom of choice. And we know, as the Islamic countries, where we're not allowed, even as Members of Congress, to carry in a Bible or to talk about our faith at all, they clearly prohibit the free exercise of religion. Even since this country and so many thousands of Americans laid down their lives to bring freedom to Afghanistan, this country gave Afghanistan a constitution in which shari'a law was the law of the land, and the last report I saw indicated that the last Jewish person had left Afghanistan and the last Christian, public Christian church had closed. So there's no freedom of religion there. There's no freedom of religion even in allied nations like Saudi Arabia or even in Egypt, not complete freedom of worship, even when Egypt was more of an ally than a country that elected a Muslim Brotherhood member who wanted to see the great state of America destroyed.

□ 2050

This has been a country where anyone, any religious beliefs, would have freedom of religion. But when we get away from the Judeo-Christian faith, whose notions founded this country, then there is no protection for all religions.

So it was interesting to see, especially, having been in the Army, having had friends that made careers out of the military—so many that started with me stayed in for a career—to see, last week, that and, as this headline says, ''Pentagon Confirms May Court Martial Soldiers Who Share Christian Faith.''

This May 1st article by Ken Klukowski said:

> The Pentagon has released a statement saying that soldiers could be prosecuted for promoting their faith: ''Religious proselytization is not permitted within the Department of Defense. Court martials and nonjudicial punishments are decided on a case-by-case basis.''
>
> The statement, released to Fox News, follows a Breitbart News report on Obama administration Pentagon appointees meeting with anti-Christian extremist Mikey

Weinstein to develop court martial procedures to punish Christians in the military who express or share their faith.

(From our earlier report: Weinstein is the head of the Military Religious Freedom Foundation, and says Christians—including chaplains—sharing the gospel of Jesus Christ in the military are guilty of ''treason'' and of committing an act of ''spiritual rape'' as serious a crime as ''sexual assault.'' He also asserted that Christians sharing their faith in the military are ''enemies of the Constitution.'')

Being convicted in a court martial means that a soldier has committed a crime under Federal military law. Punishment for a court martial can include imprisonment and being dishonorably discharged from the military.

So President Barack Obama's civilian appointees who lead the Pentagon are confirming that the military will make it a crime—possibly resulting in imprisonment—for those in uniform to share their faith. This would include chaplains—military officers who are ordained clergymen of their faith (mostly Christian pastors or priests or Jewish rabbis)—whose duty, since the founding of the U.S. military under George Washington, is to teach their faith and minister to the spiritual needs of troops who come to them for counsel, instruction or comfort.

This regulation would severely limit expressions of faith in the military, even on a one-to-one basis between close friends. It could also effectively abolish the position of chaplain in the military, as it would not allow chaplains, or any servicemembers, for that matter, to say anything about their faith that others say led them to think they were being encouraged to make faith part of their life. It's difficult to imagine how a member of the clergy could give spiritual counseling without saying anything that might be perceived in that fashion.

World magazine has an article entitled ''Religious Battle Lines,'' posted May 2, 2013. And in that article by Edward Lee Pitts, it says:

In a provocative piece at The Huffington Post written before his Pentagon visit, Weinstein, who served in the U.S. Air Force said, ''We face incredibly well-funded gangs of fundamentalist Christian monsters who terrorize their fellow Americans by forcing their weaponized and twisted version of Christianity upon their helpless subordinates in our Nation's Armed Forces.''

After the meeting, a column appeared in The Washington Post, largely sourced by Weinstein, which portrayed him as heroically taking on and lecturing the Pentagon brass. That piece in the newspaper's On Faith section opened by suggesting that, while Defense Secretary Chuck Hagel has Pentagon budget concerns, ''there are much more serious issues he must deal with. Religious proselytization and sexual assault are at the top of the list.''

Well, if Secretary Hagel were talking about the type of proselytization that has gone on among our military members that has caused anyone to yell ''Allahu Akbar'' and then go about killing fellow members of the service, then I would certainly understand why Secretary Hagel would be concerned about that kind of proselytizing.

But for anyone to talk about sedition and treason and Christians basically acting in an unconstitutional way by expressing or utilizing their freedom of religion, for him to promote the prohibition of the free exercise of religion, would be actually encouraging treason, and it would be so very unconstitutional.

So it's quite interesting, when you find people who are educated beyond their ability such that they could read the Constitution and not understand the second clause that does not allow prohibition of the free exercise of religion.

We got an explanation from DOD and the Air Force on what they really meant after people started objecting to this. And the Air Force statement said this:

When on duty, or in an official capacity, Air Force members are free to express their personal religious beliefs as long as it does not make others uncomfortable. Proselytizing (inducing someone to convert to one's faith) goes over that line. Leaders must avoid the actual or apparent use of their position to promote their personal religious beliefs to their subordinates or to extend preferential treatment for any religion.

As this matter from Fox News says:

Lieutenant Colonel Tingley's last sentence is troubling. An Air Force officer was told he could no longer keep a Bible on his desk because it ''may'' appear that he was condoning a particular religion. Air Force officers must be allowed to live out their faith in a way that is consistent with their faith. If the Bible is important, then an Air Force officer should be able to have one on his desk. Air Force officers should be allowed to attend chapel, lead prayers, even speak in chapel or lead Bible studies if it is consistent with their faith. This statement does not help. What does ''as long as it does not make others uncomfortable'' mean? Who decides? How much of this policy did Mikey Weinstein influence?

These are all good questions, because if the standard is that you may be allowed to express your religious beliefs unless it makes someone uncomfortable, then that is basically a prohibition of anybody's freedom of religion, if they are a Christian.

Mr. Weinstein doesn't seem to be bothered. I haven't seen an expression of concern about anybody yelling ''Allahu Akbar'' and killing 13 other servicemembers as an expression of religion. He doesn't seem to have found that treasonous or problematic. But some of the rest of us do.

□ 2100

So I hope that common sense and reason will win out, especially considering the historic nature of our Constitution. And those who parrot the words ''separation of church and state'' as if they are in the Constitution I find don't often know that those are not in the Constitution and are not aware that Thomas Jefferson coined that phrase in a letter to the Danbury Baptists where he also coined the phrase, ''wall of separation.'' And this is a President who, it has been confirmed by secular and even the Congressional Research folks, that Jefferson most Sundays when he was here in Washington would normally ride a horse down Pennsylvania Avenue and attend a nondenominational Christian worship service here in the Capitol just down the Hall in what we now call Statuary Hall but where they, back then, for most of the 1800s, had a Christian worship service.

The first woman to address a group in the Capitol did so, a female evangelist, a Christian evangelist spoke down the hall. The first Catholic to address a group in the Capitol did so just down the Hall. The first African American to address a group in the Capitol did so down the hall. It is a very historic place just down the hall where Church was held for most of the 1800s, a Christian, nondenominational worship service. So it is rather historic. And it was a Christian chapel to which George Washington went with all the other leaders after he was sworn in in 1789 and went down the road there in New York from the Federal building where he was sworn in to the chapel that was the only building at ground zero that was completely unaffected by the horrible fall of the World Trade Centers after they were attacked by people filled with hatred, an evil people, radical Islamists, who thought that in their religion, radical Islam, that they would find virgins in paradise by killing thousands of innocent people. So, hopefully, the military will take another look at this. I hope and pray they will.

For most of this country's history, Members of Congress, even still we have Members of Congress from both sides of the aisle who quote Scripture from the Bible as a resource or a confirmation for a particular bill or position that they are taking. Going back to our very inception as a country, that was considered a wise thing and not a treasonous thing as Mr. Weinstein, so unfamiliar with our history, would attempt to have people believe.

It was the incredible Martin Luther King, Jr., an ordained Christian minister, that sought to apply the teachings of Jesus and the philosophy of Jesus through nonviolence to force the Constitution to be interpreted to mean exactly what it said, and that is the kind of basis from which there is legitimacy to treat all people equally. As Jefferson made clear, if people do not realize that their liberty comes from God, then they will not long keep that liberty. I think he said he trembled at such a thought.

This Wednesday, we are going to have a hearing in the Oversight Committee regarding what happened at Benghazi on 9/11 of last year. I will be honored, humbled and honored, to escort the widow of Ty Woods, one of the two former Navy SEALs who was killed when help did not come, for whatever reason, whoever ordered help not to come in a timely fashion, and this hearing will hopefully shed a little more light on that.

An article from Breitbart came out 5 May, 2013, by John Sexton. He says:

In an appearance on ''Face the Nation'' this morning, Representative Darrell Issa revealed several new pieces of information about the Obama administration's controversial description of the 2012 terrorist attack in Benghazi, Libya, casting doubt that

the White House mischaracterized its cause by mere accident.

''The talking points were right and then the talking points were wrong,'' Issa explained in response to a question about reporting at the Weekly Standard. The CIA and Greg Hicks, who took over as Charge d'Affaires in Libya after the death of Ambassador Chris Stevens, both knew immediately that it was an attack, not a protest.

Hicks, who did not appear on the show but whose reactions were featured based on transcripts of interviews with Issa's committee, said he was stunned by what U.N. Ambassador Susan Rice claimed on five different news shows on September 16. When she appeared on ''Face the Nation,'' she followed an interview with the President of Libya who claimed he had ''no doubt'' it was a terror attack. Moments later, Ambassador Rice contradicted him and claimed a spontaneous protest was more likely.

Acting Ambassador Hicks watched the Sunday shows and said he found this contradiction shocking. ''The net impact of what has transpired is the spokesperson of the most powerful country in the world has basically said that the President of Libya is either a liar or doesn't know what he is talking about,'' he accused. Hicks added, ''My jaw hit the floor as I watched this. I have never been as embarrassed in my life, in my career as on that day.''

Hicks believes the stunning failure of diplomacy on the Sunday news shows explains why it took the FBI 3 weeks to gain access to the Benghazi site. The U.S. had effectively humiliated the Libyan President on national TV. That decision, he believed, probably compromised our ability to investigate and track down those responsible.

According to Hicks, no one from the State Department contacted him about what Ambassador Rice would be saying in advance. The next morning he called Beth Jones, Acting Assistant Secretary for Near East Affairs, and asked her why Ambassador Rice had made the statements she had. Jones responded, ''I don't know.''

A report published Friday by the Weekly Standard suggests that State Department spokesperson Victoria Nuland took issue with the initial talking points and, with backing from the White House, removed any evidence of al Qaeda involvement and of prior attacks on Western targets in the region. According to emails reviewed by the Weekly Standard, Nuland said her superiors were concerned about criticism from Congress.

□ 2110

You don't have to be trained in the Diplomatic Corps to understand that if the President of Libya, where our consulate was attacked, said this was not a protest, it was an attack by extremists, that since this administration needed his administration's assistance in investigating the matter, that they may have just alienated the President of Libya and negated efforts to bring the people responsible to justice.

Of course there's no real explanation as to why it would take 8 months just to put up three pictures, as has been done, to try to identify the perpetrators of what happened in Libya. Heck, when that was done regarding the perpetrators in Boston, it wasn't months that it took to identify those individuals; they precipitated bringing things to a head rather quickly. Isn't it interesting that it's only after tremendous congressional pressure to get to the bottom of what actually happened at Benghazi so that we can try to avoid it for the future that all of a sudden there is interest in actually trying to capture the people responsible.

CBS News, May 6, by Sharyl Attkisson, has a headline of an article: Diplomat: U.S. Special Forces told ''you can't go'' to Benghazi during attacks:

The deputy of slain U.S. Ambassador Christopher Stevens has told congressional investigators that a team of Special Forces prepared to fly from Tripoli to Benghazi during the September 11, 2012, attacks was forbidden from doing so by U.S. Special Operations Command South Africa.

This is just shocking to think that we had people armed, equipped, able, as we know now if this is true, they should have been able to save the lives of those two heroes—Ty Woods and Glen Doherty—and also the State Department individual that had most of his right leg blown off up there with them. They could have saved all of them if they had been allowed to go protect the people who were sent there to serve by this administration.

Another article, the Washington Times has a headline: ''U.S. could have halted Benghazi attack with a fly-over.'' This is according to a diplomat. This article by Shaun Waterman, dated Monday, May 6, 2013, says:

U.S. air power could have headed off at least part of last year's terror attack on the diplomatic post in Benghazi, but American officials never asked for overflight permission because there were no airborne tankers available to refuel, according to the House Oversight Committee's investigation.

Gregory N. Hicks, who became the chief of the U.S. mission when Ambassador J. Christopher Stevens was killed in the attack, told House investigators Libya would have given the U.S. permission to do the fly-over.

Democrats have accused the Republicans of running a ''one-sided investigation.''

Mr. Hicks will testify on Capitol Hill this week along with several others who will detail the conflicting stories the Obama administration told in the days after the attack, which left Stevens and three other Americans dead.

Mr. Hicks was deputy chief of mission at the embassy in Tripoli when the U.S. post in Benghazi was attacked by heavily armed extremists on September 11.

In interviews last month, Mr. Hicks told investigators with the House Oversight and Government Reform Committee that an overflight by a U.S. F15 or F16 might have prevented the second phase of the attack.

After the diplomatic post was over-run and set ablaze that night killing Stevens and Foreign Service Officer Sean Smith, the survivors took refuge in a nearby CIA building called the annex. That building was in turn attacked at dawn on September 12, when a mortar barrage killed former SEALs Glen Doherty and Tyrone Woods.

''If we had gotten clearance from the Libyan military for an American plane to fly over Libyan air space . . . if we had been able to scramble a fighter or aircraft or two over Benghazi as quickly as possible after the attack commenced, I believe there would not have been a mortar attack on the annex in the morning because I believe the Libyans would have split,'' Hicks told House investigators.

Another article from Fox News, also dated May 6, 2013, is titled: Clinton Sought End-Run Around Counterterrorism Bureau on Night of Benghazi Attack, Witness Will Say at Hearing.

On the night of September 11, as the Obama administration scrambled to respond to the Benghazi terror attacks, then-Secretary of State Hillary Clinton and a key aid effectively tried to cut the Department's own Counterterrorism Bureau out of the chain of reporting and decision-making, according to a ''whistle-blower'' witness from that bureau who will soon testify to the charge before Congress, Fox News has learned. That witness is Mark I. Thompson, a former marine and now the deputy coordinator for operations in the agency's Counterterrorism Bureau.

It goes on down, it says:

Fox News has also learned that another official from the Counterterrorism Bureau—independently of Thompson—voiced the same complaint about Clinton and Under Secretary for Management Patrick Kennedy to trusted national security colleagues back in October.

Extremists linked to al Qaeda stormed the U.S. Consulate and a nearby annex on September 11 in a heavily armed and well-coordinated 8-hour assault that killed the U.S. ambassador to Libya, Chris Stevens, and three other Americans.

Thompson considers himself a whistle-blower whose account was suppressed by the official investigative panel that Clinton convened to review the episode, the Accountability Review Board. Thompson's lawyer, Joseph diGenova, a former U.S. attorney, has further alleged that his client has been subjected to threats and intimidation by as-yet-unnamed superiors at State, in advance of cooperation with Congress.

Down further it says:

''You should have seen what (Clinton) tried to do to us that night,'' the second official in State's Counterterrorism Bureau told colleagues back in October. Those comments would appear to be corroborated by Thompson's forthcoming testimony.

State Department spokeswoman Jen Psaki called the counterterrorism officials' allegations ''100 percent false.'' A spokesman for Clinton said tersely that the charge is not true.

It says:

Daniel Benjamin, who ran the Department's Counterterrorism Bureau at the time, also put out a statement Monday morning strongly denying the charges.

''I ran the bureau then, and I can say now with certainty, as the former Coordinator for Counterterrorism, that this charge is simply untrue,'' he said. ''Though I was out of the country on official travel at the time of the attack . . . ''

And it goes on. But that seems to be the way, when this administration wants somebody to say, as he did, a charge is simply untrue and to strongly deny charges, they seem to have to call on somebody who had no firsthand information, which is why so many people were questioning why Ambassador Susan Rice was called upon to make the Sunday morning show round and constantly tell people that apparently it was the result of a protest and was not al Qaeda related, when in fact as people knew that night at the time of the attack, this was a coordinated effort. There was no sign of protest.

So the way the administration appears to have operated is to have people come forward who had no firsthand

information, give them their talking points, as Susan Rice was given—an intelligent person. She's told by people apparently she trusts, here's what you need to point out, here's what you need to know. And then those people have plausible deniability of what the real facts are because they've just been handed talking points.

So it is a very serious matter when we're trying to get to the truth because it does matter. It makes the difference between whether or not we learn from mistakes that were made and correct them for the future, or whether we refuse to learn from history, refuse to learn from the mistakes that were made so that we become, as the old saying says, destined to repeat them.

□ 2120

So it does matter, and it matters very much to Ty Woods' widow, who will be here for the hearing. She does have interest because it does matter to her.

What difference does it make? It will matter to the loved ones of those who will die in the future if we don't get down to what actually occurred, what mistakes were made so we can avoid them being made in the future. It makes a lot of difference to those who don't want their loved ones to die in the service of this country.

Now, there are also reports out there that, as I read already, that there was a group of Special Forces who were ordered to stand down and not go forward and help those at Benghazi. As the article from CBS News points out, there may have been a Special Forces team that was ready to go and then they were told you can't go. It is just incredible to think that someone may have given such an order and not allowed the military to go forward.

There are rumors afloat that people in the military, people in the State Department, have been told not to talk to Members of Congress about what happened at Benghazi. If there is anything to those accounts, one thing that is often helpful is to go to the law itself. 18 USC, section 1505 is entitled, ''Obstruction of Proceedings Before Departments, Agencies, and Committees,'' and, in part, says: ''Whoever corruptly''—and I'm just reading what might be applicable if this were ever to arise and someone ever were to instruct members of the military or members of the State Department or any agency of the Federal Government not to communicate with Members of Congress, this bears noting.

> Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress.

It goes on to say they'll be punished.

That's a rather serious matter, so hopefully nobody is out there giving such instruction or has not been out there giving such instructions, because when members of the military or the State Department or intelligence departments or Justice Departments have information and they have been asked to provide such information and anyone instructs them in any way that may impede Congress' recovery of such information, then they need to look at 18 USC.

Also, 18 USC, 371:

> If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be—

And then it talks about their fine and imprisonment.

And then, of course, this under 18 USC, section 2:

> Whoever commits an offense against the United States or aids, abets, counsels, commands, induces, or procures its commission is punishable as a principal. Whoever willfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal.

So, basically if somebody is encouraged not to be forthcoming or honest with the Congress, you run into some issues there as well.

I hope people will take note of our laws, and hopefully there's no truth to the rumors afloat that such instructions had been given because, just as I was so greatly offended when the national security letter system was abused and we had an inspector general report about that, I didn't care that it was a Republican administration that was abusing people's freedom and I spoke out.

And I hope that friends across the aisle, as this information continues to be forthcoming about misrepresentations that were made publicly by this administration, intentionally and knowingly, that others, friends across the aisle, will stand up, as I did, about the Bush administration, their Justice Department, and demand justice. I demanded a resignation from the FBI Director back then. We have an obligation, and it goes beyond party loyalty.

When people were killed who were sent to Libya to serve this country—and we had two former SEALs who went and gave their lives to try to save, and who did save, American lives—the least people stateside can do, the least those who were reportedly told you can't go help these people, the least they can do since they were not allowed, according to the story, not allowed to go give Ty and Glen backup then, I hope and pray they'll have the courage to give them backup now so there will be no more Tys and Glens that will have to give their lives in the future because inadequate security was provided and a State Department was stumbling through relations in a tough situation and then sent people forward with statements that those who sent that person forward knew were not true, I hope that we'll have people, not just those that are now coming before the committee on Wednesday, but others, for the sake of Ty and Glen, Mr. Speaker, I hope people who are in the service or former servicemembers that may have personal information will give them the backup now that they're gone that they would have wanted if that was them who gave their lives.

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

COMPREHENSIVE IMMIGRATION REFORM

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. Thank you, Mr. Speaker. I appreciate the privilege of being recognized here on the floor of the United States House of Representatives and taking up the subject matter that I understand is going to begin this week with a markup in the United States Senate of a piece of legislation called Comprehensive Immigration Reform that has been advanced by the self-described Gang of Eight over in the Senate, four Democrats and four Republicans, a bill that they had dropped or introduced some couple of weeks ago, 844 pages all designed to solve the problem that we have here in the United States of illegal immigration and all the accommodations that have been made in efforts to, one, open our borders and open up our employment and open up our welfare systems and open up our public access to government services to people that are unlawfully present in the United States.

□ 2130

That's one side of the initiative. That's the CHUCK SCHUMER side, Mr. Speaker. Then on the other side are those of us who, instead, argue that the rule of law has to count for something, that you can't be a nation unless you have borders, and if you don't determine what comes across those borders, then you can't call yourself a nation.

I'd make the point that the most successful institution over the last couple of centuries has been the nation-state. Nation-states are formed around the lines of language and culture and national defense and civilization and economies. Language has been a primary component of it to which one can look at Western Europe, for example, and see where the lines are drawn around nation-states of common languages.

But here we are in the United States. We're a different kind of a country. We are a Nation that has been benefited by the legal immigration that has come into this country from every donor civilization on the planet. Because of the magnet of the image of the promise of God-given liberty and freedom, people

from all over the world have aspired to come to America to become an American, to take advantage of these opportunities of this God-given liberty in order to be able to start a business, to get a job, to save, to invest, and to establish and build the American Dream, the American Dream which is encompassed within this philosophy that each generation of Americans should have an opportunity greater than the previous generation's whether it's the whole generation of Americans in the current time or whether it is a generation of Americans growing up in a household of their generational predecessors—their parents. Each generation should have greater opportunity than the previous generation.

That's why our Founding Fathers, our forefathers—our predecessors—came here to this country. That's why they fought and defended God-given liberty and the American civilization across the continents and across the planet: to defend our American way of life. The freedom that we have, the liberty that we have, the free enterprise capitalism, the strong faith and family values, the language that binds us together, all of those components come forth to create this assimilation concept. We are the Nation that has been built on—some say ''built by''—immigrants. This is a Nation built by immigrants. True. This is a Nation of immigrants. True, Mr. Speaker. So is every other nation. Every other nation on the planet is a nation of immigrants—people have moved there; they've lived there; they've developed there; their children have been born there; and they built the nation that they're in.

So we're not unique in the sense that we're a Nation of immigrants. We are unique in the sense that legal immigrants who come here can become American. They become American by embracing the American culture, American civilization, by understanding the Declaration of Independence, the Constitution, by understanding the English language, by partaking in free enterprise capitalism, and by understanding that there is a uniqueness about being an American that gives us this vigor—this great vigor—that is an American vigor unique to the rest of the planet.

It is because of the God-given liberties that we have, many of them in the Bill of Rights: freedom of speech, religion and the press, freedom to peaceably assemble and to petition the government for a redress of grievances; the Second Amendment: the right to keep and bear arms; property rights in the Fifth Amendment; the right to be faced by your accusers in a court of law and be tried by a jury of your peers and no double jeopardy; the concept of federalism where the power is not specifically delegated to the Congress or to the President or to the judicial branch but devolved to the States or to the people respectively. Those are all pillars of American exceptionalism that make us a great, great Nation.

People around the world have seen that, and they've seen this American vigor and the magnet of the image. These concepts are all wrapped up in the image of the Statue of Liberty. Around the world, when people see the Statue of Liberty, they think, Well, that would be nice to live in a country like that or they think, I have to go there. I have to go there and find out what I'm made of. I think that I can develop and realize my potential in a place like America better than anyplace else in the world.

If you put out a beacon like that, if you put out the beacon of the Statue of Liberty and if that penetrates into countries all over the world, whether it be in Western Europe, Eastern Europe, across Asia, down through the Latin area, through the Middle East, to South America for that matter, to every continent on the planet, including Australia, but probably not so much Antarctica, people have come to America because they've wanted to realize their dreams within that rubric of the American Dream.

That's what makes this a special country, and that's why America could engage in global conflicts as far back as 1898 in the Spanish-American War, which took us over to the Philippines, or why America could engage in a conflict like World War I, when we went over to save as much as we could—and succeeded to a great degree—of Europe from the heavy hand of the Kaiser at a cost of a lot of American lives—of a lot of lives, let me say, on the western side of that line—and freedom was preserved again for another generation until World War II came along.

This was another challenge, and Americans rose up and met that challenge on two fronts. One of the pieces of wisdom about strategic warfighting is don't fight a two-front war. Well, America had to fight a two-front war in World War II. We had to fight our way back against Japanese imperialism across the Pacific, and we had to go to Europe and fight against the Nazis in World War II. That all happened simultaneously. Fighting a two-front war didn't work out so well for Hitler, but it did work out well for the United States—at a high price, but it worked out.

Because of that, the American influence washed across the globe, and the United States had the only major undestroyed industry in the world. Our dollar became the method of currency for the globe. American industry penetrated into every corner of the globe, and American know-how and ingenuity was established across this planet. That's because of those pillars of American exceptionalism that I talked about, and it's because of the American spirit of ingenuity, that spirit of ingenuity, which is a beneficiary of those willing legal immigrants who came here because they realized that they could achieve their dreams better here than anywhere else.

So the magnet of the American Dream has attracted the best and most vigorous people on the planet to come here. That's the America I was born into, and that's the America that those of us who were born here inherited. Many immigrants have come since that period of time to contribute to this American Dream and to help redefine this American Dream and to make us stronger and make us better.

Now we've reached a time when the political thought in America seems to have lost its touch with rationality. We've watched as there has been a stronger movement on the part of the political machinery of the left, and we elected a President of the United States in 2008 that said to Joe, the plumber, Share the wealth. Share the wealth. You're making money. Give some of that to the guy that's not—not realizing that Joe, the plumber, needed all that he could earn and that he needed more opportunity than that, not less; thinking that the now President of the United States apparently believes, if you're in business, if you've invested some capital or some sweat equity or both, that somehow you're capitalizing on your customers who are viewed, I believe, by the White House as victims of that free enterprise system and that somehow you have achieved your success unjustly. The implication is that the entrepreneurs have collected the proceeds of the sweat of somebody else's brow rather than their own, have collected the proceeds of the sweat of somebody else's sweat equity, brain equity, creativity, innovation, work ethic rather than their own.

Truthfully, Mr. Speaker, any of us has the opportunity in this country to generate an idea. We have the opportunity to start a business. We have an opportunity to hire people to help us with that business, and we have an opportunity to buy, sell, trade, make, gain, and earn profit. The beauty of a free enterprise system is that, if someone is making too large of a margin, if their profits are excessive, we should have plenty of entrepreneurs who will see that as an opportunity and will generate a competing business that will go into that marketplace where there is a margin of profit that is high enough to attract that kind of investment, and they would take part of that profit out, and each one of those competitors that would materialize within that marketplace, the competition, would eventually take those prices down so that the profit margins of the entities that are making a lot of money would be reduced, not eliminated. We want them all to make money, but at the same time, the consumers benefit because the competition drives the prices down.

□ 2140

That's the concept of free enterprise. That's the concept of free enterprise capitalism. That's what Adam Smith wrote about so accurately and so succinctly when he wrote ''The Wealth of Nations'' and published it in 1776. It

has been a foundation of American thought and the American Dream. It has been a foundation of American enterprise and the foundation of America's economic system. And if one is taking the naturalization test and the question comes—there are little glossy flashcards on how you study this that USCIS puts out, U.S. Citizenship and Immigration Services. You can pick it up and it will say, ''Who is the Father of our country?'' The answer is: George Washington. ''Who emancipated the slaves?'' The answer is Republican, Abraham Lincoln. That's just a little reminder there, Mr. Speaker, for the 10 percent or 12 percent of this population that seem to forget that.

Another question: ''What's the economic system of the United States?'' You snap that flashcard around and it says, ''free enterprise capitalism.'' That's the foundation of our economy.

This economy has attracted people from all over the globe, and I recall that Professor Milton Friedman, one of the most respected economists in the history of not only the world, but the United States of America, a professor at the University of Chicago, a very well respected institution, made this statement:

> An open borders policy is not compatible with a welfare State.

Here we are, Mr. Speaker, and we live in a welfare State, and we have an open borders policy. The welfare State and the open borders policy are being promoted, pushed and advocated by the President of the United States. The President who has—even though there was a minor little change made to welfare reform here on the floor of this Chamber in the mid-nineties. When the Republicans took the majority in 1994, the welfare reform came in 1995 or 1996, one of those 2 years, Bill Clinton, the President, at least twice vetoed welfare reform. ''Welfare to work'' was the mantra of the day.

There was only one component of welfare to work that actually was welfare to work. There are over 80 different means-tested Federal welfare programs in the United States today. There is not a single person in America that can list you those welfare programs from memory, which should be a pretty strong indicator there's not a single person in the United States that could also tell you how those 80 different means-tested welfare programs will affect the way people act, whether it encourages them to go to work or encourages them to quit their job; whether it encourages them to get married or whether it encourages them to get a divorce; whether it encourages them to raise the children within the home, or whether it encourages them to not kick them out on the street, or horribly, potentially, get an abortion.

How do all of these 80 different means-tested welfare programs interact with each other and what is the net result of which direction our society goes? Let alone the question on each precious individual. How do they act and react towards all these programs that are here? This is America. The huge magnet of the welfare state is attracting people to come to the United States to tap into the welfare system much differently than back in the day when people came here to have access to God-given liberty, that vision within the Statue of Liberty that just said to them, Come here. You can work. You can earn. You can save. You can invest. You can buy, sell, trade, make gain, and you can make do and you can make profit and you can make a fortune in the United States of America.

That message is now clouded. Sure, there's opportunity here, but the taxes and the regulations are higher, higher than they've been in a long time. And the taxes and regulation drain the energy off of the entrepreneurs at the same time that the welfare state is regulating and attracting people off of the work rolls onto the welfare rolls.

Years ago, Steve Moore, who is now one of the public commenters and a much published author—you'll see him on television a good number of times. He was with The Cato Institute at the time, I believe, and he was a founder and an original executive director of the Club for Growth. He said in words pretty close to this: People will do what you pay them to do.

If you pay them not to work, they won't work. If you pay them to stay home, they'll stay home. If you pay them if there's not a father in the home, there at least officially will not be a father in the home, although you'll have visitation going on, and you'll have more children. If you pay for them to have children at home without a father, that's what they will do. It's a logical thing for people to react to the negative incentives that come from government.

So with that foundation, Mr. Speaker, it was interesting for me to pick up the executive summary of the special report dated May 6, 2013. It's the Heritage Foundation report written by Robert Rector and Jason Richwine, Ph.D., and it's titled, ''The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer.'' Well, this may be the third time that Robert Rector and the people he's worked with will have saved America from a disaster.

Robert Rector was a central player in writing the language of ''welfare to work'' back in 1995 and 1996. He wrote it very tight, and he wrote it in such a way that it prohibited the President of the United States from suspending the work component of TANF, the Temporary Assistance for Needy Families. The only component out of the 80 different means-tested programs that had actually required work, they made sure that an executive that wanted to give license to people to use the program but not follow the directive of Congress, the law, would be taken away, and that the President couldn't just simply by whim or executive order or edict violate the law and eliminate the work component to TANF, Temporary Assistance for Needy Families.

But look what President Obama has done by his executive edict: he's suspended the only work component that existed that was in one of the 80 different means-tested Federal welfare programs, TANF, in violation directly of the specific statute that was written then.

Now, Robert Rector came back to us again in 2006 or so and wrote another report, and that's the report that told us about the cost of illegal immigration and what it meant to our society and our culture and our civilization. I believe that that report was instrumental in America waking up and coming to an understanding that there was a lot bigger equation than the simple buzz words of ''we have to bring them out of the shadows, but what are you going to do about the 11 or 12 million that are here?'' It's curious to me that number hasn't changed except has dropped by a million since 2006.

When I came to this Congress, I thought that the number of illegals in America was someplace in the neighborhood of 20 million, the judgement of those that we knew were here, plus a calculation of those that we knew were coming here, minus those that were going back home and those that are deceased. That came to a number that I thought approached 20 million people or more, and yet now we're hearing, in the time that I've been in Congress, more than a decade, 12 million illegals in America has now been reduced to 11 million illegals in America. All the while, the only thing that has changed in the dialogue of the left and the open borders people has been, Well, we can't deport—they used to say 12 million people. We can't line up all the buses and load up 12 million people. Now they've changed their dialogue.

Remember the people that were advocating that we needed to do something about man-caused global warming? They've changed their phrase now to be ''man-caused,'' or else ''climate change.'' ''Global warming'' has become ''climate change.'' Twelve million people that couldn't be rounded up and put on buses now becomes 11 million people. What happened to that other million? Especially when we have a pretty good measure that they're coming across the border at a rate of something like 4 million a year. If that number has been reduced by half and maybe today it's 2 million people, that's still a lot of people. The cumulative effect of this population that's growing in the United States, it's not going down from 12 million; it has to be going up from 12 million. If it's not, we have a problem that's solving itself, Mr. Speaker. Yet, a pragmatic viewpoint is not going to be something that the people on the other side of this argument ascribe to because they have an agenda that's a little bit different than, I think, the practical application of what's good for the United States of America.

□ 2150

Robert Rector of the Heritage Foundation in his report that came out today, May 6, 2013, lays out some of these points economically. I can talk about the cultural, the constitutional, the rule of law part, but he lays them out economically. He makes these points in this executive summary, that there are four different ways that federally funded benefits are distributed.

One is in direct benefits. That's the form of Social Security, Medicare, unemployment insurance, and workers comp. That's the direct benefits component of it.

The second one is the means-tested welfare benefits, the 80 different Federal means-tested welfare benefits. That totals around $900 billion a year in welfare. That provides cash for food, housing, medical, and other services. There's about 100 million people in the means-tested welfare system, and that could be Medicaid, food stamps, earned income tax credit, public housing, supplemental Social Security income, Temporary Assistance for Needy Families. That's the one work component that I talked about; President Obama has removed the work requirement. Now it's just another welfare program.

So there's two categories: direct benefits; the second category, means-tested welfare benefits.

The third category, public education, which is costing an average of about $12,300 annually per pupil.

And the fourth benefit is population-based services, which include fire services, police services, parks, and those kinds of things that it takes for people to have a way to live in this society.

Of those four categories then, people use them, if they are legally here or illegally here, and often they will, the people who are here working here illegally will pay taxes. It's an honest thing. But they're also drawing down public benefits.

So if I would draw some numbers off of the Rector report, Mr. Speaker, the average household of an illegal household will draw down $31,584 a year in public benefits. But if the household is headed by a college graduate, the difference is instead they will pay taxes and draw down some benefits, but they will have a net contribution of $29,250 a year. Look at the difference; it's $60,000-plus. The average dropout, a household headed by a high school dropout, without regard to their status, legal or illegal, they will have a net cost of $35,113 a year. They'll pay in taxes, and they'll draw down benefits, and the average net cost to the taxpayer is $35,113.

The average illegal household, however, and the average has a 10th grade education, the average household headed by someone who is unlawfully present in the United States, there'll be a net cost to the taxpayer of $14,387. Now why is that so cheap? Well, it's because the law blocks access to many of these programs; and if and when they are legalized, they start to have access to these programs.

Now it's true that if you look at the proposal of the 844-page bill delivered by the Gang of Eight, the average illegal household during the interim phase of the kick-in over the next 13 years, actually they'll tap into the government a little bit less, about $3,000 a year less than the $14,387. It'll be $11,455. That'll be the net cost per household. But once they are legalized, the average, I call it the post-interim household, will be drawing down a net cost of $28,000 a year, and the average retirement cost is going to be $22,700 a year.

So the current law, under current law, illegal households are a net cost to the taxpayer today, under current law, of $54.5 billion a year—$54.5 billion a year. If we go into an interim phase, if the bill in the Senate is passed, then it's going to be an annual cost—it's less, remember I said—of $43.4 billion a year, and that's through that phase over the next 13 years. But after that, it legalizes a lot of people, around 33 million people according to NumbersUSA, and I'm not sure that's the number Rector is using, but it legalizes a lot more people, and they have access to a lot more public services, a lot more of that borrowed money from China that goes in to fund the welfare state that Milton Friedman talked about, and now after that interim phase, 13 years down the road, the post-interim phase, the net cost to the taxpayer—net—$106 billion a year. And into the retirement phase for the same generation of them, the net cost to the taxpayer is $160 billion a year.

So it boils down to this in the Heritage study that was released today, a lifetime summary, it's this: that those who are here today that are unlawfully present in the United States will be collecting $9.4 trillion over their lifetime. They will pay $3.1 trillion in taxes, and they'll have a net benefit of $6.3 trillion as far as the collections that they would have from the taxpayer.

What nation in its right mind would go down a path like this and try to convince Americans that somehow this is an economic development situation?

I go to page 3 of the executive summary, Mr. Speaker, and Robert Rector makes this point:

> At every stage of the life cycle, unlawful immigrants, on average, generate fiscal deficits (benefits exceed taxes). Unlawful immigrants, on average, are always tax consumers; they never once generate a ''fiscal surplus'' that can be used to pay for government benefits elsewhere in society. This situation obviously will get much worse after amnesty.

That, Mr. Speaker, is the bottom line on the Rector report. That's the economic analysis. I know that there is a competing analysis out there. I would submit that that competing analysis, which I've read, conflates the terms ''legal'' and ''illegal,'' and it calculates the economic benefit but not the full cost. This study is a study that has been through the mill before. The principles that it was founded upon have been analyzed before, have been tested before. And yes, there will be those who will seek to discredit this, but I would say to them, step back, take an objective look, and ask yourself the question: Even though you might believe that historically large numbers of legal immigrants coming into the United States have developed themselves economically and fit into the economic component of the United States, even though you might believe that—and I do believe that, Mr. Speaker. A hundred years ago, this country had a need for skilled and unskilled labor, an educated and uneducated workforce, but today it's a different world. Today it's a technological world. Today it requires an education. It requires technical skills.

We have a completely adequate supply of low and unskilled workforce. In fact, we have an oversupply of low and unskilled workforce. In every category that shows the highest levels of unemployment, we also see that those with the highest levels of unemployment are in the lowest and unskilled workforce. This isn't 1900. This is 2013. America needs educated people, talented people, people who contribute to the economy and pay a net increase in taxes over their lifetime so this economy can grow; and to take on the load of funding people who would come here without skills and without prospects of those skills is a foolish thing to do from an economic perspective.

There will be those who say maybe so, but the next generation will far surpass. This is a multigenerational investment, to which Robert Rector says, no; even if the second generation all graduated from college, if they all turned in this ability to have an average college surplus of $29,250, they still could not pay back the deficit of $6.3 trillion. And all of them are not going to go to college. About 13 percent will.

So that's a quick summary of the Rector study. I appreciate your attention and the privilege to address you here on the floor.

I yield back the balance of my time.

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

January 6, 2013:

H.R. 41. An Act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program.

January 29, 2013:

H.R. 152. An Act making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, and for other purposes.

February 4, 2013:

H.R. 325. An Act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

March 13, 2013:

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.

March 26, 2013:

H.R. 933. An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate, of the following titles:

March 7, 2013:

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

April 15, 2013:

S. 716. An Act to modify the requirements under the STOCK Act regarding online access to certain financial disclosure statements and related forms.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. WALORSKI (at the request of Mr. CANTOR) for today on account of flight delays.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 7, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2013 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL TO ITALY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 17 AND MAR. 20, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Chris Smith	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Jeff Fortenberry	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Robert Aderholt	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. James Langevin	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Anna Eshoo	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Rubén Hinojosa	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Loretta Sanchez	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Hon. Rosa DeLauro	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Hon. Dan Lipinski	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Rev. Patrick Conroy	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
David Schnittger	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Janice Robinson	3/18	3/20	Italy		2,140.00		2,048.00				4,188.00
Catlin O'Neill	3/17	3/20	Italy		3,261.00		2,048.00				5,309.00
Bridget Charville	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
David Adams	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Timothy Dupuis	3/18	3/20	Italy		1,558.00		2,048.00				3,606.00
Committee total					30,123.00		32,768.00				62,891.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Apr. 19, 2013

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL TO THE UNITED KINGDOM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 16 AND APR. 18, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Marsha Blackburn	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Hon. Michele Bachmann	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Hon. George Holding	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Janice Robinson	4/16	4/18	United Kingdom		1,104.00		1,181.00				2,285.00
Committee total					4,416.00		4,724.00				9,140.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARSHA BLACKBURN, Apr. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Dan Benishek	1/25	1/26	Israel		498.00		(3)		1,724.08		2,222.08
	1/26	1/27	Bangladesh		294.93		(3)		224.03		518.96
	1/27	2/2	India		1,982.18		(3)		1,904.26		3,886.44
	2/2	2/3	Portugal		278.00		(3)		469.75		747.75
Committee total					3,053.11				4,322.39		7,375.23

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. FRANK D. LUCAS, Chairman, Apr. 25, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Visit to Bahrain, January 27–February 1, 2013:											
Kevin Gates	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Mark Lewis	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Timothy McClees	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Phillip MacNaughton	1/28	2/1	Bahrain		1,188.72						1,188.72
Commercial transportation							10,106.20				10,106.20
Delegate Expenses	1/28	2/1	Bahrain						716.18		716.18
Visit to Germany, Italy, Turkey, Israel, January 23–February 1, 2013:											
Hon. Rob Wittman	1/24	1/26	Germany		373.50						373.50
	1/26	1/28	Israel		996.00						996.00
	1/28	1/30	Turkey		408.03						408.03
	1/30	2/1	Italy		227.00						227.00
Hon. Hank Johnson	1/24	1/26	Germany		199.93						199.93
	1/26	1/28	Israel		888.88						888.88
	1/28	1/30	Turkey		195.62						195.62
	1/30	2/1	Italy		227.00						227.00
Michele Pearce	1/24	2/26	Germany		360.00						360.00
	1/26	1/28	Israel		996.00						996.00
	1/28	2/30	Turkey		408.03						408.03
	1/30	1/1	Italy		227.00						227.00
Vickie Plunkett	1/24	2/26	Germany		178.09						178.09
	1/26	1/28	Israel		807.75						807.75
	1/28	1/30	Turkey		278.03						278.03
	1/30	1/1	Italy		227.00						227.00
Ryan Crumpler	1/24	2/26	Germany		360.00						360.00
	1/26	1/28	Israel		996.00						996.00
	1/28	1/30	Turkey		408.03						408.03
	1/30	1/1	Italy		227.00						227.00
Delegation expenses	1/28	1/30	Turkey		1,201.75						1,201.75
Visit to Qatar, Bahrain, United Arab Emirates, January 27–February 1, 2013:											
Alexander Gallo	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							21,022.00				21,022.00
Michael Casey	1/28	2/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							24,689.40				24,689.40
Douglas Bush	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							24,689.40				24,689.40
Leonor Tomero	1/28	1/30	Qatar		679.65						679.65
	1/30	1/31	Bahrain								
	1/31	2/1	United Arab Emirates		728.69						728.69
Commercial transportation							20,987.00				20,987.20
Delegation expenses	1/30	2/1	United Arab Emirates		625.26		106.56		713.81		1,445.63
Visit to Germany with Codel McCain, February 1–3, 2013:											
Hon. Michael Turner	2/1	2/3	Germany		1,258.39						1,258.39
Hon. Loretta Sanchez	2/1	2/3	Germany		953.51						953.51
Visit to England, Germany, February 17–22, 2013:											
Catherine McElroy	2/17	2/20	England		212.56						212.56
	2/20	2/22	Germany		78.56						78.56
Commercial transportation							2,473.80				2,473.80
Kimberly Shaw	2/17	2/20	England		236.00						236.00
	2/20	2/22	Germany		100.00						100.00
Commercial transportation							2,473.80				2,473.80
Stephen Kitay	2/17	2/20	England		212.56						212.56
	2/20	2/22	Germany		78.56						78.56
Commercial transportation							2,473.80				2,473.80
Timothy McClees	2/17	2/20	England		360.00						360.00
	2/20	2/22	Germany		226.00						226.00
Commercial transportation							2,473.80				2,473.80
Visit to Jordan, Iraq, February 14–20, 2013:											
Alexander Gallo	2/15	2/18	Jordan		608.92						608.92
	2/16	2/17	Iraq								
Commercial transportation							10,841.00				10,841.00
Michael Casey	2/15	2/18	Jordan		608.92						608.92
	2/16	2/17	Iraq								
Commercial transportation							18,841.00				10,841.00
Delegation expenses	2/15	2/27	Jordan				127.92		146.57		274.49
Visit to Afghanistan, United Arab Emirates, March 7–12, 2013:											
Hon. Howard P. "Buck" McKeon	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation							10,755.50				10,755.50
Hon. Duncan Hunter	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation									10,755,50		10,755.50
Hon. Paul Cook	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation									10,755,50		10,755.50
Robert L. Simmons, II	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation									10,755,50		10,755.50
Robert L. Simmons, II	3/8	3/10	Afghanistan		56.00						56.00
	3/10	3/12	United Arab Emirates		1,048.00						1,048.00
Commercial transportation									10,755,50		10,755.50
Delegation expenses	3/10	3/12	United Arab Emirates								
Committee total					31,658.12		163,624.28		56,344.35		251,626.75

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. HOWARD P. "BUCK" McKEON, Chairman, Apr. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Chris Van Hollen	2/18	2/20	Cuba		500.00		(3)				500.00
Commercial transportation							333.00				333.00
Committee total					500.00		333.00				833.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. PAUL RYAN, Chairman, Apr. 26, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Suzanne Bonamici	2/17	2/19	South Korea		633.52		[3] 13,537.00				14,170.52
Delegation expenses	2/17	2/19	South Korea						1,235.64		1,235.64
	2/19	2/19	Vietnam		555.77						555.77
Delegation expenses	2/19	2/21	Vietnam						568.62		568.62
	2/21	2/22	Cambodia		369.00						369.00
Delegation expenses	2/21	2/22	Cambodia						459.78		459.78
Committee total					1,558.29		13,537.00		2,264.04		17,359.33

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Transportation cost: inclusive of all countries visited.

HON. JOHN KLINE, Chairman, Apr. 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, Apr. 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Stevan Pearce	1/7	1/8	Republic of Korea		209.00		(3)				209.00
	1/8	1/9	Taiwan		266.29		(3)				266.29
	1/9	1/10	Thailand		167.89		(3)				167.89
	1/10	1/12	Ethiopia		826.44		(3)				826.44
	1/12	1/13	Rwanda		253.21		(3)				253.21
	1/13	1/14	Burkina Faso		198.60		(3)				198.60
Hon. Terri Sewell	2/18	2/19	Senegal		167.09		(3)				167.09
	2/18	2/18	Mali				(3)				
	2/19	2/22	South Africa		1,538.81		(3)				1,538.81
	2/23	2/24	Democratic Republic of the Congo		396.00		(3)				396.00
	2/24	2/25	Morocco		171.43		(3)				171.43
Committee total					4,194.76						4,194.76

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JEB HENSARLING, Chairman, Apr. 30, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, Apr. 10, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Sheila Jackson Lee	2/16	2/19	Korea		316.76		19,969.70		1,235.64		21,522.10
	2/19	2/21	Vietnam		833.64				568.62		1,402.26
Hotel no show charge			Cambodia		142.00						142.00
	2/22	2/22	Germany						580.00		580.00
Committee total					1,292.40		19,969.70		2,384.26		23,646.36

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, Apr. 18, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Lale Mamaux	2/15	2/17	Israel		996.00						996.00
	2/18	2/20	Turkey		1,022.31						1,022.31
	2/21	2/23	Austria		1,170.70						1,170.70
Hon. James McGovern	2/18	2/20	Cuba		500.00		333.00				833.00
Committee total					3,689.01		333.00				4,022.01

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PETE SESSIONS, Chairman, Apr. 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Scott Tipton	1/25	1/26	Israel		498.00		(3)		1,724.08		2,222.08
	1/26	1/27	Bangladesh		294.93		(3)		224.93		518.96
	1/27	2/2	India		1,982.18		(3)		1,904.26		3,886.44
	2/2	2/3	Portugal		278.00		(3)		469.75		747.75
Committee total					3,053.11				4,323.02		7,375.23

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. SAM GRAVES, Chairman, Apr. 29, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Allison Hollabaugh	1/26	2/1	Ukraine		1,243.40		2,462.30				3,705.70
Shelly Han	2/3	2/6	Austria		901.00		1,828.10				2,729.10
Paul Carter	2/15	2/20	Armenia		1,180.58		13,476.80				14,657.38
Janice Helwig	1/11	3/22	Austria		20,959.84		1,828.10				22,787.94
	3/15	3/19	Australia		1,697.00		11,506.20				13,203.20
Committee total					25,981.82		31,101.50				57,083.32

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Apr. 25, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

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

1377. A letter from the Administrator, Department of Energy, transmitting a report on The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran; to the Committee on Energy and Commerce.

1378. A letter from the Inspector General, Department of Health and Human Services, transmitting the Fiscal Year 2012 Medicaid Integrity Program Report; to the Committee on Energy and Commerce.

1379. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-54, ''Permanent Supportive Housing Application Streamlining Temporary Amendment Act of 2013''; to the Committee on Oversight and Government Reform.

1380. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-59, ''Temporary Assistance for Needy Families Time Extension Temporary Amendment Act of 2013''; to the Committee on Oversight and Government Reform.

1381. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-60, ''Egregious First-Time Sale to Minor Clarification Temporary Amendment Act of 2013''; to the Committee on Oversight and Government Reform.

1382. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 20-63, ''Captive Earthquake Property Insurance Temporary Amendment Act of 2013''; to the Committee on Oversight and Government Reform.

1383. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a status report on the Bureau of Prisons' compliance with the National Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

1384. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report providing an estimate of the dollar amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of free clinic health professionals will be paid for in 2014; to the Committee on the Judiciary.

1385. A letter from the Principal Deputy Assistant Attorney General, Department of

Justice, transmitting the Department's report detailing activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2012; to the Committee on the Judiciary.

1386. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision of Maximum and Minimum Civil Penalties [Docket No.: PHMSA-2012-0257] (RIN: 2137-AE96) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1387. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Miscellaneous Petitions for Rulemaking (RRR) [Docket No.: PHMSA-2011-0142 (HM-219)] (RIN: 2137-AE79) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1388. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Harmonization with the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air [Docket No.: PHMSA-2009-0126 (HM-215K)] (RIN: 2137-AE83) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1389. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials; Miscellaneous Amendments (RRR) [Docket No.: PHMSA-2011-0138 (HM-218G)] (RIN: 2137-AE78) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1390. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0803; Directorate Identifier 2011-NM-214-AD; Amendment 39-17419; AD 2013-08-02] (RIN: 2120-AA64) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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:

Ms. FOXX: Committee on Rules. House Resolution 198. Resolution providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector (Rept. 113–51). 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. COURTNEY (for himself, Mr. TONKO, and Mr. MCDERMOTT):

H.R. 1827. A bill to amend the Public Health Service Act to extend through fiscal year 2018 the authorization for certain health care workforce loan repayment programs; to the Committee on Energy and Commerce.

By Mr. COURTNEY (for himself, Ms. DELAURO, Mr. FITZPATRICK, Mr. HIMES, Mr. LARSON of Connecticut, Mr. MCINTYRE, Mr. MEEHAN, Mr. THOMPSON of Pennsylvania, Mr. TONKO, and Ms. ESTY):

H.R. 1828. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Mr. BARR, Mr. SHIMKUS, Mrs. LUMMIS, Mr. STIVERS, Mrs. WAGNER, Mr. JOHNSON of Ohio, Mr. GRIFFITH of Virginia, Mr. WHITFIELD, Mr. MCKINLEY, and Mr. LATTA):

H.R. 1829. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAPITO (for herself, Ms. CASTOR of Florida, Ms. BASS, Mrs. BLACKBURN, Mr. LATHAM, Mr. LOEBSACK, Mr. MARKEY, Ms. MOORE, and Mr. TIBERI):

H.R. 1830. A bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer; to the Committee on Energy and Commerce.

By Mr. BENTIVOLIO:

H.R. 1831. A bill to preserve the constitutional authority of Congress and ensure accountability and transparency in legislation; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of New York (for himself and Mr. JONES):

H.R. 1832. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. MOORE, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. CÁRDENAS, Ms. LEE of California, Mr. ELLISON, and Mr. SCOTT of Virginia):

H.R. 1833. A bill to amend the Incentive Grants for Local Delinquency Prevention Programs under the Juvenile Justice and Delinquency Prevention Act of 1974 to add gender-responsive services to the list of authorized grant purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 1834. A bill to establish a bipartisan 21st Century Great Outdoors Commission to assess the use, value, job creation, and economic opportunities associated with the outdoor resources of the public lands and other land and water areas of the United States, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY (for herself, Mrs. CAPPS, Ms. BORDALLO, Mr. COURTNEY, Mr. CONNOLLY, Ms. DELAURO, Mr. LANCE, Ms. MCCOLLUM, Mr. POLIS, and Mr. SCHIFF):

H.R. 1835. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on 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 Mrs. NOEM:

H.R. 1836. A bill to enhance training and cooperation between law enforcement officers to respond to and prevent domestic violence and sexual assault in Indian country, to swiftly bring perpetrators to justice, to commission a GAO study, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. REICHERT, Mr. YARMUTH, Ms. LINDA T. SÁNCHEZ of California, Ms. SLAUGHTER, Mr. HOLT, Mr. SARBANES, Mr. CONYERS, Mr. CAPUANO, Mrs. DAVIS of California, Mr. VAN HOLLEN, Mr. FITZPATRICK, Mr. SMITH of Washington, Mr. WAXMAN, Mr. HONDA, Mr. MORAN, Mr. PRICE of North Carolina, Ms. NORTON, Mr. TIERNEY, Mr. RANGEL, Ms. EDWARDS, Mr. HIMES, Ms. PINGREE of Maine, Ms. CASTOR of Florida, Mr. SCOTT of Virginia, Mr. SCHIFF, Mr. COURTNEY, Mr. CUMMINGS, Ms. TSONGAS, Mr. NADLER, Ms. CHU, Mr. DEUTCH, Mr. JOHNSON of Georgia, Mr. ELLISON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM, Mr. LEWIS, Mr. POLIS, Mr. MICHAUD, Mr. GRAYSON, Mr. COOPER, Mr. LIPINSKI, Mr. MCDERMOTT, Mr. HASTINGS of Florida, Ms. ESHOO, and Mr. COHEN):

H.R. 1837. A bill to amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste; to the Committee on Transportation and Infrastructure.

By Mr. STIVERS (for himself and Mr. MORAN):

H.R. 1838. A bill to amend title XIX of the Social Security Act to apply the Medicaid primary care payment rate to additional physician providers of primary care services; to the Committee on Energy and Commerce.

By Mr. TIPTON:

H.R. 1839. A bill to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes; to the Committee on Natural Resources.

By Ms. TSONGAS (for herself and Mr. NEAL):

H.R. 1840. A bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes real property tax abatements for seniors and disabled individuals in exchange for services; to the Committee on Ways and Means.

By Mr. WELCH:

H.R. 1841. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Ms. LEE of California, Ms. MATSUI, and Ms. LINDA T. SÁNCHEZ of California):

H. Res. 197. A resolution expressing the sense of the House of Representatives that supporting seniors and individuals with disabilities is an important responsibility of the

United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM (for herself, Mrs. LOWEY, Mr. RYAN of Ohio, Mr. MCGOVERN, Ms. BORDALLO, Ms. MOORE, Mr. CONYERS, and Mr. RANGEL):

H. Res. 199. A resolution expressing support for designation of May 2013 as ''National Celiac Awareness Month''; to the Committee on Energy and Commerce.

By Ms. MENG (for herself and Mr. KELLY of Pennsylvania):

H. Res. 200. A resolution reaffirming the United States' commitment to the economic and military security of the Republic of Korea and expressing the shared vision of the people of the United States and the people of the Republic of Korea for a prosperous and peaceful Asian community on the occasion of the 60th anniversary of the Mutual Defense Treaty between the United States and the Republic of Korea; to the Committee on Foreign Affairs.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. JOYCE, Mrs. CAPPS, Ms. BORDALLO, Mr. RANGEL, Mr. LEWIS, Ms. WILSON of Florida, Mr. COBLE, Mr. DINGELL, Mr. HANNA, Mr. COFFMAN, Mr. MCGOVERN, Mr. CONYERS, Mr. LANGEVIN, Mr. GERLACH, Ms. MOORE, Mr. CICILLINE, Ms. BROWN of Florida, Ms. BONAMICI, Mr. ELLISON, Ms. LEE of California, Ms. LOFGREN, Mr. HASTINGS of Florida, Ms. SPEIER, Mr. BRALEY of Iowa, Mr. SCHRADER, Mr. BLUMENAUER, Mr. HUFFMAN, Mr. CARSON of Indiana, Mr. RUSH, Mr. HOLT, Ms. CHU, Ms. SCHWARTZ, Mr. FALEOMAVAEGA, Mr. FARR, Mr. GRIJALVA, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. GUTHRIE, Mr. LOEBSACK, Ms. MENG, Mr. DEUTCH, Mr. TAKANO, Ms. KUSTER, Mr. KING of New York, and Mr. RODNEY DAVIS of Illinois):

H. Res. 201. A resolution supporting the goals and ideals of National Nurses Week on May 6, 2013, through May 12, 2013; to the Committee on Energy and Commerce.

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. COURTNEY:

H.R. 1827.

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

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COURTNEY:

H.R. 1828.

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

Article I, Section 8: The Congress shall have Power to Lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .

By Mrs. CAPITO:

H.R. 1829.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the States).

By Mrs. CAPITO:

H.R. 1830.

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 1 and Article I Section 8 Clause 1 of the Constitution.

By Mr. BENTIVOLIO:

H.R. 1831.

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

(1) Article I, section 5, clauses 2 and 3 to determine the rules and to keep a journal of its proceedings, respectively;

(2) Article I, section 7, clause 2 to ensure that bills that become law have been actually passed by, not just passed through, each House of Congress; and

(3) Article I, section 8, clause 18, which authorizes Congress to make all laws that are necessary and proper for carrying into execution the rules of each House.

Furthermore, the provision of this Act under which any person who is aggrieved by the enforcement of any law enacted either in violation of the rules of proceedings of either House of Congress, or by the suspension of such rules, as prescribed herein, shall have standing in a court of law, is pursuant to article III, section 2 of the Constitution of the United States.

By Mr. BISHOP of New York:

H.R. 1832.

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

Article I, Section 8

By Ms. DELAURO:

H.R. 1833.

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

Fourteenth Amendment, Section 5

Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

* * * *

Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

By Mr. GRIJALVA:

H.R. 1834.

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

Article IV, Section 3 of the United States Constitution.

By Mrs. LOWEY:

H.R. 1835.

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

Article I.

By Mrs. NOEM:

H.R. 1836.

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

Article 1, Section 8, Clause 3.

By Mr. PALLONE:

H.R. 1837.

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

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Goverment of the United States, or in any Department or Officer thereof.

By Mr. STIVERS:

H.R. 1838.

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

Article I, section 8, Clause I of the United States Constitution

By Mr. TIPTON:

H.R. 1839.

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

Article I. Section 8 of the United States Constitution: to make rules for the government and regulation of land.

By Ms. TSONGAS:

H.R. 1840.

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

Amendment XVI to the United States Constitution.

By Mr. WELCH:

H.R. 1841.

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

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. FLEISCHMANN, Mr. RADEL, Mr. MEADOWS, Ms. JENKINS, and Mr. BARLETTA.

H.R. 38: Mr. FARENTHOLD.

H.R. 45: Mr. COLLINS of Georgia, Mr. CRAWFORD, and Mr. SESSIONS.

H.R. 96: Mr. QUIGLEY.

H.R. 97: Mr. CICILLINE, Mr. SABLAN, Ms. NORTON, Mr. CARNEY, and Mr. RUSH.

H.R. 137: Mr. SWALWELL of California and Mr. BLUMENAUER.

H.R. 138: Mr. BLUMENAUER.

H.R. 141: Mr. BLUMENAUER.

H.R. 142: Mr. CAPUANO.

H.R. 148: Mr. ELLISON and Ms. SLAUGHTER.

H.R. 164: Mr. LANCE and Mr. HULTGREN.

H.R. 180: Mr. CONYERS and Mr. POE of Texas.

H.R. 182: Mr. LOEBSACK.

H.R. 184: Mr. PETERS of California.

H.R. 226: Mr. SWALWELL of California.

H.R. 236: Mr. BLUMENAUER.

H.R. 241: Mr. BARBER.

H.R. 262: Mr. LOBIONDO.

H.R. 271: Mrs. WAGNER.

H.R. 288: Mr. BARBER and Mr. GRIJALVA.

H.R. 303: Mr. BUCHANAN and Mr. YOHO.

H.R. 324: Mr. CAPUANO and Mr. CÁRDENAS.

H.R. 351: Mr. COLLINS of Georgia, Mr. BONNER, Mr. FORTENBERRY, Mr. JOYCE, Mr. CRAWFORD, Mr. LAMALFA, Mr. YOHO, and Mr. ROYCE.

H.R. 366: Ms. CHU, Mr. BRADY of Pennsylvania, Ms. EDWARDS, Ms. MENG, and Ms. SINEMA.

H.R. 376: Ms. MATSUI.

H.R. 437: Mr. CAPUANO and Ms. CLARKE.

H.R. 440: Mrs. BROOKS of Indiana.

H.R. 451: Ms. WASSERMAN SCHULTZ and Ms. WILSON of Florida.

H.R. 485: Ms. LEE of California.

H.R. 501: Ms. LEE of California.

H.R. 503: Mr. O'ROURKE and Mrs. BROOKS of Indiana.
H.R. 508: Ms. NORTON and Mr. CONYERS.
H.R. 521: Mr. POLIS.
H.R. 543: Mrs. DAVIS of California.
H.R. 544: Mr. GRIFFIN of Arkansas, Mr. YOHO, and Mr. MEADOWS.
H.R. 556: Mr. WENSTRUP and Mr. POSEY.
H.R. 567: Mr. CHAFFETZ.
H.R. 578: Mr. DUNCAN of South Carolina.
H.R. 630: Mr. KILDEE, Ms. SINEMA, Mr. O'ROURKE, Mr. VARGAS, and Mr. LARSON of Connecticut.
H.R. 671: Mr. LIPINSKI and Ms. ZOE LOFGREN.
H.R. 685: Mr. WEBSTER of Florida.
H.R. 686: Mrs. BUSTOS.
H.R. 689: Mr. MCGOVERN.
H.R. 693: Mr. SCHWEIKERT, Mr. FRELINGHUYSEN, and Mr. KILMER.
H.R. 698: Mr. LOEBSACK and Mr. POLIS.
H.R. 720: Mr. MARKEY.
H.R. 724: Mr. RICE of South Carolina, Mr. CLYBURN, Mr. BOUSTANY, and Mr. WILSON of South Carolina.
H.R. 735: Mr. BARBER.
H.R. 755: Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Ms. KUSTER, Ms. JENKINS, and Mr. ROYCE.
H.R. 769: Mr. KENNEDY and Mr. WALZ.
H.R. 776: Mr. LUETKEMEYER.
H.R. 777: Mrs. LUMMIS.
H.R. 792: Mr. FRELINGHUYSEN and Mr. LUETKEMEYER.
H.R. 800: Mr. CONNOLLY.
H.R. 801: Mr. POLIS.
H.R. 811: Mr. RUNYAN and Mr. SEAN PATRICK MALONEY of New York.
H.R. 826: Mr. GUTHRIE.
H.R. 847: Mr. FITZPATRICK, Ms. ROS-LEHTINEN, and Ms. CHU.
H.R. 850: Ms. ROYBAL-ALLARD, Ms. ESTY, Mr. HANNA, Mrs. MCMORRIS RODGERS, Mr. HASTINGS of Washington, Mr. AUSTIN SCOTT of Georgia, and Mr. HONDA.
H.R. 851: Ms. PINGREE of Maine.
H.R. 904: Mr. DUFFY.
H.R. 920: Ms. WILSON of Florida.
H.R. 924: Ms. MENG and Mr. POCAN.
H.R. 929: Mr. ELLISON.
H.R. 940: Mrs. BROOKS of Indiana and Mr. COTTON.
H.R. 949: Mr. POCAN and Mr. PAYNE.
H.R. 950: Mr. WITTMAN.
H.R. 961: Mr. LOEBSACK and Mr. OWENS.
H.R. 1008: Ms. MCCOLLUM and Mr. MCINTYRE.
H.R. 1020: Mr. JOYCE and Mr. JORDAN.
H.R. 1024: Mrs. BUSTOS and Mr. DUFFY.
H.R. 1026: Mr. HARRIS, Mr. KLINE, and Mrs. BUSTOS.
H.R. 1038: Ms. ESHOO.
H.R. 1041: Mr. POLIS and Ms. WILSON of Florida.
H.R. 1093: Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. MURPHY of Florida, Mr. SEAN PATRICK MALONEY of New York, Mr. REICHERT, Mr. MCINTYRE, and Mr. MICHAUD.
H.R. 1097: Mr. SESSIONS.
H.R. 1102: Mrs. LOWEY.
H.R. 1130: Mr. MESSER.
H.R. 1140: Mr. WEBSTER of Florida.
H.R. 1146: Mrs. MCCARTHY of New York.
H.R. 1151: Mr. SHUSTER and Mr. CAPUANO.
H.R. 1155: Mr. SMITH of Texas, Mr. WOMACK, Mr. CRAWFORD, and Mr. ISRAEL.
H.R. 1171: Mr. COTTON.
H.R. 1179: Mr. GIBSON, Ms. MATSUI, Ms. SLAUGHTER, and Mr. RIBBLE.
H.R. 1186: Mr. ROHRABACHER, Mr. RICE of South Carolina, Ms. JENKINS, and Mr. KINGSTON.
H.R. 1209: Mr. STUTZMAN.
H.R. 1221: Mr. RAHALL and Mr. GRAVES of Missouri.
H.R. 1243: Mr. RANGEL and Mr. MCGOVERN.
H.R. 1249: Mr. WESTMORELAND and Mr. HASTINGS of Washington.
H.R. 1250: Mr. POLIS and Mr. LUETKEMEYER.
H.R. 1255: Mr. SCHOCK and Mr. AMODEI.
H.R. 1281: Mr. RANGEL, Ms. LEE of California, Ms. SPEIER, Mr. MCGOVERN, Mrs. CAPPS, Ms. JACKSON LEE, Mr. HASTINGS of Florida, Ms. MCCOLLUM, Mr. DAVID SCOTT of Georgia, Ms. CLARKE, Mr. CONYERS, Mr. DINGELL, Mr. HUFFMAN, Ms. DELAURO, Mr. CROWLEY, Mr. COHEN, Ms. SLAUGHTER, Mr. BISHOP of Georgia, Ms. CASTOR of Florida, Mr. TAKANO, Ms. WILSON of Florida, and Mr. LOEBSACK.
H.R. 1286: Mr. SCOTT of Virginia.
H.R. 1290: Mr. MCINTYRE.
H.R. 1331: Mr. JOHNSON of Ohio.
H.R. 1346: Ms. BASS.
H.R. 1355: Mr. MULVANEY.
H.R. 1384: Mr. FARR.
H.R. 1387: Mr. AUSTIN SCOTT of Georgia.
H.R. 1395: Mr. DEUTCH.
H.R. 1414: Ms. HAHN, Mrs. BUSTOS, and Ms. ESHOO.
H.R. 1424: Mr. CONNOLLY and Mr. LEVIN.
H.R. 1428: Mr. ELLISON, Ms. SCHWARTZ, and Mr. BRALEY of Iowa.
H.R. 1432: Mr. HIMES and Ms. SHEA-PORTER.
H.R. 1449: Mr. AUSTIN SCOTT of Georgia, Mr. JOHNSON of Ohio, Mr. HECK of Nevada, Mr. WILSON of South Carolina, Mr. COLE, Mr. WENSTRUP, Mr. GUTHRIE, Mr. GINGREY of Georgia, Mr. BRALEY of Iowa, Mr. LOEBSACK, Ms. CASTOR of Florida, and Mr. GRIJALVA.
H.R. 1475: Mr. RIBBLE.
H.R. 1481: Mr. BARLETTA.
H.R. 1482: Mr. COTTON.
H.R. 1485: Mr. BOUSTANY and Mr. MILLER of Florida.
H.R. 1488: Ms. NORTON.
H.R. 1494: Mr. LOEBSACK.
H.R. 1502: Mr. HARRIS.
H.R. 1507: Mr. FOSTER, Mrs. LOWEY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1518: Mr. CUMMINGS, Mr. FITZPATRICK, Mr. WELCH, Mr. YOHO, Mr. YOUNG of Florida, and Mr. ANDREWS.
H.R. 1528: Mrs. BUSTOS, Mr. DUFFY, Mr. BLUMENAUER, Mrs. MILLER of Michigan, Mr. GUTHRIE, and Mr. AUSTIN SCOTT of Georgia.
H.R. 1531: Ms. HAHN.
H.R. 1547: Mr. MURPHY of Florida.
H.R. 1551: Mr. WOMACK, Mr. KINGSTON, Mrs. HARTZLER, Mr. GINGREY of Georgia, and Mr. GUTHRIE.
H.R. 1552: Mr. BENISHEK, Mr. PITTENGER, and Mr. PITTS.
H.R. 1553: Ms. JENKINS, Mrs. BLACKBURN, Mr. CARSON of Indiana, Mr. GUTHRIE, Mr. HECK of Nevada, Mr. KINZINGER of Illinois, Mr. OLSON, Mr. DUNCAN of South Carolina, Mr. GRIFFIN of Arkansas, Mr. CRAWFORD, Mr. COOPER, Ms. GRANGER, Mr. FLEISCHMANN, and Mr. KLINE.
H.R. 1565: Mr. HIGGINS, Mr. KEATING, Mr. CÁRDENAS, Mr. COHEN, Mr. GRAYSON, Mr. GRIJALVA, Ms. HAHN, Mr. HONDA, Mr. KILMER, Mr. LYNCH, Mr. MARKEY, Mr. GEORGE MILLER of California, and Ms. SCHWARTZ.
H.R. 1572: Mr. GRIFFIN of Arkansas and Mr. COTTON.
H.R. 1594: Mr. KINGSTON.
H.R. 1595: Mrs. MCCARTHY of New York and Ms. MENG.
H.R. 1598: Mr. CARSON of Indiana.
H.R. 1601: Mr. ELLISON and Ms. MOORE.
H.R. 1613: Mr. LAMBORN, Mr. AMODEI, Mr. GRAVES of Georgia, Mr. CRAMER, and Mr. MEADOWS.
H.R. 1620: Ms. BORDALLO, Mr. LIPINSKI, and Ms. SHEA-PORTER.
H.R. 1623: Mrs. KIRKPATRICK and Mr. RAHALL.
H.R. 1626: Mr. ROSS.
H.R. 1652: Ms. HANABUSA and Mr. RYAN of Ohio.
H.R. 1667: Mr. MORAN and Mr. DEFAZIO.
H.R. 1692: Ms. SLAUGHTER, Mr. WAXMAN, Mrs. NAPOLITANO, Ms. BONAMICI, Ms. HAHN, Mr. PRICE of North Carolina, Mr. TIERNEY, and Mrs. CAPPS.
H.R. 1693: Mr. HUELSKAMP.
H.R. 1699: Ms. LOFGREN and Mr. HOLT.
H.R. 1701: Mr. HARRIS.
H.R. 1705: Mr. JONES, Ms. SHEA-PORTER, and Mr. HUNTER.
H.R. 1708: Mr. WALDEN, Mr. ROKITA, and Ms. NORTON.
H.R. 1717: Mr. LONG, Mr. COFFMAN, Mr. WITTMAN, Mr. BUCHANAN, Mr. WESTMORELAND, Mr. MCCAUL, Mr. BROUN of Georgia, Mr. ROKITA, Mr. YOUNG of Florida, Mr. KING of Iowa, Mr. BARROW of Georgia, Mr. HUIZENGA of Michigan, Mr. FORBES, Mr. RUPPERSBERGER, Mr. LATHAM, Mr. GIBBS, Mr. LANCE, Mr. COLLINS of Georgia, and Mr. BROOKS of Alabama.
H.R. 1723: Mr. ELLISON.
H.R. 1727: Mr. MCINTYRE, Mr. NOLAN, Mr. SEAN PATRICK MALONEY of New York, Mr. MORAN, Ms. PINGREE of Maine, and Mr. GRIJALVA.
H.R. 1730: Mr. COHEN.
H.R. 1735: Mr. CULBERSON and Mr. HUELSKAMP.
H.R. 1736: Mr. SCOTT of Virginia.
H.R. 1737: Mr. LIPINSKI and Mr. COLE.
H.R. 1752: Mr. COTTON.
H.R. 1755: Mr. CLEAVER, Mrs. CHRISTENSEN, Mr. MEEKS, Ms. ESTY, and Ms. ESHOO.
H.R. 1763: Mr. DEFAZIO, Mr. THOMPSON of Pennsylvania, Mr. SIMPSON, Mr. CONNOLLY, Mr. LOEBSACK, Mr. VARGAS, Ms. HAHN, Ms. MOORE, and Mr. ELLISON.
H.R. 1764: Mr. GINGREY of Georgia, Mr. STIVERS, Mr. FARENTHOLD, Mr. SALMON, Mr. BRIDENSTINE, Mr. HUELSKAMP, Mr. BOUSTANY, Mr. BENISHEK, and Mr. OLSON.
H.R. 1781: Mr. MEADOWS and Mr. WEBER of Texas.
H.R. 1795: Mr. HANNA, Ms. HAHN, Mr. LARSEN of Washington, Ms. PINGREE of Maine, Mr. VARGAS, Mr. LOEBSACK, Ms. TSONGAS, Mr. MICHAUD, Ms. SHEA-PORTER, and Mr. THOMPSON of Pennsylvania.
H.R. 1796: Mrs. KIRKPATRICK, Ms. JACKSON LEE, Mr. CARSON of Indiana, Mr. JOHNSON of Georgia, Ms. HAHN, Ms. SLAUGHTER, Mr. RODNEY DAVIS of Illinois, Mr. CLEAVER, Mr. CICILLINE, Mr. VARGAS, Mr. LOWENTHAL, Mr. LARSEN of Washington, and Mr. LOEBSACK.
H.R. 1801: Mr. ELLISON, Mr. CONNOLLY, Ms. DELAURO, and Mrs. CAROLYN B. MALONEY of New York.
H. Con. Res. 4: Mr. KING of New York.
H. Con. Res. 29: Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LUETKEMEYER.
H. Con. Res. 30: Mr. COTTON. A 59
H. Con. Res. 34: Mr. COURTNEY, Mr. DOYLE, and Mr. SABLAN.
H. Res. 24: Mr. SALMON.
H. Res. 36: Mr. SALMON, Mr. JOYCE, Mr. SOUTHERLAND, Mr. BILIRAKIS, Mr. MESSER, and Mr. CASSIDY.
H. Res. 72: Mr. LIPINSKI and Mr. RODNEY DAVIS of Illinois.
H. Res. 109: Mr. HUIZENGA of Michigan.
H. Res. 123: Mr. NUGENT and Mr. ENYART.
H. Res. 156: Ms. HAHN and Mr. VEASEY.
H. Res. 167: Ms. HAHN, Ms. MOORE, Mr. VARGAS, Mr. HINOJOSA, Mr. FOSTER, Ms. SCHWARTZ, Mr. KILDEE, Mr. HASTINGS of Florida, and Mr. BRALEY of Iowa.
H. Res. 173: Mr. MEADOWS.
H. Res. 174: Mr. VARGAS, Mr. PETERS of Michigan, Mr. FARR, Mr. ELLISON, Mrs. KIRKPATRICK, Mr. PIERLUISI, Mr. CUMMINGS, Mr. GARCIA, Mr. SIRES, Mr. WALZ, Mr. DEFAZIO, Mr. RUPPERSBERGER, Mr. BRALEY of Iowa, Mr. CAPUANO, Mr. SARBANES, Mr. THOMPSON of Mississippi, Mr. LARSEN of Washington, Mr. NEAL, Mrs. NEGRETE MCLEOD, Mr. GUTIERREZ, Mr. FATTAH, Mr. DOYLE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS of California, Mr. MARKEY, Mr. SERRANO, Mr. QUIGLEY, and Mr. PERLMUTTER.
H. Res. 182: Mr. BUCHANAN and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H. Res. 190: Mr. O'ROURKE, Mr. HONDA, Ms. LEE of California, Mr. FALEOMAVAEGA, Ms.

SINEMA, Mr. GRIMM, Mr. OWENS, and Mr. THOMPSON of Pennsylvania.

H. Res. 191: Mr. RANGEL, Ms. NORTON, and Ms. WILSON of Florida.

H. Res. 196: Mr. WATT.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, far from the world, we come to You in prayer, boldly entering Your throne room to be blessed by Your sweet presence. Thank You for the calm retreat of fellowship with You.

Thank You for our lawmakers. Continue to inspire and sustain them, as Your wisdom illuminates their path. May they be faithful in their service to this Nation and to you. Lord, dwell in this Chamber and in their minds so that they will think Your thoughts and discover Your solutions.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in morning business until 5:30 p.m.

Today at 5:30 p.m. the Senate will resume consideration of S. 743, the Marketplace Fairness Act. There will be two rollcall votes in order to complete action on that bill. The filing deadline for all second-degree amendments to S. 743 is 4 p.m. today.

I have been told, and staff has indicated to me, that we believe there will be an agreement that we will not have to have the vote this evening on the water resources bill; that we can just move to it sometime tomorrow. Otherwise, if we can't work that out, there will be a third rollcall vote on the motion to invoke cloture on the motion to proceed to the Water Resources Development Act.

THE BUDGET

Mr. REID. Mr. President, for 38 straight months private sector companies have added new jobs and put Americans back to work, 7 million Americans in all. They have done it in spite of economic policies that hampered growth—harsh austerity policies Republicans have forced on the economy for the last 2 years. Yet the Dow Jones Industrial Average and the other indicators hit an all-time high last week and the manufacturing sector remains strong.

While the economy isn't back to full strength, and that certainly is the truth, last week's job report shows we have made remarkable progress in 3 years. But just imagine how strong job growth could have been if Republicans had not insisted on round after round of meat axe budget cuts that undercut economic expansion.

Every expert, every respected economist says the best way to encourage a recovery, the best way to create jobs is with targeted investments and balanced deficit reduction. The most responsible way to reduce our deficit is to get away from short-term fixes, last-minute negotiations and, instead, pursue a responsible budget process. We can't begin to find common ground if we never get to the negotiating table. That is why again today I will ask unanimous consent to go to conference with the House on the budget, the budget that we passed.

For 2 years my Republican colleagues have complained the Senate had not passed a budget resolution, even though we had enacted a budget with the force of law and signed by President Obama. Remember, a budget resolution is just an inter-Congress matter. It doesn't have anything to do with the President. He doesn't have to sign that, but we enacted a budget with the force of law and signed by President Obama.

The Republicans complained and complained: Why didn't we do a budget resolution? We had something much better than a budget resolution, but for 2 years Republicans longed for the days of regular order. We know because they told us so. They wanted amendments; we gave them amendments. They wanted bills to go through committee; they got bills reported out of committees. Republicans were desperate for the Senate to vote on a budget resolution that would set spending priorities for the fiscal year. They got them. We passed a budget resolution under regular order, complete with a late-night budget vote-arama that lasted until 5 a.m. that included more than 100 individual votes. Still, the House has refused to go to conference with us. Since they got what they claimed they wanted, their interest in regular order has not just waned, it disappeared.

They don't want to go to conference as we would under the regular order—that they said they wanted. They don't even want to name conferees. We tried to get that out of this body.

The ranking Republican on the Senate Budget Committee admitted these stall tactics were an effort to provide political cover for his colleagues in the House. This is what he said:

> There are difficulties in the fact that we haven't been able to have any understanding on how this conference might work and what prospects we have for success might be. I think it's possible that we could succeed, but at this point we're not close enough to anticipate a successful conference and that presents complications for the House.

Can you imagine? They don't have any understanding how this conference might work. Well, probably one of the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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reasons he doesn't have an understanding of how a conference works is because they have stopped us from going to conference on virtually everything.

He also says: We don't know what the prospects are for success. That is what conference is all about. The Senate passes a bill, the House passes a bill, and we sit down and try to work it out.

He said:

I think it's possible that we could succeed, but at this point we're not close enough to anticipate a successful conference, and that presents complications for the House.

We are the United States Senate, not the United States House of Representatives. We should do our business and not be worried about the tea party-driven House of Representatives. The budget process is the only way to work through our differences without bringing the country to the brink of another artificial crisis. To accelerate job growth and reduce the deficit without harming the economy, we have to make important and smart spending cuts, while asking the most fortunate among us to do a little better, contribute a little more.

The arbitrary across-the-board cuts of the so-called sequester do just the exact opposite. The sequester uses a meat cleaver where a scalpel is needed. The sequester cuts were designed to be too painful—so painful they would force the supercommittee to reach a bipartisan compromise. We all remember what happened there. Republicans refused to allow one penny of revenue. When they did that, they insisted on a cuts-only approach. They ensured the sequester would kick in.

Eliminating sequester is part of a larger challenge: to set sound long-term fiscal policy through the regular order of the budget process, which they said they wanted—they, the Republicans. Now they have walked away from it. That will take cooperation. Remember, Democrats and Republicans voted for these arbitrary cuts, and Democrats and Republicans will have to work together to reverse them.

Why are my Republican colleagues so afraid? We know the two sides will not agree on every aspect of the budget. We know finding common ground will not be easy.

We can get it done. We used to do it until we have been stopped from doing everything by a tea party-driven House of Representatives and the strongly influenced Republicans in the Senate by the tea party. Republicans believe in one set of principles for how the government should spend money and how it should save money.

Democrats have very different principles. Republicans would lower taxes for the rich while the middle class foots the bill. Democrats would ask the wealthiest individuals and corporations to contribute a little more to reduce the deficit. Republicans would turn Medicaid into a voucher program, in effect doing away with Medicaid as we know it.

Democrats would preserve and protect Medicare for future generations. Republicans would use more harsh austerity to reduce the deficit. Democrats would adopt a balanced approach that couples smart spending cuts with new revenue from closing loopholes.

Remember, we have already cut more than $2.5 trillion from the debt. We have our differences, but Democrats aren't afraid to work out those differences. We are ready to go to conference to begin the difficult work of compromise.

If this Congress is serious about reducing the deficit and protecting the economy, we need to go to work now, not wait until this minor impasse—and that is what it is—turns into another major manufactured crisis, which the House loves to send to us at the last minute.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that all after the enacting clause be stricken; that the amendment, which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

I have just been informed that there is no one from the Republican side to object to this, so I will renew this. I want everyone put on notice that we are going to ask that we follow regular order, which the Republicans have been whining about for 2 years. That is what we want to do, and that is what this consent is all about.

I would withdraw this request until the Republicans show up to object.

The PRESIDING OFFICER (Mr. KAINE). The unanimous consent request is withdrawn.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. 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. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. ENZI. Mr. President, I rise today to urge my colleagues to vote for the Marketplace Fairness Act in just over an hour or so from now. I have said many times over the past few weeks—and, in fact, I have been saying it for the past 12 years as I have worked on this issue, but it is worth repeating—this bill is about fairness. It is about leveling the playing field between the brick and mortar and online companies and it is about collecting a tax that is already due. It is not about raising taxes, taxing the Internet, or taxing Internet access.

This bill in general, and this bill in particular, has grabbed the attention of Members of the Senate and their constituents back home. Unfortunately, the misinformation that is being disseminated by many has added confusion and anxiety about what the bill does and does not do. For example, the Americans For Tax Reform sent me a detailed letter last week asking many questions. It appears the letter was not meant to find resolution or a path forward with this issue but ultimately to confuse my colleagues prior to tonight's vote. Senator ALEXANDER and I responded to the 16 questions in order to provide clarity for the organization and its members.

Mr. President, I ask unanimous consent to have printed in the RECORD the two letters to which I just referred.

There being no objection, the material was ordered to be printed in the RECORD as follows:

AMERICANS FOR TAX REFORM,
Washington, DC, May 2, 2013.

Hon. MIKE ENZI,
Senate Russell Office Building, Washington, DC.

DEAR SENATOR ENZI: We believe that there are a number of unanswered questions concerning the Marketplace Fairness Act that remain troubling to taxpayers. We would appreciate your leadership in answering the following questions regarding the legislation as it stands and the recent manager's amendment that you filed to S. 743, the Marketplace Fairness Act.

1) What measures protect businesses from tax audits, court proceedings and penalties like tax liens imposed on a business by state departments of revenue where the business has no physical presence? How will businessmen and women be protected over time from politicians in a different state that they cannot vote for or against? Is there a danger of establishing taxation without representation?

2) Does the bill prevent double taxation by removing the Use Tax? If states still have a Use Tax law on the books what provisions of MFA prevent states from charging Use Tax in addition to sales tax?

3) Can states audit remote sellers for customer data and then retroactively (i.e., prior

to the enactment) audit citizens for ''unpaid'' Use Taxes? Some states, such as California, can perform audits reaching back six years. Can states ask remote sellers for historical customer purchasing data and then audit citizens based on this data?

4) While the legislation says that it does not break physical nexus requirements for other types of taxation, some states have ''privilege'' taxes already in law. Some of these privilege taxes require enaction of MFA as written to enforce ''privilege'' tax collections. For example Michigan law states:

''there shall be collected from all persons engaged in the business of making sales at retail, by which ownership of tangible personal property is transferred for consideration, an annual tax for the privilege of engaging in that business equal to 6% of the gross proceeds of the business, plus the penalty and interest if applicable . . .''

Is there anything in MFA that prevents this type of application of MFA collection standards?

5) If states do not conform with MFA requirements or basic simplification requirements, does Section 6 of the MFA permit them to continue to expand ''nexus definition'' laws? Can California collect tax based on economic nexus laws? Can New York collect based on affiliate nexus laws? Could Oklahoma expand its reporting requirement laws across its borders?

6) Why are tribal lands now included as ''states'' in the manager's amendment? Why were tribal lands not included in the original bill? Have any of the tribes agreed to the same rules the states have, or asked to be included?

7) During the floor debate, there were many questions on how the MFA would apply to sellers based in other countries. What is the enforcement process for overseas sellers with no presence in the United States? Are they required to comply with state tax collection duties? Under MFA, do states have the ability to bring enforcement actions against overseas businesses that are selling remotely into the state?

8) Does the MFA protect the small sellers, who would be eligible for the small seller exemption, from states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

9) While the minimum simplification requirements preclude the Streamlined Sales Tax Agreement (SSUTA), if states make changes to the SSUTA after the enaction of MFA do those changes become law?

10) Included in the manager's amendment is language that clarifies that a state may not impose requirements on remote sellers that they do not impose on non-remote sellers. Currently, many states give special state sales tax deals for businesses with in-state presence, while offering remote sellers no such deal. Since this practice is giving preferential treatment to in-state sellers in relation to the collection and remittance of sales taxes, will this be prohibited under MFA. Will there be any limitation on states giving special sales tax breaks to large in-state businesses while forcing strictly out-of-state businesses with no presence to comply?

11) Under SSUTA states agreed that sales price was the cost that a consumer actually paid for an item. However, Nebraska wants to claim that ''sales price'' is the gross price before discounts and coupons, thereby charging the business tax on retail value rather than amount paid (Think discounts from Groupon or Living Social. If the retail cost is $75, but the discount makes it $25, Nebraska would want to collect sales tax on the $75 rather than the amount actually paid, which was $25). Is there anything in the MFA that prevents this type of excessive taxation from occurring in Nebraska or other states? From what we understand the minimum requirements of MFA do not prevent this type of theoretical taxing from occurring.

12) How could MFA requirements affect the financial services sector? Will financial products that are sold over the Internet, like portfolio management services, credit reporting service apps, or insurance service fall under MFA taxation authority?

13) Home-schooling parents meet at state, regional, and national gatherings in part to sell used textbooks and related products that their children have completed. If these transactions are conducted online through an aggregation site, would the transactions be subject to the MFA small-seller exemption in states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

14) How will the MFA affect digital goods and services? Without a clear structure for digital goods taxation, these types of goods could fall under multiple taxation schemes. Does the MFA protect digital goods from multiple taxation?

15) In terms of digital goods, like apps and music, who is responsible for remitting the sales tax: the vendor, an app store or sales platform, or the creator of the digital good?

16) Some states, like Maryland have different sales tax rules for goods that are priced under one dollar. For example:

Effective January 3, 2008, the Maryland sales and use tax rate is 6 percent, as follows:

1 cent on each sale where the taxable price is 20 cents.

2 cents if the taxable price is at least 21 cents but less than 34 cents.

3 cents if the taxable price is at least 34 cents but less than 51 cents.

4 cents if the taxable price is at least 51 cents but less that 67 cents.

5 cents if the taxable price is at least 67 cents but less than 84 cents.

6 cents if the taxable price is at least 84 cents.

On each sale where the taxable price exceeds $1.00, the tax is 6 cents on each exact dollar plus:

1 cent if the excess over an exact dollar is at least 1 cent but less than 17 cents.

2 cents if the excess over an exact dollar is at least 17 cents but less than 34 cents.

3 cents if the excess over an exact dollar is at least 34 cents but less than 51 cents.

4 cents if the excess over an exact dollar is at least 51 cents but less than 67 cents.

5 cents if the excess over an exact dollar is at least 67 cents but less than 84 cents.

6 cents if the excess over an exact dollar is at least 84 cents.

If Maryland, or states wishing to follow suit, do not comply with SSTP or the minimum simplification requirements included in MFA, can they tax low-cost goods in this way? This applies in particular to digital goods like apps and songs. Does the MFA require simple, flat taxes for low cost and digital goods?

Thank you in advance for your consideration and response to our concerns. I look forward to working with you to address these issues and ensure no legislation is passed that harms taxpayers nationwide. If you have any questions or concerns while responding to this letter, please have your staff contact Katie McAuliffe.

Onward,

GROVER G. NORQUIST.

U.S. SENATE,
Washington, DC, May 4, 2013.

MR. GROVER NORQUIST,
Americans for Tax Reform
12th Street, NW., Washington, DC.

DEAR MR. NORQUIST, We appreciate your direct interest in better understanding the Marketplace Fairness Act, and we welcome the opportunity to respond to the questions outlined in your May 2nd letter. Below are answers to your questions regarding S. 743, the Marketplace Fairness Act, and the perfecting amendment filed last week.

1) What measures protect businesses from tax audits, court proceedings and penalties like tax liens imposed on a business by state departments of revenue where the business has no physical presence? How will businessmen and women be protected over time from politicians in a different state that they cannot vote for or against? Is there a danger of establishing taxation without representation?

The Marketplace Fairness Act (MFA) includes many significant benefits for remote sellers, including limits on audits, critical liability protection, and tax and administrative simplification. It is also important to remember that the sales tax is imposed on the consumer by the state where they reside, so that is the ultimate check against excessive taxation. Because the tax is imposed on the consumer, there is no danger of taxation without representation.

2) Does the bill prevent double taxation by removing the Use Tax? If states still have a Use Tax law on the books what provisions of MFA prevent states from charging Use Tax in addition to sales tax?

There is not double taxation between a sales tax and a use tax. A Sales tax is imposed by states on applicable transactions. A use tax only applies if the sales tax is not collected or imposed.

3) Can states audit remote sellers for customer data and then retroactively (i.e., prior to the enactment) audit citizens for ''unpaid'' Use Taxes? Some states, such as California, can perform audits reaching back six years. Can states ask remote sellers for historical customer purchasing data and then audit citizens based on this data?

No. The authority provided by the MFA is prospective and builds in considerable ''waiting periods'' before states can exercise collection authority after they have adopted the minimum simplification requirements.

4) While the legislation says that it does not break physical nexus requirements for other types of taxation, some states have ''privilege'' taxes already in law. Some of these privilege taxes require enaction of MFA as written to enforce ''privilege'' tax collections. For example Michigan law states:

''there shall be collected from all persons engaged in the business of making sales at retail, by which ownership of tangible personal property is transferred for consideration, an annual tax for the privilege of engaging in that business equal to 6% of the gross proceeds of the business, plus the penalty and interest if applicable . . .''

Is there anything in MFA that prevents this type of application of MFA collection standards?

Sales and use taxes are often called by different names, such as the general excise tax in Hawaii, the gross receipts tax in New Mexico or the transaction privilege tax in Arizona. All of these taxes are sales and use taxes, where the retailer is authorized (and in most cases required) to collect the tax directly from the consumer and to identify the tax on the consumer's invoice or receipt.

5) If states do not conform with the MFA requirements or basic simplification requirements, does Section 6 of the MFA permit them to continue to expand ''nexus definition'' laws? Can California collect tax based on economic nexus laws? Can New York collect based on affiliate nexus laws? Could Oklahoma expand its reporting requirement laws across its borders?

Section 6 does not alter nexus standards, as interpreted by the Supreme Court. The

Supreme Court has declined to extend the ''physical presence'' standard beyond sales taxes, and it has not taken any cases to clarify the constitutionality of ''economic nexus'' laws. Other Supreme Court decisions, such as Scripto and Tyler Pipe, have made clear that in regard to sales tax, affiliates and independent contractors can create physical presence for sales tax collection purposes. The MFA addresses these problems by setting specific standards for states who wish to require remote sellers to collect state sales taxes.

6) Why are tribal lands now included as ''states'' in the manager's amendment? Why were tribal lands not included in the original bill? Have any of the tribes agreed to the same rules the states have, or asked to be included?

Tribal governments are required to meet the same conditions as states choosing to participate. Tribal governments were included in earlier versions of this legislation, and they requested that they also be given the ability to collect sales taxes if they choose to exercise the authority granted by this legislation.

7) During the floor debate, there were many questions on how the MFA would apply to sellers based in other countries. What is the enforcement process for overseas sellers with no presence in the United States? Are they required to comply with state tax collection duties? Under MFA, do states have the ability to bring enforcement actions against overseas businesses that are selling remotely into the state?

States currently enforce collection of state taxes against foreign businesses with no physical presence in the United States, and have a number of methods to compel collection by foreign sellers including liens, levies and seizure of assets. The MA treats foreign corporations the same as it does domestic corporations. All online retailers that make over $1 million in remote sales, regardless of where the retailer is located, must collect and remit sales tax to states that require it.

8) Does the MFA protect the small sellers, who would be eligible for the small seller exemption, from states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

The MFA does not alter nexus standards, as interpreted by the Supreme Court.

9) While the minimum simplification requirements preclude the Streamlined Sales Tax Agreement (SSUTA), if states make changes to the SSUTA after the enaction of MFA, do those changes become law?

The MFA does not ''preclude'' the SSUTA, and changes to the SSUTA have no force of law because any changes to the agreement must be enacted by individual states and their legislatures. The MFA recognizes that the SSUTA already incorporates the simplifications and protections embodied within the MFA. Thus, states that have already enacted laws to comply with SSUTA are granted authority by the MFA to require remote sellers to collect tax. The MFA also ensures that future changes to the SSUTA meet the simplifications and protections provided in the MFA.

10) Included in the manager's amendment is language that clarifies that a state may not impose requirements on remote sellers that they do not impose on non-remote sellers. Currently, many states give special state sales tax deals for businesses with in-state presence, while offering remote sellers no such deal. Since this practice is giving preferential treatment to in-state sellers in relation to the collection and remittance of sales taxes, will this be prohibited under MFA? Will there be any limitation on states giving special sales tax breaks to large in-state businesses while forcing strictly out-of-state businesses with no presence to comply?

The MFA does not dictate to the states how they structure their state tax systems; to do so would be a fundamental violation of state sovereignty and the constitutional framework of our government embodied by the 10th Amendment. The MFA simply grants states the authority to enforce state sales tax laws on remote sales.

11) Under SSUTA, states agreed that sales price was the cost that a consumer actually paid for an item. However, Nebraska wants to claim that ''sales price'' is the gross price before discounts and coupons, thereby charging the business tax on retail value rather than amount paid (Think discounts from Groupon or Living Social. If the retail cost is $75, but the discount makes it $25, Nebraska would want to collect sales tax on the $75 rather than the amount actually paid, which was $25). Is there anything in the MFA that prevents this type of excessive taxation from occurring in Nebraska or other states? From what we understand the minimum requirements of MFA do not prevent this type of theoretical taxing from occurring.

The MFA does not dictate to the states how they structure their state tax systems. Residents of Nebraska, not Washington, should determine the appropriate level of state taxation in Nebraska.

12) How could MFA requirements affect the financial services sector? Will financial products that are sold over the Internet, like portfolio management services, credit reporting service apps, or insurance service fall under MFA taxation authority?

The MFA does not affect the financial service sector, and no state imposes a sales tax on financial transactions.

13) Home-schooling parents meet at state, regional, and national gatherings in part to sell used textbooks and related products that their children have completed. If these transactions are conducted online through an aggregation site, would the transactions be subject to the MFA small-seller exemption in states that exercise their Section 6 discretion to expand their tax collection authority through nexus definitions?

The small seller exemption applies to all remote sellers, and no discretion is given to states with respect to the amount of the small seller exemption. The term ''remote seller'' is defined in the bill and means a person that makes remote sales. Only individual remote sellers who make more than $1 million in remote sales each year can be required to collect state sales taxes.

14) How will the MFA affect digital goods and services? Without a clear structure for digital goods taxation, these types of goods could fall under multiple taxation schemes. Does the MFA protect digital goods from multiple taxation?

The MFA does not affect the taxability of goods, digital or otherwise.

15) In terms of digital goods, like apps and music, who is responsible for remitting the sales tax: the vendor, an app store or sales platform, or the creator of the digital good?

The person responsible for remitting sales tax is exactly the same under the MFA as it is under current state law. The question under state law remains as it always has: who is making the ''sale'' as defined in state law? The party making the ''sale'' first collects and then remits the tax.

16) Some states, like Maryland have different sales tax rules for goods that are priced under one dollar. For example:

Effective January 3, 2008, the Maryland sales and use tax rate is 6 percent, as follows:

1 cent on each sale where the taxable price is 20 cents.

2 cents if the taxable price is at least 21 cents but less than 34 cents.

3 cents if the taxable price is at least 34 cents but less than 51 cents.

4 cents if the taxable price is at least 51 cents but less that 67 cents.

5 cents if the taxable price is at least 67 cents but less than 84 cents.

6 cents if the taxable price is at least 84 cents.

On each sale where the taxable price exceeds $1.00, the tax is 6 cents on each exact dollar plus:

1 cent if the excess over an exact dollar is at least 1 cent but less than 17 cents.

2 cents if the excess over an exact dollar is at least 17 cents but less than 34 cents.

3 cents if the excess over an exact dollar is at least 34 cents but less than 51 cents.

4 cents if the excess over an exact dollar is at least 51 cents but less than 67 cents.

5 cents if the excess over an exact dollar is at least 67 cents but less than 84 cents.

6 cents if the excess over an exact dollar is at least 84 cents.

If Maryland, or states wishing to follow suit, do not comply with SSTP or the minimum simplification requirements included in MFA, can they tax low-cost goods in this way? This applies in particular to digital goods like apps and songs. Does the MFA require simple, flat taxes for low cost and digital goods?

The MFA does not require states to adopt the SSUTA. In fact, the legislation does not require states to do anything. However, states must adhere to the simplifications and protections provided in the MFA if they choose to simplify their tax systems and require remote sellers to collect state taxes.

The table reproduced above is an if/then statement of the kind that computers have been able to process for decades. In other words, this apparently complicated rounding method isn't complicated at all for computers to process.

Thank you for giving us the opportunity to respond to your questions. We look forward to working with you to address these issues as we move forward with the enactment of the Marketplace Fairness Act.

Sincerely,

MICHAEL B. ENZI,
U.S. Senate.
LAMAR ALEXANDER,
U.S. Senate.

Mr. ENZI. I would encourage everyone to read the bill. It is short—11 pages. You don't see many like this. You can see through that; right? It is a bill you can read from beginning to end and you can understand what it does, which is very unusual for Washington. It is not like a lot of bills that simply make changes to other bills and require you get hold of those other bills and read them to figure out what is going on. This bill is straightforward.

If a State meets the simplification requirements outlined in the bill, it may choose to require collection of sales taxes that are already due. Congress is not forcing States to do anything. And if States do act, they are collecting taxes already due by consumers—folks such as you and me.

One of the issues that received much attention while debating this bill the past few weeks is the issue on audits. There is some concern small businesses will be subjected to onerous and time-consuming audits by State and local governments if those governments start requiring they collect sales taxes on these remote sales. It is critical to keep in mind that sellers that have under $1 million in remote sales in 1 year are not required to collect and

would not be subject to an audit from any out-of-State government.

In order to obtain authority to require remote sellers to collect, and therefore even have the potential of being audited by remote governments, States either must join the Streamlined Sales Tax and Use Agreement—and I will refer to that as the Streamlined States—or they can simplify their tax structure by creating a single entity within the State responsible for all State and local taxes and use tax administration and audits; establishing a single audit statewide; limiting collection to a uniform State and local tax base; allowing a single sales and use tax return; and providing the program to figure the tax with no liability to the retailer and, therefore, no need for an audit.

For States that join the Streamlined Sales Tax and Use Agreement, a remote business would only be subject to a single audit for participating streamlined States, eliminating the possibility of audits by local governments and the probability of an audit.

For States that do not join the streamlined States but choose to participate in the alternative simplification system outlined in the bill, a business would also be limited to a single audit, per State, per year.

Practically speaking, there is no possibility that streamlined States or nonstreamlined States would ever be able to perform significant audits of remote sellers.

Today, the States audit less than 1 percent of retailers inside their borders. Auditing remote sellers would require additional resources and travel and is simply not a realistic possibility.

For audits that are performed under the new system, the Marketplace Fairness Act demands that States adopt uniform audit procedures which would simplify and reduce business administrative expenses.

Sellers who use the certified sales tax administration software would either not be audited or would have limited scope audits to determine that the software was properly installed.

In addition to the audit protection the Marketplace Fairness Act provides, participating States are required to establish and maintain an accessible database of geographically based tax rates and tax base information to make it easier for remote sellers to collect taxes. These states are also required to hold those sellers harmless for errors in the database.

Compared to today's sales tax administration, where sellers are expected to research and comply with tax rate and tax base information and to understand jurisdictional boundaries without help from the state and local governments, the Marketplace Fairness Act dramatically reduces administrative burden and audit risk.

Some opposed to this bill go so far as to say that this potential overreach of State and local governments will lead to taxation without representation. The Marketplace Fairness Act includes significant benefits for remote sellers, including limits on audits, liability protections, and tax and administrative simplification. The tax is imposed on the consumer by the State where they reside pursuant to tax rates and a tax base established by the State and local governments. This serves as the ultimate check on excessive taxation. Because this tax is imposed on the consumer, there is no danger of taxation without representation.

Another concern raised by a few of my colleagues is that businesses will leave the United States, set up shop outside our borders, and sell into the United States, presumably only because of a sales tax collection requirement. It is important to note that States currently enforce collection of State taxes against foreign businesses with no physical presence in the United States, and have a number of methods to compel collection by foreign sellers, including liens, levies, and seizure of assets. The Marketplace Fairness Act treats foreign corporations the same as it does domestic corporations. All online retailers that make over $1 million in remote sales, regardless of where the retailer is located, must collect and remit sales tax to States that require it.

I would say this. No one works on a bill such as this, works on it 12 years, as a popularity contest. You have to be doing what is right. I have listened to the people, talked to the people, and know this is something that is going to be necessary to keep Main Street in business so people will have the ability to go to the store and make a selection and try the goods, feel the goods, and know it is right and that retailer is not going to have to worry about the person using their iPhone to get the barcode and order it from somebody else because of a sales tax difference. That is what will keep Main Street viable and the downtowns making it look like there is a growing community.

In conclusion, I thank everyone associated with this bill for their hard work and efforts in getting us to this point. I thank Senators ALEXANDER, DURBIN, and HEITKAMP for their unwavering support of this bill and moving it forward in the Senate. I thank all of the cosponsors of the bill. I very much appreciate their support. I thank all the businesses, the trade groups, the constituents who provided constructive feedback as we have attempted to address, as best we can, all the concerns that have been raised.

I thank all of the staff who have worked on this issue—on my staff, my legislative director Randi Reid. She has worked on this as long as I have. She is probably, on the Hill if not the country, the expert on marketplace fairness or any of the other titles this kind of bill may have had.

I also thank my tax counsel, Eric Oman; Corey Tellez, Beth Cook, Dena Morris, Reema Dodin, MJ Kenny; Ben Garmisa on Senator DURBIN's Staff; Allison Martin, Michael Merrell, and David Cleary on Senator ALEXANDER's staff; Jillian Fitzpatrick on Senator HEITKAMP's staff; and all of the staffs of the bill's cosponsors and all of the people in offices that have been taken into the process so we could get the process to work. It is always a team effort, and it takes more than ones who are just leading the effort. I know there are an immeasurable number of hours they have put in on this issue and I thank all of them for their hard work.

I look forward to continuing to work with my House colleagues, Congressman WOMACK, Congresswoman SPEIER, Congressman CONYERS, and Congressman WELCH, as they push forward to the House passage of the Marketplace Fairness Act.

I also thank Senator DURBIN for all of his energy on this bill, the perspective he was able to bring to the bill and his tremendous ability to communicate the issues. I thank Senator ALEXANDER. We were working on a much bigger bill until Senator ALEXANDER lent some expertise to make this a much simpler one, one that is completely readable and only 11 pages.

I think that covers most of the objections. There will be some from the States that do not charge a sales tax at all because if their businesses exceed $1 million in on-line sales, then they will have to. If they sell into States that collect the sales tax, they would have to participate in the collection of that.

As we push forward with House passage of the Marketplace Fairness Act and as we finish in the Senate tonight, as I am confident we will, I thank all who are participating in it, particularly the people of courage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, today the Senate is voting on whether to take a few more inches off the little guy. I say that because we can tell what this debate is all about by looking at the morning newspaper. All over those newspapers we saw ads taken out by some of the biggest businesses in the country. It is pretty easy to see why. It is because with this vote for the so-called Marketplace Fairness Act, what we have is big businesses being given the ability to force—force, mind you—new regulations onto the startups, onto the small businesses. That is what this bill has always been about.

The big businesses have physical presence. They already pay taxes. The people whom we have said we care about, for the last 15 years, are the startups, the people who are just trying to get off the ground, who have the dream of one day being big. With this proposal that we will vote on in an hour, I fear what we are going to do is crush a lot of those startups, a lot of those small businesses, because not only will they have new regulations,

those small businesses will have new legal regimes, new audits by out-of-State regulators, new legislators, new Governors, new court systems, new accountants, new software, new consultants, and new lawyers. What I hope we will do is ensure, as this process goes forward, that we truly think through the implications of what is being done because on every count it is coercive and discriminatory in nature. It, in fact, gives a leg up to foreign retailers. It, in effect, repudiates a lot of what we have done over the last 15 years to build a sensible policy that will ensure what I call prosperity for both bricks and clicks.

I am sure that is what the Presiding Officer of the Senate wants. It is what we want in Oregon. We want our brick-and-mortar stores to prosper. We want our online stores to prosper. What this bill does is it precipitously overturns the law of the land, the law of the land upheld by the Supreme Court. It would, in unprecedented fashion, stipulate that State and local governments have taxing authorities over businesses that are located thousands and thousands of miles away.

The sponsors are quick to point out that the Court allowed that Congress could enact this sort of extraterritorial taxation. But as the Senate has seen again and again, just because government can doesn't mean government should.

We are going to continue this debate. It will not be done today. One of the central discussion points in this debate going forward will be the damage this bill, in its present form, does to the idea of State sovereignty. Proponents of the bill say the measure is about promoting States rights, but the reality is it is a coercive affront to State sovereignty. If any State does not wish to subject their business to out-of-State government tax collectors, the MFA tells them in effect: Get lost. The MFA enables the State of Indiana or the State of South Dakota to require online businesses located in New Hampshire to collect sales taxes on their behalf. I will repeat that. This so-called Marketplace Fairness Act could require New Hampshire, a State that does not have a sales tax—require New Hampshire businesses to collect sales taxes for goods and services provided to consumers in Indiana and South Dakota and send that money to those States. It enables California and New York to collect taxes from businesses located in Florida or Texas.

Finally, since I know we are in morning business, I think this steers the Internet toward a dangerous path. It would, in effect, endorse the notion that Internet entities should be required to enforce laws outside their home jurisdiction. Foreign countries have long pressed that notion. Foreign countries have specifically pushed that notion, that the Internet ought to cede to their control. As it is already, many countries are seeking to put the United Nations in charge of the Internet's regulator-in-chief, and essentially, if we look at the philosophical foundation of this proposal, it endorses that world view.

The Senate is being asked to consider schemes to allow States and localities to essentially nationalize their taxes, but tomorrow the Senate may be asked to consider similar schemes to enforce law and regulations. I will tell you what truly concerns me about this is it could be laws and regulations about content and other issues that are important to the powerful and well-connected. Make no mistake about it, that is who is pushing this bill today.

Open those morning newspapers and it was not the little guy, the person who does not have PACs and big political committees who was buying ads in the morning newspapers, it was the powerful and the well-connected. It seems to me the last thing this body should do is jeopardize the democratizing power of the Internet and technology through legislation such as this.

I believe the substance of this bill is deeply flawed. I know there have been efforts to improve it.

I see my colleague from Illinois. He wanted to take the bill I wrote years ago, the Internet tax freedom legislation, along with colleagues from both sides of the aisle, and he wanted to put it into this bill. The Internet Tax Freedom Act runs contrary to this bill because this bill allows discrimination.

It specifically allows online retailers to do things that would not be required for offline retailers. The offline retailer doesn't have to chase somebody across the country and try to figure out where they are going to consume a particular product. We ask for things from online retailers that we do not ask from offline retailers.

I understand why the Senator from Illinois wanted to take a bill that has been a big success for both bricks-and-clicks retailers and put it into this bill. In effect, I compared it to trying to dump sugar into a very bitter cup of coffee.

We cannot get healthy with this bill in its present form. It is a deeply flawed piece of legislation. This debate is going to continue.

I urge colleagues to vote no on the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from Oregon for coming to the floor and stating his position on the bill. For those who follow the Senate, we are about to see something that is historic, precedent setting, and nothing short of remarkable in an hour and a half. The Senate is actually going to vote on a bill.

Those who are watching this program on C–SPAN or from galleries may actually see 100 Senators—or close to that number—come to the floor, vote, and perhaps there will be a bipartisan majority supporting the bill. At least that is my hope.

I have joined with Senator ENZI, a Republican from Wyoming; Senator ALEXANDER, a Republican from Tennessee; and Senator HEITKAMP, a Democrat from North Dakota, in a bipartisan effort to solve a problem. It was a problem not out of our creation, it was a problem that came about because commerce has changed in the United States.

Twenty years ago the State of North Dakota went to the Supreme Court and said: We want to collect sales tax from remote sellers. Twenty years ago these were mainly catalog sales. It would give a company that made a catalog sale in the State of North Dakota the ability to collect sales tax.

Nearly 21 years ago the Supreme Court—across the street—said in the Quill decision: We are not going to rule this from the Court. It is up to Congress to write the law.

Well, in lightning-fast speed—the kind of reaction we have come to expect—21 years later, here we are actually debating the bill. We may actually vote on it in an hour and a half.

What is it all about? It is about the way commerce has changed in America. Let's think about it. When did anyone here first make an Internet purchase? Virtually all of us have. I remember doing it and saying: I wonder how this is going to work. They are going to take it off my credit card, I am going to receive this in the mail or UPS will deliver this book from Amazon. Well, it worked out pretty nicely, so I did it again. I bought clothes from Lands End, along with some other things, and pretty soon I am an Internet purchaser.

Well, it turns out there was something going on I didn't know about. In my State of Illinois—and 45 other States—I have a legal obligation to pay sales tax on what I purchase on the Internet. Most people don't know it. It is on the State income tax form, and at the end of the year in Illinois—and many other States—each taxpayer is asked to itemize how much they owe for sales tax to, for instance, the State of Illinois for purchases that were made on the Internet.

A year ago my bookkeeper brought it to my attention and said: Senator, do you want to pay this? I said: I think I should. I started making calculations of what it was. It was my best estimate, and I paid it. It turns out only 5 percent—1 in 20 taxpayers in Illinois—make that payment.

Now repeat that story for 45 States and we will find that so many residents of States—whether it is Maine, Illinois, or California—may have a legal obligation to pay sales tax on their Internet purchases, but they don't do it.

As a result, less money is going into the States, the counties, and the localities that have the sales tax revenue coming their way, but something else has happened that is very significant. The competition of the Internet retailers is a disadvantage.

Unabridged Bookstore is on Broadway in the city of Chicago. It is around

the corner from where my wife and I reside in Chicago. Unabridged is a great bookstore, and I love bookstores. I make a point of going in there. I went in there last Friday, bought a couple of books, and paid my sales tax to the State of Illinois.

As I mentioned earlier, I also buy books on Amazon. Sometimes they collect sales tax and sometimes they don't. It depends on whether the actual seller of the book is a store in Illinois, for example.

So what is the difference? Well, the difference is about 8 or 9 percent on what a purchaser pays for a book. When I bought the book at the store on Broadway—where they are collecting the sales tax as they are required by law, where they pay property tax as they are required by law sustaining the great city of Chicago and all of its services—I paid more than I might have on the Internet.

Here is what this bill says: States can now require the Internet retailers to collect the sales tax at the point of purchase and to remit those proceeds back to the States. So, for example, if Amazon, which supports this bill, sells a book to me in Illinois, they can collect the sales tax and send it to Springfield, the Illinois Department of Revenue. It is just that simple.

As far as the way they collect it, this bill requires that the Internet retailers be given the software they need so when I put in my address either in Chicago or Springfield—I have two places in Illinois—the address is going to identify how much tax is owed. It is not as dramatic and complicated as some on the Senate floor have suggested. In fact, it is done every single day.

What if we don't do it? What we are going to find is that stores that sell books, running shoes, bicycles, and appliances are at a distinct disadvantage. They become showrooms, and they tell a story.

This is a Lacrosse store, and they are going out of business. They sold sporting goods and soccer gear in the suburbs of Chicago. They could not keep up with it anymore because people were coming in and they were showrooming. Potential customers would come into the store and say: I am looking for running shoes, and I cannot decide if it is Nike or Adidas. Can you bring out a few boxes? How about different colors? Let me try a different size. OK. This is perfect. Let me write this down.

Everyone knows what happened next. They walked out of the store, ordered it on the Internet, and paid no sales tax. That is what this store, and many like them, are competing against. We are trying to solve this once and for all, and we have done it in a way I think is fair.

We took a bill that was 80 pages long and turned it into 11 pages so it is simple to follow. We made it easy for the retailers in terms of the software they need to make this collection, and now across the United States there will be a standard which will help a lot of retailers. Sure, it is going to help the biggest ones. I will not make any bones about that. Of course it will. It will help the small ones too such as the Unabridged Bookstore and businesses such as the Lacrosse sporting goods store. They will be helped in the process too. They create jobs. These are entrepreneurs which sustain our communities.

When it comes to things we need in our neighborhood or town, we go to the small stores and ask if they will buy an ad in the church program or support the local baseball team. They are citizens and residents of the community. They are part of the community. This bill is trying to make sure they have a fair and level playing field when it comes to competing. That is what this is all about.

Some may wonder why we have such opposition. The Senator who spoke before me is from the State of Oregon. Oregon is one of five States in the Nation with no State sales tax. For the record, they are Alaska, Oregon, Montana, New Hampshire, and Delaware. Of those five States, four of those States—all eight of those Senators—are actively opposing this bill.

What does it come down to? If this bill passes, will the people of Oregon, who currently have no sales tax, have to collect sales tax from the residents of Oregon? No. Not one penny of sales tax will be imposed on any State where they currently don't have a sales tax. The residents of Oregon will not have to pay sales tax at the counter or over the Internet. It will not apply.

However, the three or four—and there are only three or four companies—Internet retailers in California that want to sell in California, Washington, Maine, and Illinois will be collecting sales tax based on their sales in our States only. That is fair. It doesn't change an Oregonian's sales tax responsibility at all. So for three or four retailers, the argument is being made: Don't change the law.

Just how many Internet retailers are we talking about? We put an exemption in this bill and said: If you had less than $1 million in Internet sales last year, you don't have to collect sales tax this year. What does that $1 million mean? Well, if we set that number at $150,000 instead of $1 million, we would have exempted 99 percent of all the Internet retailers.

What it comes down to is this bill will affect the big boys, such as Amazon and eBay—the big ones. They can certainly—and already do in many instances—collect the sales tax. It does not affect the small Internet retailers, particularly in States that are complaining the most about the passage of this legislation.

I think this is an important measure in terms of leveling the playing field for retailers across America, and it is long overdue. It is bipartisan, and it has the support of the White House. It has the support of the retail community. Stores large and small all across America support this legislation. It has the support of virtually every level of government beyond the Federal level.

All the Governors and mayors in all the different localities—virtually all of them—support it. The labor union supports it as well because money coming back into these States and communities will be used for the good of the people who live there. I don't know about many States, but in my State they are struggling in terms of coming up with enough revenue. This bill will help provide some of the revenue my State needs to deal with some of these problems.

I would like to mention one other issue that was brought up Friday morning by the Wall Street Journal. The Wall Street Journal talked about the number of audits an Internet retailer might face if this bill passes. They suggested—I think improperly in their editorial—that it could be an onslaught of audits. We made it clear—and Senator ENZI said on the floor, as I have—that we are talking about one centralized audit for each State.

It would not be a matter of harassment. At most there would be some 45 audits which these Internet retailers would face. I hope that can be made extremely clear.

I have listened to a lot of speeches on the floor against this measure, and virtually every single one of them has been from a State with no sales tax. My final plea is to the people of Oregon, Montana, New Hampshire, Delaware, and Alaska. If this bill passes, they will not have to pay any new sales tax. This bill creates no new Federal tax and does not create new sales tax anywhere in the United States. It only has a method of collection for those sales taxes that already exist in the States across the Nation.

I hope we can get a good, strong bipartisan vote so we can send it to the House, and I hope they will take it up. It is a timely and important measure. After 21 years I think we have thought it over enough. It is time to act and do something to resolve the issue. This will help small businesses and local governments across America where this revenue will play an important part in their future.

I believe all the speeches I have heard about the value of small business, the value of entrepreneurship, and how important it is to create jobs at the local level. This will be a test vote this afternoon. In fact, we will have a couple of votes. First, there will be the managers' amendment. It is generally an amendment where we look closely and carefully at every single sentence in the bill. We made some slight variations. There were no major changes in the substance of the bill that was originally introduced. However, it is a cleanup amendment, which shows that even with our best efforts, we can improve, and I think that is important. Second, there will be the vote on final passage on the bill.

The last point I want to make is one I expect to hear from my friend from Oregon, Senator WYDEN—and he is my friend. He feels passionately about the Internet, and he should. The Internet has changed America. It has changed the world. It has changed the way we live, the way we research, the way we read books, the way we shop, and so many other things.

Senator WYDEN talks about the virtual issue of the sanctity of the Internet. I could not agree with him more. We have to make sure we preserve some very basic things about the Internet. One of the things we need to preserve is access to the Internet. What if we had to pay a tax every time we went online? That would be awful. So we had an amendment from Senator PRYOR of Arkansas and Senator BLUNT from Missouri which said access to the Internet cannot be taxed. It is called the Internet Freedom Act.

I said put it on here. I agree with that. Let's make it clear that nothing we do here will in any way inhibit a person's access to the Internet.

It is a bill which, frankly, Senator WYDEN had introduced, but because of the nature of this political debate, he objected to our putting an amendment on the bill. I am sure he still supports that bill in principle. This was an effort by us to make it clear that we want to protect access to the Internet and in so doing make sure we also protect something that is fundamental in this country: an opportunity for real competition and a level playing field for all manner of business, large and small, across America.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. 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. ALEXANDER. Mr. President, we have an opportunity to vote today on an important piece of States rights legislation—at least that is the way I look at it as a former Governor of Tennessee.

Here is what the legislation does. It is called the Marketplace Fairness Act. There are many reasons to support it, but the reason I like it is because it gives Governors and legislators the opportunity to decide for themselves whether they can require out-of-State sellers to do the same thing in-state sellers are required to do; that is, to collect the sales tax already owed.

Let me say that again. This legislation is States rights legislation. It allows Governors and legislators in Maine or Tennessee or wherever—Illinois—to decide for themselves whether they want to require out-of-State sellers to do the same thing in-state sellers already do, which is to collect the sales tax that is already owed when something is sold. That is it.

Before I went back to Tennessee, some people here were saying: We don't trust the States to make this decision. I think I know the answer to that from Tennesseans. I have spent the last week going from one end of our State to the other. Everywhere I have gone, I have asked a question. I said: There are some people in Washington who said they trust Washington to make a decision more than they trust Governor Haslam and Speaker Harwell, Lieutenant Governor Ramsey, and the Tennessee Legislature to decide what to do about taxes.

The last time I checked, Tennessee had an AAA bond rating, no State road debt, one of the lowest tax rates in the country, and was named the second freest State in the country. And the last time I checked, Washington, DC, was running up $1 trillion of debt and more every year. Nobody in Tennessee trusts Washington more than the Governor and State legislature to decide what to do about taxes, particularly when it comes to whether we are collecting a tax that is already owed.

This is such an obvious piece of legislation that many of the opponents have resorted to interesting arguments, let's say, in opposition to it.

It has been said that the bill should have gone through committee. Well, it went to committee, but the chairman—a very respected Member of this body—doesn't like the bill, so he didn't report it to the floor. So that is why it didn't get out of committee.

They have said it should have more amendments. All of us, particularly on our side of the aisle—we are in the minority—would like to have as many amendments as we can. But there is one reason this bill didn't have amendments, and that is because opponents to the bill objected to every single amendment, every single one, even amendments they support. Senator PRYOR and Senator BLUNT offered a 10-year extension of the moratorium on Internet access taxes, and the Senator from Oregon objected to that even though he wrote the original act.

Some have suggested that what we are talking about is a tax on the Internet, but every Senator knows there is a law against a tax on the Internet.

Some have said: Well, it is a new tax. But of course it is not. It is an existing tax. One of my colleagues over here said that the only thing he hates worse than a tax is somebody who doesn't pay a tax that is owed. This is a tax that everybody owes that only some people pay. What we are trying to say to the Governor of Maine or to the Governor of Tennessee or to the Governor of Illinois is this: You can decide for yourselves, without playing ''Mother May I'' to Washington, DC, whether a State wants to treat some taxpayers one way and some another way, some businesses one way and some businesses another way.

Then there are some who say it is too complicated. Well, this is how complicated it is. If I order ingredients to make ice cream over the Internet from Williams-Sonoma, I put in my name, my address, and my ZIP Code, and the software figures out the sales tax, collects it, and sends it to the State of Tennessee, how hard is that?

I guess the complete answer to that is that a majority of Internet sales today collect the sales tax that is owed. If it is so hard, how are they doing that? Let me say that again. A majority of the retailers that sell over the Internet today collect the sales tax when it is owed using the software that is as simple as looking up the weather on a person's computer. I look up the weather in Maryville, TN. I type in my ZIP Code, and I type in ''weather,'' and it tells me the weather. That is about how easy this is. A majority of the retailers that sell over the Internet today collect the sales tax when they make the sale, so it can't be not only impossible to do, but it is not hard to do.

Then there are some who say conservatives aren't for this. One of the leading proponents of this legislation is the chairman of the American Conservative Union, Al Cardenas. He sent out an e-mail last week, and he sent out another one today.

> Dear Senator: As you continue work next week on the Marketplace Fairness Act, I would like to call your attention to what conservatives are saying about this issue. They recognize as I do that it is not the role of government to pick winners and losers in the marketplace by requiring brick and mortar stores to charge a sales tax while exempting Internet sales.
>
> Sincerely, Al Cardenas, Chairman, American Conservative Union.

He included in his e-mail—I received this e-mail—the comments of Charles Krauthammer, a conservative if there ever was one.

> The real issue here is the fairness argument—that if you're an old-fashioned store, you have to have your customers and you pay the sales tax and online you don't . . . So I think you want to have something that will level the playing field. You can do it one of two ways. You abolish all sales tax for real stores and nobody pays. Or you get the Internet people to pay the sales tax as well. I think the second one is the only way to do it, obviously.

Representative PAUL RYAN—he was home this past week too. He was in Janesville, WI. He is a pretty good conservative, last time I checked. I don't go around making a list of who is a good conservative and who is a bad one. I just think most people in America think of PAUL RYAN as a conservative, just as the chairman of the American Conservation Union does.

Representative PAUL RYAN:

> To me, I think the concept is right . . . It's only fair that the local brick-and-mortar retailer be treated the same as the big-box online sales company out-of-State.

Lest one think the chairman of the American Conservative Union and Charles Krauthammer and PAUL RYAN are all on another planet somewhere,

here are a few other conservatives who agree with him: William F. Buckley before he died wrote extensively about this; Republican Governors Bob McDonnell, Chris Christie, Robert Bentley, Paul LePage, Bill Haslam, Butch Otter, Terry Branstad, Rick Snyder, Mike Pence, Tom Corbett, and Dennis Daugaard of South Dakota.

This is common sense. This is fairness. This is States rights.

For the life of me, as a former Governor, I do not understand how Congress can say to the conservative Republican Governor of Tennessee, the conservative Lieutenant Governor of Tennessee, to the conservative supermajority Republican legislature: You have to play ''Mother May I'' with Washington, DC. We don't trust you to make decisions about your own tax policy. We think Washington does a better job.

That is laughable. That is just laughable.

What we are doing with this bill—and I will conclude with this—is very simple. It is two words: States rights. It allows our State of Tennessee, our Governor and legislature, to make a decision: Will they decide to require out-of-State sellers to do the very same thing they require in-state sellers to do; that is, collect the sales tax when they sell an item and remit it to the State government? It is a tax that is already owed. It is not a tax on the Internet. It is a tax some people are paying and other people aren't even though they owe it. It discriminates against mom and pop small businesses.

This bill only applies to large retailers—those that sell more than $1 million in remote sales each year.

To the charge that it is too complicated, how could it be too complicated if a majority of Internet sales being made today already collect the sales tax?

All we are saying is that the Governor and the legislature may wish to say to all taxpayers: If you owe the tax, you are going to need to pay it, and if you pay it, we can lower the tax rate for everybody in this State.

I thank Senator DURBIN and Senator ENZI for their leadership and bipartisan support. I regret that we didn't have more amendments, but the opponents used as their tactic to try to kill the bill—which I hope won't be successful—their right to object to every amendment. We can't do much about that.

So after the bill passes, which I hope it does tonight, the House will consider it, and I am sure they will come up with their version of the bill, and we can go to conference and we can pass the Marketplace Fairness Act, a States rights bill that, in my view, is exactly what conservatives hope would happen.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the 20 minutes prior to the vote, which is scheduled at 5:30, in relation to amendment No. 741 be equally divided between the proponents and opponents, with proponents controlling the final 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to speak out against the so-called Marketplace Fairness Act. In my view, during a time of economic challenge, as we are in today, the very top priority of every elected official, whether Republican or Democrat, should be to restore economic growth, to get our economy moving, to get back to the economic dynamism, the economic strength that has lifted so many millions out of poverty and toward the American dream. This bill, if enacted into law, would hurt economic growth and would be a mistake.

First of all, more taxes will hurt economic growth, and this bill, if enacted, would in effect create a national Internet sales tax. It would subject small online retailers to paying taxes in 9,600 different jurisdictions all across this country. At a time when so many are hurting, we should be discussing how to reduce regulatory burdens on small businesses and how to reduce tax burdens on small businesses, how to reduce the complexity of taxes on small businesses, and this bill goes in exactly the opposite direction.

In particular, those who will be hurt the most by this bill if it is passed are small mom-and-pop retailers online. The threshold for this bill is $1 million in gross online sales. That is not profit; that is $1 million in total sales, gross sales, and $1 million for a starting business is not a terribly high threshold for their gross, not their profits. That has to cover the costs and all expenses of the business. It has to cover any salary, any rent, any Web costs, communications, travel, accounting, legal services, plus the costs of goods sold. These small- and medium-sized businesses would suddenly find themselves subject to 46 different States and 9,600 local jurisdictions. They would find themselves having to pay tax filings, potentially, in all 46 States monthly or quarterly and to be subjected, potentially, to audits from each of these local counties, each of these local municipalities.

I have with me here today a listing of all of the tax rates of these 9,600 different jurisdictions. It is truly indecipherable, that you can look and pick any State and get the county and see the different tax rates. Indeed, in a lot of counties—for example, I just opened this at random. In Colorado—which I happened to open it to—if you look in Taylor Park, if it happens to come from the 81210 ZIP Code, the tax rate is 4.5 percent, but if it is in the same county that comes from the 81230 ZIP Code, the tax rate is 8.25 percent.

Small businesses—a small mom-and-pop just getting started on the Internet would be required to comply with all of these taxing jurisdictions, to send the taxes to all of these taxing jurisdictions, and to be subject, potentially, to audits from 9,600 taxing jurisdictions. That makes no sense.

I wish to point out also that this is not fundamentally about fairness. The proponents of this act point to small mom-and-pop stores that are their bricks-and-mortar retailers. But those are not the main proponents of these bills. A small bricks-and-mortar retailer right now is losing sales primarily to two different sources: No. 1, big-box bricks-and-mortar retailers. They are losing a lot of sales to big-box large retailers. This bill does nothing about that. No. 2, they are losing substantial sales to large online retailers, the giant corporations.

But here is an interesting statistic. Nine of the ten largest Internet retailers are already paying sales taxes in all 46 States that have sales taxes. Why? Because they have a physical presence in the State.

What the Supreme Court has said is, if you are physically in a State, the State can force you to collect its tax. But if you are not physically there, the Constitution does not let you haul someone in from a distant State and force them to collect your taxes because you do not have any accountability to those individuals in a distant State.

In terms of the small mom-and-pop retailers, they are losing their sales to the big-box and big Internet retailers, all of whom are already paying these taxes.

So what do we have here? We have a bipartisan coalition, unfortunately, that it appears is going to pass this bill in this Senate. But the coalition is driven by the fact that you have big business united. You have the big business bricks-and-mortar companies and the big business online retailers all together because the impact of this bill is to hammer the small business online retailers, to make it harder for the little guys to compete. So you see a strange alliance here in Washington, but one that I think is exactly backwards of what we ought to be doing.

I think it is fundamentally unfair to ask a Texas business to collect taxes for California Governor Jerry Brown or for New York City Mayor Bloomberg and a nanny State, in particular, because they cannot hold those politicians accountable. They do not have a presence there. They do not vote there. They do not have influence there. But yet they are being dragooned into collecting those taxes. I think that is fundamentally not right.

Let me give you an example of how this will hurt small businesses. There is a woman in Texas named Ann Whitley Wood who wrote a letter to our office. She lives in Dallas and had created an online consignment store. Even though it is largely a one-person operation, she may come close to doing $1

million in sales—which, keep in mind, are not profits; those are gross sales. Her letter said:

> Legislators must understand that it is both possible and common for a small seller like me to reach about $1 million in sales with a near-one person operation.

She estimates it could take her 6 weeks a year to comply with the sales tax procedures for all of the collecting States. That impact on a small business is crushing. A giant corporation has accountants, has lawyers, has people designed to deal with that. For a small business, it hits them in particular.

I point out even more fundamentally, the Internet has been this incredible haven of entrepreneurial freedom. It has enabled people to start businesses with nothing, out of their garage, and sell all over the world. It has transformed the ability for single moms and Hispanics and African Americans and people with nothing to go and start a business. Because it used to be that you needed this big distribution network, you needed warehouses, you needed trucks, you needed all of this, so it was difficult for someone to start a small business.

The Internet has transformed all of that. There are 2.3 million Hispanic small business owners. The Internet has been critical to their being able to open those small businesses because it lets them communicate with the world and get their products out.

I believe the Senate should treat the Internet as a safe haven, that it should be treated as free from taxes and regulations that would hamper the entrepreneurial spirit and make it harder for the little guy, for small business to be created, to grow, and thrive. When they become gigantic corporations, they will have a physical presence in the State, and then they will be subject to the taxes. But do not hit them when they are getting started on the Internet. I think it would be absolutely foolish to do anything to impinge on the entrepreneurial freedom of the Internet.

In conclusion, I want to say three very simple things.

No. 1, in my judgment, we should not be taxing the Internet, period. No. 2, we should not be increasing the burdens on small businesses, particularly at a time of economic challenge, period. And, No. 3, we should not be favoring politicians and big business at the expense of the little guy, at the expense of the single mom trying to start a small business to feed her kid, at the expense of the Hispanic immigrant trying to start a small business and work toward the American dream.

We should not be standing with politicians looking for more tax revenue and big businesses looking to make it harder for their competitors to survive. Instead, we should stand up with the little guy, the small business, with the American people.

I urge the Senate to reject this bill. If the Senate does pass it, I would urge the House to listen to the American people and reject the bill as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I think we only have 2 or 3 minutes before the 20-minute period that has been reserved equally for both sides. I wish to use those 3 minutes to respond directly to my colleague from the State of Texas.

The first thing he says is, do not tax the Internet. Good news. I just went through the entire bill. There is no tax on the Internet in the bill, none. So we have taken care of point No. 1. In fact, we wanted to add the Internet Freedom Act here, which would have said expressly: We will continue the prohibition against tax on the Internet, and it was objected to by one of the opponents of this bill.

The second thing he says is, do not put a burden on small businesses. I would say to my friend from Texas, what about the small business that does not have Internet sales?

You have just put a burden on them because they cannot compete with Internet retailers that do not collect sales taxes.

I might say also, when it comes to small business exemptions, we exempt those with sales of $1 million or less in the previous year. That exempts 99 percent of all Internet retailers. The small businesses—the Hispanic and non-Hispanic businesses—collect sales taxes in Texas on the first dollar of sales. We exempt $1 million in sales for their competitors in Internet retail.

The final thing the Senator says is, do not favor large businesses. The coalition supporting this bill includes the smallest businesses, the mom-and-pop businesses. Of course, it includes the big-box stores and the big chains. But it goes all the way down the line. They are all in competition.

What we have put in here, with this exemption, exempts 99 percent of all online retailers. When the Senator says he looks at 9,600 different taxing jurisdictions and cannot figure out how in the world we are ever going to figure this out, I refer him to page 3 of the bill. Please start reading at line 14 through 24, where you will see that we expressly provide there must be a single entity within the State responsible for all State and local sales. So you are not going to have 9,600. You are going to have, at most, 45 separate entities—the 45 States with sales taxes—as well as audits; one audit from the State, a single audit.

We do not want to put a burden on any businesses—large, small, Internet or not—but we do want to level the playing field.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate equally divided.

Who yields time?

If no one yields time, the time will be charged equally.

The Senator from Illinois.

Mr. DURBIN. Parliamentary inquiry: I believe the order suggests that the time is equally divided between the opponents and proponents, and the opponents have the first 10 minutes and the proponents the final 10 minutes. So I would ask the Chair to clarify his ruling.

The PRESIDING OFFICER. The Senator is correct.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor again this afternoon to continue my opposition and concerns about the Internet sales tax legislation that has been submitted.

I appreciate that we are going to vote on this bill in a few minutes, and I appreciate that I am probably going to lose. But I do think it is important to raise these concerns again because I think we have to take a look at the issues that have been raised and see if there are any ways to address them.

There are a number of problems with the bill that in my State of New Hampshire—which has no sales tax—makes it anything but fair. In fact, it creates an unfair situation for small businesses in a number of ways.

First, it is unfair for businesses in my State of New Hampshire and the four other States in this country that do not collect a sales tax. We did not have an opportunity to address this issue through amendments. I think it is not fair for us to pass a bill out of the Senate that fundamentally makes an impact on businesses in States where we have no ability to address the imposition of these taxes.

I also think we should not pass a bill that is going to create unnecessary new redtape for small companies across the country. One of the real benefits of the Internet has been the innovation and the job creation it has spawned. What this legislation does is put in place redtape that is going to put small companies that sell online at a severe disadvantage, making it harder for them to compete with large online retailers.

As a former small business owner myself, I know how time consuming regulations and compliance can be. Make no mistake about it, we are creating a bureaucratic morass for small businesses under this legislation. Small companies will be looking at complying with 46 different State laws. They are going to face audits or lawsuits, potentially, in some of these States.

Small business owners, who are working hard to grow their companies, do not need additional paperwork to distract them from running their companies. I fear that is what this bill will create. I urge my colleagues to take another look and see how we can address those concerns.

I yield the floor.

Mr. LEVIN. Mr. President, the Marketplace Fairness Act is designed to address a simple problem—a significant loss in States' sales tax revenues arising from e-commerce.

Generally, retail businesses are required to collect and remit sales and use taxes on qualifying merchandise or services. While most States require consumers to remit use taxes for purchases from out-of-State vendors, compliance is extraordinarily low as States cannot legally mandate the collection and remittance of taxes by a business unless the business has a physical presence in the State.

This restriction, which was articulated in the 1992 Supreme Court case, Quill Corp. v. North Dakota, went so far as to invite Congress to address the issue. It is time we do that.

In an era of unprecedented e-commerce, Congress's failure so far to address this problem unfairly deprives State treasuries of much-needed tax revenue because Internet-based retailers are not required to charge sales tax to their out-of-State customers. As you might imagine, a large number of State governments have asked for this legislation to fix that problem, including the current Republican Governor of Michigan. In fact, Michigan governors of both political parties have asked Congress to pass this important piece of legislation, and I agree with them.

The Governor of Michigan says that passing this law will help the State of Michigan collect more than $800 million over the next 2 years. Those are revenues that the State desperately needs.

I also think it's important to keep in mind some of the things this bill doesn't do. This bill does not authorize the States to create State-level financial transaction taxes, as some have erroneously argued. In fact, the Marketplace Fairness Act does not create, endorse, or recommend new Federal, State or local taxes of any kind.

This bill gives States the option of pursuing collection authority by simplifying their tax structure, but States can also choose to do nothing differently than they do today. The Marketplace Fairness Act is about more equitably collecting taxes that are already owed.

Over the past decade, many States have worked together to develop a framework to harmonize sales and use tax collection and remittance, known as the Streamlined Sales and Use Tax Agreement. Michigan is 1 of the 24 States that currently participate in that agreement. But, in order for the agreement to be legally enforceable, Congress would need to enact legislation granting States the authority to require out-of-State merchants to remit sales and use taxes. This bill would do that.

I support this effort to simplify and improve sales tax collection, and I am a cosponsor of this bill. This bill will level the playing field between on-line retailers and those with ''brick and mortar'' stores, ensuring that we do not give an unfair tax advantage to one type of retailer over another. This is about ensuring that our States have the ability to collect the taxes they need to fund schools, and law enforcement, and other key priorities.

I will vote for this bill, and I urge my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Illinois

UNANIMOUS CONSENT AGREEMENT—S. 601

Mr. DURBIN. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to Calendar No. 44, S. 601, be withdrawn; further, that at 2:15 p.m. on Tuesday, May 7, the motion to proceed to S. 601 be agreed to and the Senate begin consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. DURBIN. Mr. President, in the closing 10 minutes, the four proponents who will speak will be first Senator HEITKAMP of North Dakota, followed by Senator ALEXANDER of Tennessee, myself, and then Senator ENZI of Wyoming, who has for 11 years been fighting for this vote. I want him to have the last word.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, this is a day that has been 20 years in the making. You have heard argument after argument here about how this bill has been rushed, how it is not ready, how we have not yet had enough debate or deliberation. I tell you on behalf of the small business owners in my State who have told me it is about darn time we do something, I stand today and congratulate this body for taking on this issue and taking a system that has been grossly unjust and incredibly unfair to Main Street businesses in our country and in our State and said, yes, the Senate will not stand back and wait any longer before we give you marketplace fairness.

This bill could not be and could not have a better name than Marketplace Fairness. I got involved in this issue as a very young person—I like to say that because it was 20 years ago—litigating a case before the U.S. Supreme Court. I was moved to take that case to the Court by a woman who approached me and said: Look, I am trying to survive. I am trying to participate as a good businessperson in North Dakota, trying to support my community, trying to do everything right, collect my sales tax, but I am getting killed in the marketplace, because people are sending catalogs; people come into my store; they will look at my products. Then they order this stuff through a mail order business. Please help me.

Those pleas have for the last 20 years gone unheard by this body and by the House of Representatives. But today we have a chance. We have a chance to say to all of those businesspeople throughout our country who have been unfairly treated by a tax system that does not recognize today's modern-day method of marketing, this modern-day way we do business and commerce in our country has not been recognized. They continue to struggle, continue to try. I congratulate the Senate. I congratulate all of the other Senators who have pursued this with such vigor and with such hope. I say today is the day that we say yes to America's small businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask I be notified when I have consumed 2½ minutes.

The PRESIDING OFFICER. The Senator will be notified.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from North Dakota on 20 years of work on this issue, Senator ENZI for 11 years of tireless work here, and Senator DURBIN for his effective advocacy. I will make four quick points.

The Senator from Texas said reinvigorating the economy should be the No. 1 priority for Federal and State leaders. That is precisely the first sentence of the column of economist Art Laffer in the Wall Street Journal where he says:

> States can cut their income tax rates if web vendors collect the sales taxes that are legally due.

In other words, if you want economic growth, vote for the Marketplace Fairness Act.

No. 2, the idea that this is too complex to do—more than half of the sales now made on the Internet are by retailers that collect the tax when it is sold. It is a tax that is already owed, so how can it be too complex for anybody else to do? It is already being done. So that is specious.

No. 3, it has been said this should have gone to committee. It did. It just never came out of committee because the chairman, and I say that with great respect, did not want it to. It should have had amendments. Yes, it should have had amendments. Why didn't it have amendments? Because the opponents to the bill resorted to objecting to every single amendment.

Finally, I say this to my Republican colleagues: This is a conservative bill. I just mentioned Mr. Laffer. I read this earlier, but I want to read it again. The comments of the chairman of the American Conservative Union, Al Cardenas:

> Dear Senators, you continue work next week on the Marketplace Fairness Act. I would like to call to your attention what conservatives are saying about the issue. They recognize, as I do, it is not the role of government to pick winners and losers in the marketplace by requiring brick and mortar stores to charge a sales tax while exempting Internet sales.

He then lists the comments of Charles Krauthammer favoring the idea, Representative PAUL RYAN favoring the idea, and, of course, as we know, William F. Buckley did before he

died. Many Governors do. This is an idea for conservatives and for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, thanks to my colleagues who are on the floor, especially Senator ALEXANDER. Senator ENZI and I owe the Senator a great debt of gratitude for his work on this bill, in helping us craft the bill and bring the support together.

I ask unanimous consent that the following four editorials be printed in the RECORD, from the New York Times, the Idaho State Journal, the Green Bay Press Gazette, and the Northwest Herald of Illinois.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 1, 2013]

FAIRNESS ON SALES TAXES

(Editorial Board)

Twenty-one years is a long time to wait. But that is how long local retailers have waited for Congress to undo a 1992 Supreme Court decision that exempted many online retailers, like Amazon.com, from collecting most state sales taxes. The exemption has given online sellers a 5 percent to 10 percent price advantage over Main Street stores.

The wait, however, may soon be over. Next week, the Senate is expected to pass the Marketplace Fairness Act of 2013, a bipartisan bill that would authorize states to require out-of-state sellers with more than $1 million in sales to collect sales taxes. The states, in turn, must simplify their sales-tax codes and give retailers free software to calculate the taxes—steps already taken by most states. An identical bill in the House also has bipartisan support.

Lawmakers have raised the issue for years, to no avail, and, in the meantime, many brick-and-mortar stores have gone out of business. The willingness to act now is driven in part by the fact that Amazon, which fought hard to preserve the exemption, recently gave up the fight. That's not because the company suddenly developed a belief in sales taxes. Its business model—especially its emphasis on same-day delivery—is changing in ways that would soon cause it to lose the exemption anyway.

Main Street needs a level playing field to compete with the exploding online industry. So do large retailers, like Best Buy, that have cut jobs as shoppers have increasingly tested electronics at local stores and then gone home to buy them online without paying sales tax. Equally important, states need the revenue to help recover from the recession. Noncollection of sales tax on online purchases costs states an estimated $11 billion a year. Another $11 billion goes uncollected on mail-order catalog sales, which would also be covered under pending bills.

In the past, most bills that deal with revenue, no matter how justified, have fallen victim to the knee-jerk refusal among many Republicans to even talk about taxes, urged on by anti-tax groups like Grover Norquist's Americans for Tax Reform. But, as reported in the Times on Monday, lawmakers from both parties have come to see that the argument for sales-tax collection is airtight.

Sales taxes for any state are already legally due on online purchases that would be taxable if the items were bought in a local store. If the retailer does not collect the taxes, the buyer is supposed to send them to the state voluntarily. As a practical matter, however, if the taxes are not collected by retailers, they are virtually never paid.

The proposed law would close that loophole, not impose new taxes. It's a matter of efficiency and fairness, of necessity and competitiveness. If those really are bipartisan values, the Senate will act without further delay to pass the Marketplace Fairness Act, and the House will follow suit.

[From the Idaho State Journal, May 6, 2013]

THERE'S A REASON THIS IS CALLED THE MARKETPLACE FAIRNESS ACT

(Editorial Board)

The Marketplace Fairness Act making its way through Congress is well-named. It would allow state governments to force Internet retailers to collect sales taxes from their customers and remit the proceeds to state and local governments—like, you know—brick-and-mortar retailers are required to do.

The shoppers who buy merchandise off the Internet are supposed to calculate sales taxes on their income tax forms, but the fact is most people don't do that. So it might be said that Idahoans pay an extra 6 percent when they buy from stores at home. That's money that pays to operate schools and other public services, and it's estimated that Idaho would collect about $35 million if Internet sales were taxed.

Because some states, like Idaho, have refused to authorize collection of sales taxes on online purchases, Congress is acting on behalf of hometown merchants with a federal law. The legislation cleared its first procedural hurdle Thursday on a bipartisan Senate vote, 63 to 30. Final Senate passage is scheduled for Monday and that tally is likely to be even more strongly in favor, according to The New York Times. Earlier test votes won as many as 75 yeses, and House action, once seemingly unthinkable, may be unstoppable.

Tax opponents like Grover Norquist and the Heritage Foundation have long opposed any legislation that would require collection of levies on Internet purchases, calling it a tax increase. But Congress is hearing from their hometown constituents, and the tide has turned. Even public officials who signed Norquist's antitax pledge now are changing their minds. Typical is Rep. Scott Rigell, Republican of Virginia, who calls the struggling retailers back home ''the hardworking men and women who have mortgaged their homes to buy or rent a little brick-and-mortar shop.'' Six percent may actually amount to their profit margin.

''I have some concern about the legislation,'' concedes Rep. Bob Goodlatte of Virginia, chairman of the House Judiciary Committee, which has jurisdiction on the issue, ''but we also recognize the fairness issue—certain items being taxed in certain circumstances, other items being not—is a problem, so we're going to try to solve that.'' It can be done.

Norquist should not complain, though he characterizes the bill as a ''money grab by cash-poor state and local governments that would get the power to tax consumers who do not have the power to vote them out of office.'' After all, consumers are already supposed to pay sales taxes even if an Internet merchant does not collect them.

The new law would rectify that, and that's why it is called the Fairness Act.

[From the Green Bay Press Gazette, May 5, 2013]

CONGRESS MUST LEVEL PLAYING FIELD ON INTERNET SALES TAXES

(Editorial Board)

How many of you have entered a dollar amount on Line 36 of the Wisconsin income tax Form 1?

That's the line where you self-report ''sales and use tax due on Internet, mail order, or other out-of-state purchases.'' In other words, if you've ever purchased something from Amazon, for example, you should have entered a dollar amount here when you filed your taxes.

But very few people do. About one of every 100 state taxpayers did when they filed their 2010 income taxes, according to a 2012 story by Steven Walters of WisconsinEye, a nonprofit public affairs channel.

Currently, all retailers in Wisconsin collect sales tax on purchases and pay that money to the state. If you buy something, the state and county sales taxes are part of what you pay.

If you purchase something online from a business that has a physical presence in Wisconsin, you pay sales tax. But if that business doesn't have a store or warehouse in Wisconsin, it doesn't charge a sales tax.

For example, if you went online and purchased a shirt from Lands' End, based in Wisconsin, you'd pay sales tax. If you purchased a similar shirt from L.L. Bean, based in Maine, you would not.

The loophole is courtesy of a 1992 U.S. Supreme Court decision that exempts companies from collecting sales tax from purchasers who live in a state where the business has no physical presence.

A bill that the Senate is expected to vote on Monday would change that. The Marketplace Fairness Act give states the ability to require online and mail order retailers to collect state and local sales tax based on the address of the purchaser.

Wisconsin retailers say this would level the playing field. In a meeting with Press-Gazette Media, area retailers said they don't have a problem competing against other businesses, as long as all play by the same rules and all charge a state sales tax.

Without that level playing field, area businesses find themselves answering a consumer's questions and concerns only to have that consumer order the same item online and not have to pay a sales tax. It reduces local businesses to showrooms. They do all the work; the online retailer collects the money.

What's at stake is millions of dollars as well as the fiscal health of the local community.

The state Department of Revenue estimates that Wisconsin lost $157 million in revenue because taxes were not collected on mail order and other remote sales in 2012—$78 million of that from e-commerce sales.

Also, the health of area businesses is important. They pay taxes, provide jobs and donate to local charitable organizations yet lose sales and money when tax-free purchases are made. The out-of-state online-only retailers aren't invested in your community.

The bill before the Senate sets a threshold of $1 million in online sales so small businesses will not be hurt and calls for the state to provide free software so businesses can comply.

One aspect of the bill calls for the state to ''establish a uniform sales tax base for use throughout the state.'' That concerns us because many counties, like Brown, have a 0.5 percent county sales tax. We wouldn't want to lose out on that money because the state must charge a uniform sales tax. And it's hard to believe that the software will not be able to determine the correct state and local sales taxes. The technology that has given us the ease of online shopping should also be able to clear that hurdle.

So far, the bill has bipartisan support in the Senate, but faces a much more unclear fate in the House.

However, Congress needs to pass this bill. Local businesses are willing to compete as

long as it's a fair fight. Also, the bill is not asking for a new tax; it's asking that the existing tax is applied fairly and uniformly and doesn't put the burden on the consumer to reimburse the state. That's not too much to ask.

[From the Northwest Herald, May 2, 2013]

WHAT'S FAIR FOR BUSINESS

(Editorial Board)

The scenario described by Play It Again Sports' owner Bob Ruer happens all too often in local businesses.

A customer comes into his Crystal Lake store, looks around, maybe tries out the wares, and then heads home to buy the same product online. Why? Because Internet retailers aren't required to collect sales tax at the buyer's local rate.

U.S. Sen. Dick Durbin, D–Ill., is pushing to end that with the Marketplace Fairness Act. We support Durbin's effort and encourage lawmakers in Washington to pass the act.

The legislation would put the initial costs on the states to provide retailers with the appropriate software to collect taxes. Internet retailers with less than $1 million in annual sales would be granted an exemption.

Opponents of the bill, including large online retailers such as eBay and Overstock.com, have taken issue with the $1 million exemption and suggested it should be bumped higher.

The bill has the support of big-box stores such as Walmart, Best Buy and Target and online giant Amazon.

Beyond the unlevel playing field for businesses, the situation causes the state of Illinois to lose out on a great deal of revenue.

Now, Illinois taxpayers are on an honor system when it comes to paying state sales tax for online purchases. Residents are supposed to note the sales tax they owe from Internet purchases on their state income-tax return. Durbin estimates that only 5 percent of Illinois taxpayers do so. Gov. Pat Quinn said the state stands to collect an additional $200 million annually in sales-tax revenue if the bill passed.

This is not a tax increase. It's not a new tax. These sales taxes and tax rates are already in place.

This is a needed law to level the playing field for local businesses who've been good corporate citizens, hired local employees and paid property taxes that support local schools and other taxing districts.

Mr. DURBIN. Mr. President, what is happening with Internet sales? They are growing dramatically. Listen to these numbers. In 2012 online sales accounted for $225 billion in sales in America. In the next 5 years it will double to $435 billion. It is an endeavor that has become part of our lives. What we are asking in this bill is that those selling on the Internet be treated the same as those selling on the corners of our streets, to make sure the brick-and-mortar businesses have a level playing field. That is all we are asking.

This bill contains no new Federal tax, no new State and local tax. What it does is collect taxes already owed. It simplifies the system by saying there will only be one taxing entity that identifies the taxes to be charged in every single State, one audit from each State. It tries to provide for the retailers the basic software they need to get the job done.

This is a fascinating bill. For those who follow the Senate, it is a rare opportunity for us to have Republicans and Democrats together on the floor supporting a bill that has the endorsement of business and labor and local officials all across the United States. It is clearly an idea whose time has come. I hope we can pass it with a good strong vote and encourage our friends in the House to take it up quickly.

I close by thanking my colleague from Wyoming. He has been a great partner in this effort. He came to it before I did. I replaced Senator Dorgan after Senator Dorgan's retirement and tried to keep this moving forward. Today is our day for a vote. I thank him for all of his hard work on his side of the aisle.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank all of the people who have participated, particularly Senator DURBIN who has helped to coalesce things, Senator ALEXANDER who came up with the idea for having a shorter bill, only 11 pages—never see it in the Senate—written in plain English, and it is States rights.

This does not cause the Federal Government to do anything. What it allows is for the States to do what they have already passed laws on. I can see this from the standpoint of an individual. I know in Wyoming if you buy something on the Internet and you are not charged a tax, you are supposed to fill out a form and send it in. That is a difficult thing to do, hard to even keep track of. This will eliminate that problem of individuals wanting to pay the tax but not knowing exactly how to do it.

I know it from the standpoint of a small businessman, if they had the experience of somebody coming in, trying on the goods, finding out exactly what they want, the color, the style, the feel, everything, and then ordering it on the Internet. The even more ironic part of it is when they have a problem with it, they bring it back to the local retailer to fix it.

I have seen it from the standpoint of a mayor. I know in Wyoming at least 30 percent and up to 70 percent of the revenue of the municipalities comes from the sales tax. That is on a declining basis at the moment. That is not only what they run the city's streets and snow removal on; a lot of the police, the fire protection, even education is affected by the sales tax.

I have seen it from the standpoint of a legislator as well. I know when we passed those taxes, we did not say: Okay, we want to discriminate against the local business that pays the property tax, hires people locally, and participates in all the community stuff. If you are out of State, we are going to let you off the hook.

No legislator ever passed a bill like that. This is one that corrects all of those things and brings fairness to the marketplace. I think it will make a significant difference, particularly in communities where they will still be able to help out some of the charitable organizations and activities that would have to go by the wayside if this bill were not to pass.

I look forward to working with people on the House side. I wish to thank Senator DURBIN, Senator ALEXANDER, and Senator HEITKAMP, particularly, for all of their efforts on this bill. I thank Senator HEITKAMP for her persistence over 22 years and knowing the intricacies of how it works on the Canadian border, as well as having been involved in the original case where the Supreme Court challenged us to fix this problem.

Today we have a chance to fix this problem. I ask my colleagues to vote for the bill.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MARKETPLACE FAIRNESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 743, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 743) to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Pending:

Reid (for Enzi) amendment No. 741, of a perfecting nature.

Durbin amendment No. 745 (to amendment No. 741), to change the enactment date.

The PRESIDING OFFICER. Under the previous order, all postcloture time is considered expired.

Under the previous order, amendment No. 745 is withdrawn.

The question is on agreeing to amendment No. 741, offered by the Senator from Nevada, Mr. REID.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Alaska (Mr. BEGICH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 24, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—70

Alexander	Fischer	Murphy
Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Grassley	Portman
Blunt	Hagan	Pryor
Boozman	Harkin	Reed
Boxer	Heinrich	Reid
Brown	Heitkamp	Risch
Cantwell	Hirono	Rockefeller
Cardin	Hoeven	Sanders
Carper	Isakson	Schatz
Casey	Johanns	Schumer
Chambliss	Johnson (SD)	Sessions
Coats	Kaine	Shelby
Cochran	King	Stabenow
Collins	Klobuchar	Thune
Coons	Landrieu	Udall (CO)
Corker	Leahy	Udall (NM)
Cowan	Levin	Warner
Crapo	Manchin	Warren
Donnelly	McCain	Whitehouse
Durbin	McCaskill	Wicker
Enzi	Menendez	
Feinstein	Mikulski	

NAYS—24

Ayotte	Inhofe	Roberts
Barrasso	Johnson (WI)	Rubio
Baucus	Kirk	Scott
Coburn	Lee	Shaheen
Cruz	McConnell	Tester
Flake	Merkley	Toomey
Hatch	Murkowski	Vitter
Heller	Paul	Wyden

NOT VOTING—6

Begich	Cornyn	Lautenberg
Burr	Graham	Moran

The amendment (No. 741) was agreed to.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this afternoon I offered a consent agreement dealing with the budget. I withdrew that because we did not have anyone here to object, and I had an inkling there would be an objection if a Republican were here.

We have been asked to move with regular order. We have done that. We have done our very best to do that. People wanted amendments. We have done our best to have bills with amendments. We have been asked, let's do as much work as we can with committees, and we have done that. We have bills reported out from the committee. Those are the bills we have handled here, with rare exception.

Now we have had our Republican friends saying for months and months, let's do things with regular order. We know how hard it was to get a budget passed. We have had over 100 amendments on which we actually voted. We were here until 5 o'clock in the morning. We got a budget, even though—you know, we have been through this before. We do not need to go into more detail. We had a law signed by the President of the United States that gave us our budget allocations for several years. But we decided to do a resolution. It didn't have to be signed by the President. I am glad we did. It was hard. Senators MURRAY and SESSIONS did a good job allowing us to move forward on that, so now it is time to go forward. We have a budget resolution we passed in the Senate. We want to meet with the House and work out our differences. That is what we have done here for two centuries. We should do it on this bill.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, with the motions to reconsider being considered made and laid on the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object, one of my concerns is that this conference report could be used to pass a reconciliation bill that would increase the debt ceiling without sufficient input from the minority party and without addressing the fundamental structural spending problems we have in the Federal Government that are leading to our unsustainable debt. I believe this concern is well founded in history in that reconciliation bills have been used to increase the debt ceiling at least three times—in 1986, 1990, and in 1993. So for that reason, reserving the right to object, I ask consent that the leader modify his request so that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or to raise the debt limit.

The PRESIDING OFFICER. Is there objection to the modified request?

Mr. REID. I would make a comment before making a decision on that.

The PRESIDING OFFICER. The majority leader.

Mr. REID. The Senate considered the budget—and that is an understatement. We voted on more than 100 amendments, as I mentioned a few minutes ago. It was hard. The votes were hard. The Senate passed its budget. It should now go to conference, that which the Senate passed. It is our budget. The Senator from Texas was on the losing side. He had his view and it lost, but now he wants us to agree by consent to adopt the losing side's view or else he is not going to allow us to go to conference.

For more than two centuries, I repeat, the two bodies have been able to go work out their differences. The Senate passes something. The House passes something. You talk about regular order, that is it. We are able at that time to sit down and talk about the differences. The debt ceiling—he wants to talk about that. He wants to talk about taxes. We are happy to do that, but let's do it in the context of regular order. That is what we should be doing around here.

My friend from Texas is like the schoolyard bully. He pushes everybody around and is losing, and instead of playing the game according to the rules, he not only takes the ball home with him but changes the rules. That way, no one wins—except the bully who tries to indicate to people that he has won. We are asking the Republicans to play by the rules and let us go to conference.

I don't think it takes a lot of wizardry to figure out that we know how the American people feel about what they want done in this country. They want us to get on a pathway of growth and economic vitality. It has been hindered.

The Republicans have things they want to do. We have things we want to do. Why can't we sit down as reasonable men and women and work out our differences? That is what a conference is all about.

I object to what my friend suggests. It is actually fairly ridiculous, if you want the truth: Before we go to conference, determine what you are going to do or not do in the conference. That is not how we do things around here.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request? The Senator from Texas.

Mr. CRUZ. Mr. President, I was not aware we were at a schoolyard.

Mr. REID. Mr. President, is there an objection or no objection? Let's hear about it. We have had enough.

Mrs. BOXER. Regular order.

Mr. CRUZ. Reserving the right to object.

Mr. REID. Mr. President, there is no such thing.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Yes. I object.

The PRESIDING OFFICER. The clerk will read the bill for a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

IMPLEMENTATION

Ms. COLLINS. Mr. President, I rise to speak on the Marketplace Fairness Act. I applaud Senator ENZI for his many years of work on this legislation, of which I am a cosponsor. This bill rectifies a fundamental unfairness in our current system. Right now, out-of-State Internet sellers, so-called remote sellers, have an advantage over Main Street businesses. Main Street businesses have to collect sales taxes on every transaction. Because remote sellers don't have to charge this tax, they enjoy a price advantage over the mom-and-pop businesses that form the backbone of our communities. This bill would allow States to collect sales taxes on remote sales, thereby leveling the playing field with Main Street businesses.

It is important to recognize that this bill does not authorize any new or higher tax, nor does it impose an Internet tax. It simply helps ensure that taxes already owed are paid.

I would like to engage Senator ENZI in a colloquy regarding the manner in which the bill is to be implemented. As introduced, the bill would require some businesses to start collecting sales taxes in as little as 90 days. I hope that my colleague from Wyoming would agree that is too short a time period, and I appreciate the fact that he has offered an amendment that includes a 6-month delay. I believe, however, that a delay of at least 1 year is needed to allow businesses time to implement the new systems and software necessary for compliance. I do appreciate that the Senator from Wyoming exempted small businesses with sales under $1 million, as I had urged.

Nevertheless, from a covered seller's perspective, complying with the Marketplace Fairness Act requires more than just installing new software. Multichannel retailers—those who sell online, through catalogs, over the phones, and in stores—have their own unique order processing systems. Tax collection software must be programmed to link to each component of their order processing systems. This step alone could involve considerable programming time for each online retailer.

Each retailer's tax department, or outside consultants, will be required to research and develop a comprehensive understanding of the unique sales and use tax policies in every State where their online customers reside to make sure the programming for their tax collection software is correct. That involves answering a number of questions for each State.

The differing treatment of athletic apparel provides a great example of the complexity involved. In some States, clothing and athletic footwear are exempt from tax. In others, they are exempt only up to a certain price level. Yet other States make a distinction between clothing and footwear used for athletic purposes—which they tax—and clothing and footwear used for general purposes—which they do not tax. In those States, systems must be programmed to correctly treat articles that can be viewed as either athletic apparel or general clothing, depending on the user. Board shorts, sneakers, and windbreakers are just a few examples of common items that give rise to substantial complexity.

Retailers will need to invest additional hours in tax analyst and programmer time to ensure their systems are able to address these issues seamlessly. Even with a 1-year delay, retailers will have to begin early, and move quickly, to implement the Marketplace Fairness Act.

Mr. ENZI. I thank my friend from Maine, and wholeheartedly agree with her conclusion that we must ensure that the Marketplace Fairness Act is correctly implemented. I have spent many years working on this legislation and strongly believe that leveling the playing field for Main Street businesses is the right thing to do. We must implement the solution to that problem in a reasonable manner, and I agree with the Senator that the 1-year delay she proposes is appropriate to do this.

Ms. COLLINS. I would also like to note that the collection of sales taxes online will be new not only for many retailers, but also for consumers who are used to the current system. It is important to implement the new law correctly, from the outset, for these retailers and their customers.

In this regard, I believe that it is also important to make sure that the implementation of the new law does not disrupt the busy holiday season. For this reason, I believe that States should be prohibited from exercising their new authority under the Marketplace Fairness Act during the last quarter of the first year after enactment.

Mr. ENZI. I think both the proposals made by my friend from Maine are commonsense items that will improve the Marketplace Fairness Act. As this bill moves through the legislative process, I suggest my colleagues on both sides of the aisle—and in both Chambers—adopt a 1-year delay in implementation and prohibit States from beginning to exercise their new authority to require the collection of sales taxes during the holiday season.

The PRESIDING OFFICER. Under the previous order, the question is on passage of S. 743, as amended.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 27, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—69

Alexander	Cochran	Heinrich
Baldwin	Collins	Heitkamp
Bennet	Coons	Hirono
Blumenthal	Corker	Hoeven
Blunt	Cowan	Isakson
Boozman	Donnelly	Johanns
Boxer	Durbin	Johnson (SD)
Brown	Enzi	Kaine
Burr	Feinstein	King
Cantwell	Fischer	Klobuchar
Cardin	Franken	Landrieu
Carper	Gillibrand	Leahy
Casey	Graham	Levin
Chambliss	Hagan	Manchin
Coats	Harkin	McCain
McCaskill	Reed	Stabenow
Menendez	Reid	Thune
Mikulski	Rockefeller	Udall (CO)
Murphy	Sanders	Udall (NM)
Murray	Schatz	Warner
Nelson	Schumer	Warren
Portman	Sessions	Whitehouse
Pryor	Shelby	Wicker

NAYS—27

Ayotte	Heller	Risch
Barrasso	Inhofe	Roberts
Baucus	Johnson (WI)	Rubio
Coburn	Kirk	Scott
Crapo	Lee	Shaheen
Cruz	McConnell	Tester
Flake	Merkley	Toomey
Grassley	Murkowski	Vitter
Hatch	Paul	Wyden

NOT VOTING—4

Begich	Lautenberg
Cornyn	Moran

The bill (S. 743), as amended, was passed, as follows:

S. 743

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 ''Marketplace Fairness Act of 2013''.

SEC. 2. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) STREAMLINED SALES AND USE TAX AGREEMENT.—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that Member State pursuant to the provisions of the Streamlined Sales and Use Tax Agreement, but only if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). A State may exercise authority under this Act beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this Act, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this Act—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this Act shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this Act. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 4(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers.

For purposes of clause (iii), the software provided by certified software providers shall be capable of calculating and filing sales and use taxes in all States qualified under this Act.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) SMALL SELLER EXCEPTION.—A State is authorized to require a remote seller to collect sales and use taxes under this Act only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding $1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 3. LIMITATIONS.

(a) IN GENERAL.—Nothing in this Act shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) NO EFFECT ON NEXUS.—This Act shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) NO EFFECT ON SELLER CHOICE.—Nothing in this Act shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) LICENSING AND REGULATORY REQUIREMENTS.—Nothing in this Act shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) NO NEW TAXES.—Nothing in this Act shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) NO EFFECT ON INTRASTATE SALES.—The provisions of this Act shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 2(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.—Nothing in this Act shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

SEC. 4. DEFINITIONS AND SPECIAL RULES.

In this Act:

(1) CERTIFIED SOFTWARE PROVIDER.—The term ''certified software provider'' means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 2(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) LOCALITY; LOCAL.—The terms ''locality'' and ''local'' refer to any political subdivision of a State.

(3) MEMBER STATE.—The term ''Member State''—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) PERSON.—The term ''person'' means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) REMOTE SALE.—The term ''remote sale'' means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this Act.

(6) REMOTE SELLER.—The term ''remote seller'' means a person that makes remote sales in the State.

(7) SOURCED.—For purposes of a State granted authority under section 2(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 2(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(9) STREAMLINED SALES AND USE TAX AGREEMENT.—The term ''Streamlined Sales and Use Tax Agreement'' means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

SEC. 5. SEVERABILITY.

If any provision of this Act or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this Act and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 6. PREEMPTION.

Except as otherwise provided in this Act, this Act shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING SERVICE OF CHARLES HOUY

Mr. REID. President, today I rise to recognize one of Congress' longest-serving and loyal staffers, Charlie Houy. After three decades of service under Senators Ted Stevens, John Stennis

and Daniel Inouye, Charlie retired April 6, 2013. Today, on his one month retirement anniversary, we reflect on his quiet and steady leadership which was so important to the work of the Appropriations Committee and the Senate.

Charlie began his career on the Appropriations Committee as a professional staff member for the Defense Appropriations Subcommittee in 1987. He was quickly promoted and assumed the role of democratic clerk starting in 1995. In that capacity, Charlie worked on nearly every issue in the defense area from purchasing weapons to personnel issues.

Charlie's work on the Defense Subcommittee enabled our Nation's military to transform itself from a Cold War-era force to the agile and quick response force that exists today. Charlie played a major role in helping modernize our weapon systems, including helping secure funding for the development of Unmanned Aerial Vehicles—UAVs. Funding for UAVs helped to change the tide of the latest conflict in our favor and will continue to play a major role as we continue to prosecute and disrupt terrorist activities worldwide.

The role of UAVs in today's warfare is especially evident in my home State of Nevada. Creech Air Force Base is home to the famed Predator and Reaper aerial vehicles. For decades, Creech Air Force Base was comprised of a few buildings and a single runway, but Charlie's hard work on the Appropriations Committee led to significant investment in infrastructure and increases in Nevada military personnel. These additional resources have transformed Indian Springs Auxiliary base to Creech Air Force Base, the premier UAV installation in the world, supporting air and ground combat, reconnaissance, and search and rescue.

In 2009, Charlie assumed his current role as the staff director for the Senate Appropriations Committee. As our Nation was dealing with the effects of the great recession, Charlie helped develop policies to invest in American infrastructure and jumpstart the economy. His in-depth knowledge about the intricacies of the legislative process, coupled with his sense of humor, allowed him to keep order among the various subcommittees and continue the bipartisan nature of the Committee.

Charlie played a major role in nearly every appropriation issue during the last 5 years. From continuing resolutions to omnibus appropriations measures, Charlie helped navigate the Congressional landscape to ensure passage into law. In particular, Charlie worked with my staff to help avert a government shutdown and enact the Budget Control Act. I will always be grateful for Charlie's hard work on this piece of legislation.

Although the Senate and Nevada will miss Charlie's deep institutional knowledge about the appropriations process and the Federal budget, I am confident that Charlie's work left a lasting mark on our Nation and on Congress. I am happy to thank Charlie for his three decades of service and wish him well in his retirement.

WORKERS MEMORIAL DAY

Mr. HARKIN. Mr. President, more than 20 years ago, family members of workers killed on the job joined with safety advocates to launch Workers Memorial Day—a day of remembrance and advocacy. To honor the creation of the Occupational Safety and Health Administration, OSHA, April 28 was chosen as Workers Memorial Day.

The passage of the Occupational Safety and Health Act, which created OSHA, was one of the monumental legislative achievements of the 20th century. This landmark legislation, passed over four decades ago, reflects the values that all Americans share: that workers shouldn't have to risk their lives to earn their livelihood, and that workers, employers, and the government must all work together to keep people safe and healthy on the job.

Since that time, workplace safety and health conditions have improved dramatically. In the year the OSH Act was enacted, our country saw 13,800 on-the-job deaths. Forty years later, in 2010, that number is down by more than 60 percent. It is without dispute that this legislation has saved the lives of hundreds of thousands of American workers in its 40-year lifespan, a remarkable accomplishment.

In addition to saving lives, OSHA saves our country money. The total financial cost of job injuries and illnesses is enormous—estimated at $250 billion to $300 billion a year. Preventing illnesses and injuries before they happen makes economic sense, in addition to being the right thing to do.

So today, on Worker's Memorial Day, we celebrate the success of OSHA. But we also must acknowledge its limitations. Too many workers remain at serious risk of injury, illness or death on the job, as demonstrated by the recent fertilizer explosion in West Texas that killed at least 14 and injured over 200. In 2011, according to data from the Bureau of Labor Statistics, 4,693 workers were killed on the job—an average of 13 workers every day—and nearly 3 million nonfatal workplace injuries and illnesses were reported that same year. In our great State of Iowa, 93 workers died on the job in 2011. Additionally, 43 Iowans died from injuries sustained while working, and untold numbers of Iowans were injured from exposures in the workplace. We absolutely can—and must—do better.

That's why I am a co-sponsor of the Protecting America's Workers Act, a piece of legislation that would build on OSHA's successes and save the lives of countless additional workers. The bill makes commonsense reforms to bring our workplace safety laws into the 21st century, with minimal burden on the vast majority of employers that comply with the law.

One critical aspect of the Protecting America's Workers Act is that it will enhance the protection provided to workers who blow the whistle on unsafe conditions in the workplace. OSHA does not have the necessary resources to inspect every workplace in the country on a regular basis, so whistleblowers play an essential role in identifying dangerous conditions. Because OSHA enforcement is aided by whistleblowers, it is in all of our interests to protect whistleblowers from unfair retaliation so they are not afraid to come forward. But the whistleblower provision in OSHA has not been significantly amended or improved since it was enacted and has fallen far behind similar retaliation protections in other worker protection, public health, and environmental laws. The Protecting America's Workers Act will remedy that problem by strengthening whistleblower protections so more workers will feel comfortable reporting dangerous conditions and work environments can improve for all.

In addition to protecting whistleblowers, the Protecting America's Workers Act also extends OSHA protections to more workers, increases penalties for employers who break the law, enhances public accountability, and clarifies the duty of employers in providing a safe work environment. These changes together comprise a critical step towards providing a safer workplace for every worker in our country, and I plan to do everything possible to fight for this important legislation.

While we have made tremendous progress in that last 40 years under OSHA, there is much more work to be done. All Americans have the right to a safe workplace, and we should not rest until all of our fathers, mothers, sisters, brothers, families, and friends can go to work each day knowing they will come home safely again each night.

TRIBUTE TO ART GRATIAS

Mr. GRASSLEY. Mr. President, I would like to take a moment to congratulate Art Gratias of Mason City, IA on receiving the Legion of Honor from the French Government for his contribution to the liberation of France. Art Gratias enlisted in the U.S. Army in January of 1942, having begun the enlistment process before the attack on Pearl Harbor that led to the formal participation of the United States in World War II. As a member of the 2nd Infantry Division, he participated in the D-day invasion of Normandy, which took place on his first wedding anniversary. Art fought in numerous campaigns in France and Central Europe, including the Battle of the Bulge. He was wounded on August 16, 1944, receiving the Purple Heart and later returned to combat.

The French Government has expressed its gratitude to Art Gratias for what he did for their country. I would

now like to take this opportunity to thank Art for his service to our country. In fact, despite the fact that he gave more to this country through his military service than we can ever thank him for, he continued to dedicate his life to public service. Art has been a school board member, teacher, and school administrator. He has been very active in the Kiwanis, American Legion, and his church. Art has served on numerous volunteer boards, and in the Iowa Senate. Art Gratias is a prime example of that remarkable American spirit of voluntarism that the French writer Alexis de Tocqueville discovered in the early years of our Nation so it is fitting that he was singled out by the French Government for its highest honor. I am proud to add my voice to those who pay tribute to his life of service.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mr. NELSON. Mr. President, since 1974, the Community Development Block Grant program has provided cities and counties with critical funding to help low and moderate income people through community projects for economic development, revitalization and infrastructure improvements.

The Community Development Block Grant program also gives local governments the flexibility to use some of this funding to provide basic public services directly to the most vulnerable people in their communities.

These essential services include providing meals, clean water, shelter and clothing to low income senior citizens, abused or neglected children, the disabled and the homeless.

For all the good programs that the Community Development Block Grant program does, communities are limited because local governments can only spend a maximum of 15 percent of their funding on these vital services.

For many of our local communities in Florida and across the country, the 15 percent cap is too low to adequately help the number of people in need, especially during these tough times.

In one particular case, the City of Miami wants so desperately to use more of its Community Development Block Grant funds for assistance to seniors for food programs, but they can't because of the 15 percent cap.

That is why I filed S. 855 on April 25, to raise that modest amount so that grant recipients can tailor the program to the needs of their communities, in this particular example, the needs of senior citizens.

This important legislation, which is being reintroduced in the House by Representative ROS-LEHTINEN, allows local governments to spend up to 25 percent of their funding for the Community Block Development program on essential public services, rather than just 15 percent.

The bill does not require local governments to spend 25 percent of their funding on services, but it gives them the flexibility to do so if it is in the best interest of their communities.

Let me be clear, the bill does not increase funding to any part of the Community Development Block Grant program. It simply allows local communities to do more with what they have, which is why both the U.S. Conference of Mayors and the National League of Cities have supported this position.

I hope that we in the Senate will take this critical step to help local governments to ensure that the most, vulnerable will continue to receive the most basic services.

USS ''JOHN RODGERS''

Mr. NELSON. Mr President, I submit these remarks today to honor the achievements of the USS *John Rodgers*, DD–574, a Fletcher-class destroyer of the United States Navy. The USS *John Rodgers* was commissioned on February 9, 1943, with Commander H.O. Parish, USN, commanding.

The USS *John Rodgers* joined the Pacific Fleet upon arrival in Pearl Harbor in June 1943. During her 2 years of almost constant service in the forward area, the USS *John Rodgers* was under frequent air attacks, yet still assisted other ships and planes in destroying innumerable enemy aircraft.

The courageous crew of the USS *John Rodgers* sank an enemy patrol craft, destroyed six mines, rescued twenty-five downed airmen, to include three British personnel, and engaged in eight bombardments of Japanese held territory in support of various amphibious operations.

The sailors of USS *John Rodgers* bravely executed an anti-shipping sweep 30 miles into Suruga Qan, the deepest penetration of Japanese homewaters made by surface vessels during the war. The crew was recognized by the commanding general, Third Marine Division, for outstanding performance while in contact with the enemy.

The commanding officers and squadron commanders who embarked in this vessel and honorably served the USS *John Rodgers*: Captain E.M. Thompson, Captain Henry Crommelin, and Captain Joseph W. Ludewig, Commander H.O. Parish, and Commander J.G. Franklin.

The USS *John Rodgers* earned 12 battle stars in World War II, and remarkably she sustained zero personnel losses during her service. At all times the morale of the crew was excellent and in keeping with the highest traditions of the naval service.

The USS *John Rodgers* was decommissioned on 25 May 1946. I would like to take this opportunity to personally thank the sailors and the families of the USS *John Rodgers* for their commitment, patriotism, and dedication to the USS *John Rodgers*, the United States Navy, and the United States of America.

RECOGNIZING FUTURE MEMBERS OF THE ARMED SERVICES

Mr. PORTMAN. Mr. President, I rise today to honor 453 high school seniors in 8 northeast Ohio counties who deserve this Nation's eternal gratitude for their commendable decision to enlist in the United States Armed Forces. Of these 453 seniors from 130 high schools in 93 towns and cities, 86 will enter the Army, 171 will enter the Marine Corps, 62 will enter the Navy, 43 will enter the Air Force, 3 will enter the Coast Guard, 82 will enter our Ohio Army National Guard, and 6 will enter into the Ohio Air National Guard. In the presence of their parents/guardians, and high school counselors, military leaders, city and business leaders, all 453 will be recognized on May 7, 2013 by ''Our Community Salutes of Northeast Ohio.''

In a few short weeks, these young men and women will join with many of their classmates in celebration of their high school graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, or are uncertain about their future, these young men and women instead have chosen to dedicate themselves to military service in defense of our rights, our freedoms, and our country.

I have no doubt that many are anxious about the uncertainties that await them as members of the Armed Forces. But they do not go forward from their homes and their families alone. They should rest assured that the full support and resources of this Chamber, and the American people, are with them in whatever challenges may lie ahead.

These 453 young men and women are the cornerstone of our liberties. It is thanks to their dedication and the dedication of an untold number of patriots just like them that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a dangerous world. We are grateful to them, and we are grateful to their parents and their communities for instilling in them not only the mental and physical abilities our Armed Forces require, but more importantly the character, the values, and the discipline that leads someone to put service to our Nation over self.

Their decision to serve our country will not go unrecognized, not by the veterans who will stop to salute them as they pass, nor by the everyday Americans who will shake their hands in grocery stores and gas stations and airports, just to let them know how much we all appreciate their service. I would like to personally thank these 453 graduating seniors for their selflessness and the courage that they have shown by volunteering to risk their lives in defense of our Nation. We owe them, along with all those who

serve our country, a deep debt of gratitude.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 453 high school seniors.

There being no objection, the material was ordered to be printed in the RECORD as follows:

UNITED STATES ARMY—86

Abee—Streetsboro; Acevedo—Ashtabula; Ash—Cleveland; Augustine—Berea; Bennett—Lorain; Boggan—Cleveland; Bowling—Macedonia; Brown, T.—Wellington; Brown, J.—Lorain; Burley—Cleveland; Carver—Lorain; Cowles—Ashtabula; Demand—Cuyahoga Falls; Depew—Wadsworth; Deschields—Akron; Diaz—Lorain; Dreslinski—Norton; Estrella, B.—Cleveland; Estrella, D.—Cleveland; Faix—Norton; Fox—Berea; Frappier—Medina; Gardner—Medina; Gaspar—Cuyahoga Falls; Gates—Strongsville; Hagins—Akron; Hamilton—Cleveland; Hammond—Medina; Hill—Brunswick; Hinkle—LaGrange; Hubert—Cleveland; Hudak—Clinton; Ivcic—Maple Heights; Johnston, C.—Medina; Johnson, R.—Madison; Keller—Vermilion; Klissaroff—North Olmsted; Kogovsek—South Euclid; Kundtz—Avon Lake; Lakes—Parma; Lee—Cleveland; Leutwyler—Concord; Linden—North Olmsted.

Loomis—Parma; Lutz—Mentor; Macik—Solon; Makinson—Akron; Martinez—Parma Heights; McKissack—Maple Heights; McMaster—Lakewood; Miller—Lorain; Mitchell, T.—Akron; Mitchell, A.—Lakewood; Morrisey—Lakewood; Murra—North Ridgeville; Palmer—Grafton; Plant—Akron; Polak—Independence; Politi—Macedonia; Prieto—Akron; Racy—Lakewood; Radigan—North Olmsted; Richmond—Cleveland; Ruiz-Rodriguez—Parma; Sackett—Streetsboro; Sala—Chesterland; Salmons—Medina; Sams—Elyria; Scates—Grafton; Schmidt—Brecksville; Sidlauskas—Mentor; Siglin—Elyria; Sirrine—Rock Creek; Smith—Parma; Sneed—Lakewood; Stark—Oberlin; Staudenbaur—Chagrin Falls; Stewart—Cleveland; Strawderman—Elyria; Surckla—Novelty; Sweeney—Seville; Tanner—Cuyahoga Falls; Tintera—Russell; Titchenell—Brunswick; Watts—Richmond Heights; Wengerd—Middlefield.

UNITED STATES MARINE CORPS—171

Acord—North Ridgeville; Adamo—Parma; Adams—Orwell; Adkins—Lorain; Aiken—Kent; Anderson—Newton Falls; Asad—Brunswick; Ashcraft—Orville; Ashworth—Medina; Askew—Barberton; August—Mayfield Heights; Aussem—Avon Lake; Badalucco—Barberton; Balas—Strongsville; Bannerman—Twinsburg; Battle—Cleveland; Be—North Olmsted; Beairdrhodesden—Akron; Bearden—Parma; Becker—Austinburg; Bell—Andover; Bercaw—Chardon; Bluhm—Euclid; Bodjanac—Stow; Bodkins—Wellington; Brewster—Cleveland Heights; Brown—Orwell; Burkhardt—North Ridgeville; Buser—Cleveland; Camp—Lorain; Campbell—Tallmadge; Carlo—Broadview Heights; Carmichael—Westlake; Carpenter—Medina; Chan—Rocky River; Clark—Cleveland; Clemens—Cuyahoga Falls; Cooper—Windham; Croyle—Eastlake; Cunningham—Akron; Davis—Akron; Demeter—Brunswick; Diocco—LaGrange.

Durham—Cleveland; Easley—Ravenna; Edmonds—Mayfield Heights; Emerman—Painesville; England—Olmsted Falls; Evans—Cleveland; Faciana—Northfield; Fafrak—Cleveland; Fiala—Olmsted Falls; Foltyn—Akron; Frank—Fairview Park; Garcia—Cleveland; Gatson—Cleveland; Gomez—Eastlake; Gordon—Cuyahoga Falls; Guerrero—Cleveland; Guzman—Lyndhurst; Gyurgyik—Shaker Heights; Hall, A.—Cleveland; Hall, R.—Geneva; Hamper—Jefferson; Hartsel—Lakewood; Hayes—North Royalton; Hoff—Conneaut; Hoffman—Wickliffe; Holzhauer—Maple Heights; Howard—Mogadore; Hucks—Parma; Husar—Lorain; Jackson, G.—Akron; Jackson, M.—Lorain; Jamison—Doylestown; Jawaorski—Cleveland; Jenkins—Euclid; Johnson—Ravenna; Johnson-Lisman—Akron; Jones—Maple Heights; Kobus—Macedonia; Kostura—Brunswick; Kovats—Rome; Krabill—Fairview Park.

Kruggel—Litchfield; Kulbnik Medina; Kuzlik—Berea; Latimer—Akron; Leonard—Amherst; Lewis—Akron; Loede—Westlake; Lozitsky—Parma; Lyle—Kingsville; Lynch—Silver Lake; Lynn, C.—Parma; Lynn, M.—Middleburg Heights; Masella—Cleveland; Mattson—North Olmsted; McKee—Akron; Mitchell, C.—Stow; Mitchell, A.—Cleveland; Mohler—Litchfield; Moore—Cleveland Heights; Murray—Valley View; Myers—Doylestown; Nunez—Akron; Odorich—Brunswick; Orris—Barberton; Orsulic—Kingsville; Pagel—Lakewood; Pappas—Westlake; Percun—Seven Hills; Perdue—West Salem; Persinger—Amherst; Pollack—Parma; Porcello—Cleveland; Prince—Mansfield; Provoznik—Wellington; Quotson—Rootstown; Radick—Bay Village; Reese—Euclid; Reyes—Lorain; Richards—Sheffield Lake; Ritzenhalter—Bay Village.

Roche—Kent; Rodriguez—Cleveland; Roland—Westlake; Romanchik—North Olmsted; Rush—Wellington; Saintz—Brook Park; Sandman—Stow; Savel—Wellington; Sayers—Sheffield Lake; Schmitz—Spencer; Schneider—Perry; Schon—Amherst; Selzer—Tallmadge; Shaffer—North Ridgeville; Shemo—Brunswick; Sheppard—Stow; Sherbert—Elyria; Simon—Cleveland; Skvarek—Jefferson; Smith, G.—Clinton; Smith, M.—Elyria; Smith, K.—Cleveland; Smith, J.—Euclid; Steed—Orwell; Stiver—Cleveland; Stovicek—Avon Lake; Streitel—Lakewood; Stutler—Clinton; Swain—Akron; Tamburro—Parma Heights; Thompson—Brunswick; Tijerina—Brunswick; Tompkins—Bedford Heights; Travers—Mentor; Trommer—Medina; Turolebron—Cleveland; Usner—Munroe Falls; Vargas—Parma; Wanda—Conneaut; Ward—Vermilion; Webb—Cleveland; Werner—North Royalton; White—Mayfield Heights; Williford—Cleveland; Witthuhn—Brunswick; Woolfork—Lorain; Wright—Maple Heights.

UNITED STATES NAVY—62

Andino, Jr.—Painesville; Au—Conneaut; Aviles—Wellington; Azbill—Ashtabula; Barnes—Cleveland; Began—Northfield; Boswell—North Ridgeville; Brenneman—Sheffield Lake; Brown—Lorain; Burns—Painesville; Clark—Lorain; Cockerham—Parma; Coffey—Geneva; Coleman—Cleveland; Colon—Cleveland; Corey—Perry; Cozart—Warrensville Heights; Dailey—Cleveland; Davis—Euclid; Dean—Strongsville; Dennis—Cleveland; Eckenrode—North Ridgeville; Etheridge—Warrensville Heights; Flowers—North Olmsted; Gibons—Fairview Park; Gigliotti—Strongsville; Gunkelman—Strongsville; Haavisto—Wickliffe; Hollars—Vermilion.

Hollis—Mentor; Hopkins—Painesville; Inchaurregui—Lorain; James—Orwell; Jordan—South Euclid; Joy—Geneva; Kusar—Kirtland; Leggett—Bedford Heights; Lopez—Avon; Mahamett—North Olmsted; Manley—Cleveland; Martin—Lyndhurst; Mcready—Lakewood; Miller—Geneva; Nichols—Geneva; Noble—Elyria; Oleson—Strongsville; Parkinson—North Olmsted; Randle—Maple Heights; Reilly—Bay Village; Reisinger—Wellington; Roby—Elyria; Schumaker—Wellington; Simpkins—Maple Heights; Smith—Mayfield Heights; Snowden—Cleveland; Solomon—Strongsville; Stocker—Geneva; Wagner—Orwell; Warner—North Ridgeville; Weed—Avon Lake; Weidrick—Wellington; Wilms—Elyria.

UNITED STATES AIR FORCE—43

Adams—South Euclid; Barnard—Berea; Boros—Strongsville; Boukzam—Strongsville; Breeds—Lorain; Camera—Cleveland; Cash—Medina; Conkle—South Euclid; Goodwin—Wadsworth; Hazelett—Amherst; Henderson—Akron; Jedrzejek—Olmsted Falls; Kadow—Avon Lake; Keiter—Wickliffe; Keleman—Wadsworth; Kieswetter—North Olmsted; LaSalvia—Strongsville; Lawrence—Parma Heights; Manning—Kent; McGhee—Euclid; Miller, A.—Lorain; Moccia—Lakewood; Moff—Atwater; Neiger—Middleburg Heights; Nelson—Fairview Park; Pallens—Lorain; Perala—Seven Hills; Pipper—Parma; Plickert—Painesville; Richards—Medina; Roetzel—Parma; Rumpf—LaGrange; Saari—Strongsville; Serago—Concord; Starks—South Euclid; Stewart III—Wellington; Stogioglou—Wellington; Suszynski—Chardon; Tagliarini—Brookpark; Tomor—Barberton; Topoly—Akron; Touma—Cuyahoga Falls; Zavodny II—Euclid.

UNITED STATES COAST GUARD—3

Linden—Norwalk; Simko—Fairport Harbor; Werdebaugh—Wellington.

OHIO ARMY NATIONAL GUARD—82

Batcha—Northfield; Bloch, Jr.—Streetsboro; Caraballo—Columbia Station; Carter—Cleveland; Champlin—Akron;—Cleveland—Cleveland; Clow—Cleveland; Davis-Johnson—Cleveland; Derr—Garrettsville; Distad—Shaker Heights; DoBroka—North Royalton; Dosen—Broadview Heights; Downey—Akron; Drzik—Akron; Dunning—Chardon; Eisenhauer—Doylestown; Eldred—Avon Lake; Fiscus—LaGrange; Franchino—Streetsboro; Freeman—Cleveland; Galik, Jr.—Norton; Georskey—Ashtabula; Golnick—Willoughby Hills; Gonzalez Sanchez—Kenmore; Grimes—Norton; Habeck—Wakeman; Haefka—Lorain; Hallisy—Lorain; Hendrickson—Brookpark; Herman—Chesterland; Hill—Brunswick; Hines—Ashtabula; Jackson—Cleveland; Johnson, A.—Cleveland; Johnson, E.—Elyria; Johnson, G.—Amherst; Jones—Warrensville; Keown—Mogadore; Kingzett—Independence; Knight—Ashtabula; Lee—North Ridgeville.

Loga—Ashtabula; Loraditch—Akron; Macklin—Bedford; Mansfield—Akron; Martin—Elyria; Mathews—Pierpont; May—Akron; Mclaughlin, C.—Strongsville; Mclaughlin, L.—Wasdworth; Milbrandt—Ashtabula; Miller—Ashtabula; Morales—Cleveland; Myers—Akron; Newell—Barberton; Nichols—Akron; Norton, Jr.—Cleveland; O'Connor—Litchfield; Patterson—Lorain; Pedreschi—Avon; Petrella—North Royalton; Phillips—Medina; Powell—Akron; Pozega—Amherst; Raker—Norton; Reid—Elyria; Reyes—Cleveland; Reynolds—Streetsboro; Richard—Oberlin; Rohal—Ravenna; Roldan—Cleveland; Rosa—Lorain; Ryan—Kent; Schwarz—Akron; Sharp—Euclid; Sweeny—Columbia Station; Thomas—Eastlake; Thomas—Akron; Townsend—Twinsburg; Wiley—Avon; Williams—Cleveland; Wolters II—Akron.

OHIO AIR GUARD—6

Berg—Hinckley; Delzoppo—Eastlake; Leonard—Akron; Mele—Willowick; Shamatta—Strongsville; Tushar—North Canton.

ADDITIONAL STATEMENTS

TRIBUTE TO BILL LITTON

• Mr. COCHRAN. Mr. President, on May 17, 2013, Mr. Bill Litton of Greenwood, MS, will conclude his term as the 78th president of the Delta Council. I am pleased to commend him for his

service and contributions to the delta region and the State of Mississippi.

Organized in 1935, Delta Council plays an important role in uniting the agricultural, business, and economic development leadership to solve problems and promote opportunities in the Mississippi Delta region, which includes eighteen counties in northwest Mississippi.

Mr. Litton has put in a strong performance as Delta Council president. His tenure as council president concludes as we are crafting a new, long-term Farm Bill, which will establish Federal policies for American agriculture and other important areas including conservation, agricultural research, and nutrition. Given this bill's importance to the delta's economy, I have appreciated Mr. Litton's advice and counsel related to serving the interests of our State. His input over the past year will contribute to the overall success of this endeavor.

In addition to his role as President of Delta Council, Mr. Litton is the President of Wade Incorporated in Greenwood, MS, which serves as the John Deere equipment dealership in many counties in the delta. He is also director of the Bank of Commerce. Some of his previous leadership positions include Chairman of the Greenwood Utility Commission and President of Delta Wildlife. He has been a recipient of the Silver Beaver Award from the Boy Scouts of America.

Born in New Hampshire, Mr. Litton moved to Greenwood, MS and earned his bachelor's degree from the University of Mississippi. As a Mississippian, Mr. Litton has demonstrated leadership and dedication to improving the quality of life in the delta and the entire State. I commend Bill Litton for his service to Mississippi, and share this appreciation with his wife Ann, and their three children Gerard, Powell, and Wade.●

TRIBUTE TO SYLVIA MEDINA

● Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in recognizing the significant accomplishments of Sylvia Medina, who is retiring as president & chief executive officer of North Wind, Inc.

Sylvia is influential locally, regionally, nationally and internationally. She founded North Wind, headquartered in Idaho Falls, which provides engineering, construction and environmental services to Federal and State agencies and private industry. Through her hard work and innovation, she grew North Wind into a leading business employing more than 300 scientific, engineering, construction and professional personnel in 21 offices throughout the country. In 2009, Sylvia sold North Wind to Cook Inlet Regional, Inc., CIRI, but remained on as president and chief executive officer.

Sylvia steps in to address community needs, and she has a strong commitment to community service. She has supported youth and education programs, the arts and environmental conservation efforts. She was also instrumental in raising money for the construction of an animal shelter and dog park. In addition, Sylvia has served in leadership roles for several local and national organizations that include the Idaho State University Foundation, Holy Rosary School, Women Impacting Public Policy, Green Kids Inc., Grow Idaho Falls, Idaho Falls Symphony, the Snake River Animal Shelter, LLC and the Institute for Economic Empowerment of Women.

Sylvia's strong leadership and dedication have been recognized through awards and her selection to assist with important initiatives. For example, she was appointed by Governor Butch Otter to the Leadership in Nuclear Energy Commission. Among her numerous honors, the U.S. Small Business Administration recognized Sylvia as a Small Business Person of the Year in 2008. In 2009, she received the Latina Women Entrepreneur of the Year Award from the Anna Maria Aras Memorial Business Fund and a Torch Award from the Better Business Bureau.

Sylvia leads by example and demonstrates a constant commitment to integrity and bettering the community. It has been great to work with Sylvia. Sylvia, your expertise and insight on small business issues have been valuable and greatly appreciated, and we look forward to continuing to work with you on future joint efforts. We hope that your retirement from North Wind provides you deserved time with your family, including your husband and three children, and your many friends. Thank you, Sylvia, for your hard work and exemplary service.●

TRIBUTE TO WILLIAM LEE RICH

● Mr. TESTER. Mr. President, today I wish to honor William Lee Rich, a career Navy man. Bill, on behalf of all Montanans and all Americans, I stand to say ''thank you'' for your service to this Nation.

It is my honor to share the story of Bill Rich's service in the U.S. Navy, because no story of heroism should ever fall through the cracks.

Bill was born in Jamestown, NY in 1947. After moving around the country with his family, he graduated from Spring Valley High School in New York and enlisted with the U.S. Navy in Poughkeepsie in 1966.

Bill trained with the Seabees in Davisville, RI before transferring to Mobile Construction Battalion 21 at Seabee Headquarters in Gulfport, MS. From there he was deployed to Phu Bai with M-C-B 21, just south of Hue City in Vietnam. While in Vietnam, Bill's unit was responsible for transporting South Vietnamese refugees out of Hue.

In February 1968, his unit saw heavy action during the Tet Counter Offensive. They were responsible for transporting a group of South Vietnamese out of Hue to the refuge center at Phu Bai. It was for their time in Hue that the M-C-B 21 received the Presidential Unit Citation. Bill also earned his Combat Action Ribbon.

Bill's deployment ended after 9 months, and his unit returned to Gulfport, MS before going back to Vietnam, this time to Camp Eagle in the Gia Lai Province. During his 8 months at Camp Eagle, Bill worked on various construction and electrical projects, both around the camp and in Hue. He also worked with the American-Vietnamese Civic Action Program to help construct engineering projects in the region.

After his two tours in Vietnam, Bill transferred to Naval Reserve Construction Battalion 19 for 4 years before returning to active duty.

Back with the Seabees, Bill was assigned to Italy and New Zealand before spending a year in Antarctica as part of Operation Deep Freeze. He was then assigned to Harold E. Holt station in Australia where he married his wife, Debby, a Helena native.

From Australia, Bill went to Winter Harbor, ME and then to M-C-B 74 in Gulfport. He deployed from Gulfport to Japan and Puerto Rico. From battalion he went to Manama, Bahrain in the Persian Gulf as a contract inspector.

From Bahrain, Bill went to the Naval Headquarters in London, England for 4 years where his daughter Mariah was born.

Bill's last assignment was part of a five-man active duty staff for Reserve Construction Battalion 13 at Camp Smith, Peekskill, NY. Before he retired, Bill received both the New York State Conspicuous Service Cross and the Long and Faithful Service Medal.

Upon his retirement, he received both the Navy and Army Achievement Medals. Bill retired with the rank of E–6 Construction Electrician First Class.

Bill transferred to Fleet Reserve and retired after a 30-year naval career.

Petty Officer Bill Rich moved to Helena to start his new life with his wife and daughter. He currently works for the State of Montana Department of Military Affairs here at Fort Harrison as an electrician.

After his service, Bill never received all of the medals he earned from the Navy.

Earlier this month, in the presence of his friends and family, it was my honor to finally present to Bill his Vietnam Campaign Medal with 1960 Device, Navy Expert Rifle Medal with Three Bronze Stars, Navy Expert Pistol Medal, Humanitarian Service Medal, and his Navy & Marine Corps Overseas Service Ribbon with One Silver and Four Bronze Stars.

It was also my honor to present the Antarctica Service Medal with Bronze Clasp, the Vietnam Service Medal with One Silver and Two Bronze Stars, the Navy Good Conduct Medal with Four Bronze Stars, the Naval Reserve Meritorious Service Medal, and the National Defense Service Medal with One Bronze Star.

Earlier this month I also presented to Bill: the Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation Ribbon with one Bronze Star, and the Meritorious Unit Commendation with One Bronze Star

These decorations are small tokens, but they are powerful symbols of true heroism. Sacrifice. And dedication to service.

These medals are presented on behalf of a grateful nation.●

EARTH DAY

● Mr. BROWN. Mr. President, on April 22, 1970—after years of planning—Earth Day activities stretched from college campuses, to city parks, to community halls across the country.

The landscape has changed since students, activists, and environmentalists celebrated the first Earth Day. That citizen call to action spurred a new season of environmental protections that have improved the health of our Nation's air, lands, rivers, and the Great Lakes.

Just several decades ago, polluted air and water threatened the public health and safety of our Nation. The Cuyahoga River in Cleveland had caught on fire and oil spills marred the beaches of Santa Barbara.

These catastrophic events served as catalysts that established the Environmental Protection Agency, EPA, passed the Clean Air and Clean Water Acts, and formed a public and political consciousness of the need to safeguard our environment.

Today, the Cuyahoga River—44 years after the fire—is cleaner and healthier, more than 60 different fish species are thriving, and countless families are again enjoying its natural beauty.

Today, Earth Day is celebrated around the world.

Now communities across Ohio and the Nation are spurring on the next generation of environmental innovation.

Seeds planted in places such as Oregon, OH—a city just east of Toledo in northwest Ohio—are beginning to grow.

To reduce energy costs, the Oregon City School District partnered with the Toledo-Lucas County Port Authority to transition away from traditional electricity to wind and solar power. Oregon City Schools set up wind turbines at Clay High School and Eisenhower Middle School. They installed solar panels on the roofs of Jerusalem and Starr Elementary Schools. And these innovative investments have paid off. In just 10 days in October, Clay Campus's wind turbine, Power Wind 56, produced 149 percent of campus energy needs. All computers, all lights, all kitchen activity, and fans on Clay Campus are now wind-powered. This includes the administration building, bus garage, and maintenance building at the stadium. Besides saving on energy costs, as of March 21, the school district is producing 800 fewer tons of carbon dioxide. This means less acid rain-causing sulfur dioxide and nitrous oxide going into the air.

This innovation and activism marks tremendous progress toward a more sustainable environment.

If we fail to protect our natural resources, we risk the health of citizens, the viability of our coastal areas, and the productivity of our State's farms, forests, and fisheries. We risk our long-term economic and national security. Yet we know that choosing between economic growth and environmental protections is a false choice.

Despite our population growing by 50 percent in the past 40 years and the number of cars on the road having doubled over that same time, our air is now 60 percent cleaner than at the time of the first Earth Day in 1970.

Done right, our Nation can become energy independent, improve its global competitiveness, and create new jobs and technologies for our workforce. As we plant the seeds for economic growth—for new jobs in new industries—we are also planting the seeds for a cleaner, more sustainable environment.

The students and parents of the Oregon City School District are a reminder that taking steps to protect our air and water is something that we do every day, not just on April 22.

Earth Day reminds us of our ability and our history of innovation and perseverance to protect our environment for current and future generations.●

TRIBUTE TO EARL HOLDING

● Mr. HATCH. Mr. President, today I wish to pay special tribute to a man I have admired for many years, Earl Holding. Sadly, Earl passed away April 19, 2013 leaving behind a lasting legacy that garnered the respect of many throughout our State and Nation.

Earl was a Utah icon—a businessman who reached the highest echelons of the business world—yet spent time to help people from all walks of life, and in many pursuits and interests. His work ethic is legendary. From a young age, Earl put in long days at whatever business he pursued, and he was truly an example of someone who wasn't afraid to roll up his sleeves and get his hands dirty—right along with his employees.

In 1949 Earl married his life's partner and eternal sweetheart, Carol Orme. Their marriage was a testament to their partnership as companions—at work and at home. Carol was almost always found at the side of Earl working the land, running hotels, and raising children. They are the proud parents of three children and twelve grandchildren whom they deeply love.

Earl's strength as a business leader has been witnessed by many employees he tutored and led in many successful and important companies including the Little America and Grand America hotels, the Snowbasin Ski Resort, and Sinclair Oil.

In the 1990s Earl was a driving force in helping to bring the Winter Olympic Games to Salt Lake City. His willingness to build world-class facilities to help stage the games cannot be overlooked as one of the key factors in the utmost success of the 2002 Winter Olympics. His contributions will never be forgotten.

Earl and Carol loved the land and enjoyed spending time at their ranches or property throughout the West. He loved to hike, bike, fish, or just enjoy nature in our wonderful part of the world. He had a great reverence for the beauty of our country and always sought to build edifices that paid tribute to that splendor.

Utah and our Nation lost a truly great business leader and giant of a man when Earl left this earthly existence. I know that many people will truly miss his strength, leadership, and commitment to excellence. I will miss all of those things, but I will also miss a cherished friend. I am grateful for the relationship Earl and I have enjoyed for many years and the support and wisdom he always shared.

Elaine and I convey our deepest sympathies to Carol and their family. May our Heavenly Father bless them with peace and comfort at this time. The contributions and impact Earl made on his family, his community, Utah and our Nation will be felt and appreciated for generations to come.●

RECOGNIZING EXCEPTIONAL NEVADA MOTHERS

● Mr. HELLER. Mr. President, today I wish to congratulate Mrs. Zan Peterson Hyer, who has been recognized as the 2013 Nevada Mother of the Year, and Mrs. Montsdarrat Wadsworth for being named the 2013 Nevada Young Mother of the Year. These two outstanding mothers have been honored for their commitment to strengthening the moral and spiritual foundations of the family and home.

These exceptional Nevada mothers have received this designation from the American Mothers, Inc. of Nevada, a nonprofit interfaith organization dedicated to honoring motherhood while offering support to mothers in the State of Nevada. American Mothers, Inc. is the official sponsor of Mother's Day and the Mother of the Year.

As a mother of five children and four grandchildren, Mrs. Hyer has demonstrated the great responsibility of motherhood and dedication to living and teaching her children outstanding qualities, such as love, understanding, courage, service, and compassion. As a recipient of this award, Mrs. Hyer will help deliver this message about motherhood to community organizations in Southern Nevada and throughout the State. I wish her all the best in her future endeavors and congratulate her on this well-deserved award.

Mrs. Wadsworth is also a devoted and honorable mother. She and her husband are raising 10 children in

Winnemucca, NV. They live and work on an alfalfa hay farm, and Mrs. Wadsworth homeschools all 10 of their children.

I ask my colleagues to join me today in congratulating these two outstanding Nevada Mothers. It is my hope that they will stand as examples of the important work that mothers do in strengthening our communities.●

TRIBUTE TO CHIEF WARRANT OFFICER 5 BERNARD SATTERFIELD

● Ms. AYOTTE. Mr. President, I rise today to recognize the accomplishments of CW5 Bernard Satterfield. On July 1, 2013, Chief Warrant Officer 5 Satterfield will retire after 40 years of distinguished service to the U.S. Army. With his decades of service and dedication to our country, Chief Warrant Officer 5 Satterfield has earned our deepest gratitude and respect.

In September 1973, Chief Warrant Officer 5 Satterfield entered active duty service after completing basic combat training at Fort Jackson, SC. In 1984, he was appointed to the Warrant Officer Corps. In 2010, he became the regimental chief officer—the highest ranking warrant officer—of the U.S. Army's Ordnance Corps. Chief Satterfield served in multiple overseas tours and deployments to Germany, Panama, South Korea, Kuwait, Iraq, Saudi Arabia, and numerous locations across the United States. His service earned him numerous military awards and decorations, including the Legion of Merit and the Bronze Star, for his faithful service and contribution to the Army's mission.

In retirement, I am confident that Chief Satterfield will continue to serve our Nation. On behalf of the Senate Armed Services Committee and the U.S. Senate, I am proud to thank Chief Satterfield, his wife Deirdre, and their son Steven, for four decades of honorable service to our Nation. I wish him and his family the very best in retirement.●

TRIBUTE TO LARRY RUVO

● Mr. HELLER. Mr. President, today I wish to congratulate Larry Ruvo, a Nevada businessman and philanthropist, for receiving the Horatio Alger Award. This award is reserved for outstanding Americans who exemplify dedication, purpose, and perseverance in their personal lives. Recipients of this award traditionally have started life in humble circumstances and have worked with great diligence to achieve success. Larry Ruvo is one of only 11 recipients of this year's award and exemplifies the dedication that has helped make the State of Nevada great.

Mr. Ruvo was born and raised in Las Vegas and graduated from Las Vegas High School. He has had a successful career as a local businessman and founder of Southern Wine and Spirits of Nevada. In memory of his father, Mr. Ruvo has worked tirelessly to establish a cognitive disease center in Las Vegas. His efforts and generosity helped in the creation of the Cleveland Clinic Lou Ruvo Center for Brain Health located in Las Vegas. Larry Ruvo's efforts to give back to his local community are admirable and inspiring.

I ask my colleagues to join me in congratulating Larry Ruvo for receiving this distinguished honor, and it is my hope that he will serve as an example of what great things a person can accomplish when they work with dedication, purpose, and perseverance.●

TRIBUTE TO LAUREL P. SAYER

● Mr. CRAPO. Mr. President, I rise today to recognize the achievements of Laurel Sayer, who is retiring from congressional service.

For the past 14 years, Laurel has served as the Natural Resources and Idaho National Laboratory policy adviser for my fellow Idaho congressional delegation colleague, Representative MIKE SIMPSON. Throughout her career, Laurel has served as a trusted advisor and resource to many. She has worked hard to develop partnerships and advocate for the interests of Idahoans.

Prior to working for Representative SIMPSON, Laurel served as an integral member of my staff for 6 years when I served in the U.S. House of Representatives. Among her responsibilities, she enhanced outreach efforts and provided valuable input on natural resources issues. Laurel joined my House staff with a wealth of community experience, which quickly translated into a great base for advocating for Idahoans in eastern Idaho. The years that she spent doing volunteer efforts in the community paid off for Idahoans as she transitioned into one of the most effective congressional staffers in the State.

She has been very involved throughout eastern Idaho and developed valuable relationships with local, State, regional, and Federal Government agencies and numerous organizations and individuals. For example, she has served in leadership roles for the Yellowstone Business Partnership, the Idaho Commission on the Arts, the Idaho Falls Arts Council, the Idaho Community Foundation, and the Education Foundation. Laurel has contributed significantly to the arts in Idaho, including promoting related projects, arts councils, and arts groups.

Laurel has served the community, State, and Nation with distinction, and I thank her for her hard work on behalf of Idahoans. I have enjoyed my years of friendship with Laurel and appreciated her kind demeanor, hard work, and tremendous will. Laurel, you have much to be proud of for your many years of dedication and committed service. I congratulate you on your retirement, wish you all the best, and thank you for all you have done for Idahoans.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on April 30, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 13101 of the HITECH Act (Public Law 111–5), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the HIT Policy Committee: Mrs. Gayle Harrell of Stuart, Florida.

Under the authority of the order of the Senate of April 25, 2013, the Secretary of the Senate, on April 30, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1765. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

The message also announced that the Clerk of the House be directed to return to the Senate the bill (S. 853) to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes, in compliance with a request of the Senate for the return thereof.

ENROLLED BILL SIGNED

The message further announced that the Speaker had signed the following enrolled bill:

H.R. 1765. An act to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration, and for other purposes.

Under authority of the order of the Senate of January 3, 2013, the enrolled bill was signed on April 30, 2013, during the adjournment of the Senate, by the President pro tempore (Mr. LEAHY).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by

Mr. Novtony, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 527. An act to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 527. An act to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes; to the Committee on Energy and Natural Resources.

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. MENENDEZ:

S. 856. A bill to foster stability in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. SANDERS, Mrs. MURRAY, Mr. COONS, Mrs. GILLIBRAND, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 857. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 858. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 859. A bill to amend the Farm Security and Rural Investment Act of 2002 to provide for the conducts of activities to detect, and respond in a timely manner to, threats to animal health; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FRANKEN (for himself, Mr. HARKIN, Mr. BROWN, Mr. DURBIN, Ms. CANTWELL, Mr. JOHNSON of South Dakota, Mr. COWAN, Ms. HIRONO, Ms. BALDWIN, and Mr. SCHATZ):

S. 860. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve energy programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 861. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Environment and Public Works.

By Ms. AYOTTE (for herself, Mr. SCHATZ, Mr. ALEXANDER, Mr. BLUNT, Ms. HIRONO, Mr. KING, Mr. MORAN, and Mr. PAUL):

S. 862. A bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. BEGICH):

S. 863. A bill to amend title 38, United States Code, to repeal time limitations on the eligibility for use of educational assistance under All-Volunteer Force Educational Assistance Program, to improve veterans education outreach, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER (for himself, Ms. HEITKAMP, Mr. COCHRAN, Mr. UDALL of New Mexico, Mr. CRAPO, Ms. KLOBUCHAR, Mr. RISCH, Mr. JOHNSON of South Dakota, Mr. MORAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. TESTER, Mr. INHOFE, Ms. HIRONO, Mr. BAUCUS, and Mr. VITTER):

S. 864. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Mr. HELLER, Mr. WARNER, Mr. GRASSLEY, Mr. BROWN, Mr. REED, Mr. BEGICH, Mr. CASEY, and Mr. FRANKEN):

S. 865. A bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 866. A bill to make improvements to the transitional program covered business method patents, and for other purposes; to the Committee on the Judiciary.

By Mr. PRYOR (for himself, Mr. MORAN, Mr. WICKER, and Mr. BOOZMAN):

S. 867. A bill to amend title XVIII of the Social Security Act to provide for pharmacy benefits manager standards under the Medicare prescription drug program, to establish basic audit standards of pharmacies, to further transparency of payment methodology to pharmacies, and to provide for recoupment returns to Medicare; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN (for himself, Mrs. MURRAY, and Mrs. GILLIBRAND):

S. Res. 128. A resolution expressing the sense of the Senate that supporting seniors and individuals with disabilities is an important responsibility of the United States, and that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. HELLER, Mrs. BOXER, Mrs. MURRAY, Mr. WARNER, Mr. SCHATZ, Mr. BEGICH, and Mr. CARDIN):

S. Res. 129. A resolution recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 85

At the request of Mr. COONS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 85, a bill to provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration.

S. 138

At the request of Mr. VITTER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 138, a bill to prohibit discrimination against the unborn on the basis of sex or gender, and for other purposes.

S. 232

At the request of Mr. HATCH, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 278

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 278, a bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 381

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 423

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 423, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 460

At the request of Mr. HARKIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 460, a bill to provide for an increase in the Federal minimum wage.

S. 462

At the request of Mrs. BOXER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 496

At the request of Mr. PRYOR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 541

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 617

At the request of Mr. CASEY, the names of the Senator from California (Mrs. BOXER), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 617, a bill to provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 629

At the request of Mr. PRYOR, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 653

At the request of Mr. BLUNT, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 654

At the request of Ms. LANDRIEU, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 679

At the request of Mr. BROWN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 689

At the request of Mr. HARKIN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 690

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 690, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 692

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 692, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 700

At the request of Mr. KAINE, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 709

At the request of Ms. STABENOW, the names of the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 724

At the request of Mr. BLUNT, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 724, a bill to provide flexibility to agencies on determining what employees are essential personnel in implementing the sequester.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 754

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 754, a bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops.

S. 759

At the request of Mr. CASEY, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 759, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 769

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 777

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 777, a bill to restore the previous policy regarding restrictions on use of Department of Defense medical facilities.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from North Carolina (Mrs. HAGAN), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 792

At the request of Mr. SCHUMER, his name was added as a cosponsor of S. 792, a bill to strengthen the enforcement of background checks with respect to the use of explosive materials.

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 792, supra.

S. 810

At the request of Mr. DONNELLY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 810, a bill to require a pilot program on an online computerized assessment to

enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes.

S. 813

At the request of Mr. TESTER, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 813, supra.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Ms. WARREN), the Senator from New Mexico (Mr. UDALL), the Senator from Michigan (Ms. STABENOW), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Vermont (Mr. SANDERS), the Senator from Washington (Mrs. MURRAY), the Senator from Michigan (Mr. LEVIN), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Virginia (Mr. KAINE), the Senator from Hawaii (Ms. HIRONO), the Senator from New York (Mrs. GILLIBRAND), the Senator from Delaware (Mr. COONS), the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. BOXER), the Senator from Montana (Mr. BAUCUS), the Senator from North Carolina (Mrs. HAGAN), the Senator from Connecticut (Mr. MURPHY), the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. FEINSTEIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Colorado (Mr. UDALL), the Senator from Virginia (Mr. WARNER), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. COWAN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 827

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 827, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 828

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 828, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 843

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 843, a bill to limit the amount of ammunition purchased or possessed by certain Federal agencies for a 6-month period.

S.J. RES. 10

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of 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.

S.J. RES. 13

At the request of Mr. WARNER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S.J. Res. 13, a joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day.

S. RES. 69

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 69, a resolution calling for the protections of religious minority rights and freedoms in the Arab world.

S. RES. 91

At the request of Mr. UDALL of New Mexico, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 91, a resolution supporting the goals and ideals of National Public Health Week.

S. RES. 126

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. Res. 126, a resolution recognizing the teachers of the United States for their contributions to the development and progress of our country.

At the request of Mr. JOHNSON of South Dakota, his name was added as a cosponsor of S. Res. 126, supra.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. Res. 126, supra.

At the request of Mr. WARNER, his name was added as a cosponsor of S. Res. 126, supra.

At the request of Ms. STABENOW, her name was added as a cosponsor of S. Res. 126, supra.

At the request of Mr. COONS, his name was added as a cosponsor of S. Res. 126, supra.

At the request of Mr. BEGICH, his name was added as a cosponsor of S. Res. 126, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 861. A bill to amend the Federal Water Pollution Control Act to provide guidance and clarification regarding issuing new and renewal permits, and for other purposes; to the Committee on Environment and Public Works.

Mr. MCCONNELL. 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. 861

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

SECTION 1. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

(a) APPLICABILITY OF GUIDANCE.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) APPLICABILITY OF GUIDANCE.—

''(1) DEFINITIONS.—In this subsection:

''(A) GUIDANCE.—

''(i) IN GENERAL.—The term 'guidance' means draft, interim, or final guidance issued by the Administrator.

''(ii) INCLUSIONS.—The term 'guidance' includes—

''(I) the comprehensive guidance issued by the Administrator and dated April 1, 2010;

''(II) the proposed guidance entitled 'Draft Guidance on Identifying Waters Protected by the Clean Water Act' and dated April 28, 2011;

''(III) the final guidance proposed by the Administrator and dated July 21, 2011; and

''(IV) any other document or paper issued by the Administrator through any process other than the notice and comment rulemaking process.

''(B) NEW PERMIT.—The term 'new permit' means a permit covering discharges from a structure—

''(i) that is issued under this section by a permitting authority; and

''(ii) for which an application is—

''(I) pending as of the date of enactment of this subsection; or

''(II) filed on or after the date of enactment of this subsection.

''(C) PERMITTING AUTHORITY.—The term 'permitting authority' means—

''(i) the Administrator; or

''(ii) a State, acting pursuant to a State program that is equivalent to the program under this section and approved by the Administrator.

''(2) PERMITS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, in making a determination whether to approve a new permit or a renewed permit, the permitting authority—

''(i) shall base the determination only on compliance with regulations issued by the Administrator or the permitting authority; and

''(ii) shall not base the determination on the extent of adherence of the applicant for the new permit or renewed permit to guidance.

''(B) NEW PERMITS.—If the permitting authority does not approve or deny an application for a new permit by the date that is 270 days after the date of receipt of the application for the new permit, the applicant may operate as if the application were approved in accordance with Federal law for the period of time for which a permit from the same industry would be approved.

''(C) SUBSTANTIAL COMPLETENESS.—In determining whether an application for a new permit or a renewed permit received under this paragraph is substantially complete, the permitting authority shall use standards for determining substantial completeness of similar permits for similar facilities submitted in fiscal year 2007.''.

(b) STATE PERMIT PROGRAMS.—

(1) IN GENERAL.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by striking subsection (b) and inserting the following:

''(b) STATE PERMIT PROGRAMS.—

''(1) IN GENERAL.—At any time after the promulgation of the guidelines required by section 304(I)(2), the Governor of each State desiring to administer a permit program for

discharges into navigable waters within the jurisdiction of the State may submit to the Administrator—

''(A) a full and complete description of the program the State proposes to establish and administer under State law or under an interstate compact; and

''(B) a statement from the attorney general (or the attorney for those State water pollution control agencies that have independent legal counsel), or from the chief legal officer in the case of an interstate agency, that the laws of the State, or the interstate compact, as applicable, provide adequate authority to carry out the described program.

''(2) APPROVAL.—The Administrator shall approve each program for which a description is submitted under paragraph (1) unless the Administrator determines that adequate authority does not exist—

''(A) to issue permits that—

''(i) apply, and ensure compliance with, any applicable requirements of sections 301, 302, 306, 307, and 403;

''(ii) are for fixed terms not exceeding 5 years; and

''(iii) can be terminated or modified for cause including—

''(I) a violation of any condition of the permit;

''(II) obtaining a permit by misrepresentation or failure to disclose fully all relevant facts; and

''(III) a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;

''(iv) control the disposal of pollutants into wells;

''(B)(i) to issue permits that apply, and ensure compliance with, all applicable requirements of section 308; or

''(ii) to inspect, monitor, enter, and require reports to at least the same extent as required in section 308;

''(C) to ensure that the public, and any other State the waters of which may be affected, receives notice of each application for a permit and an opportunity for a public hearing before a ruling on each application;

''(D) to ensure that the Administrator receives notice and a copy of each application for a permit;

''(E) to ensure that any State (other than the permitting State), whose waters may be affected by the issuance of a permit may submit written recommendations to the permitting State and the Administrator with respect to any permit application and, if any part of the written recommendations are not accepted by the permitting State, that the permitting State will notify the affected State and the Administrator in writing of the failure of the State to accept the recommendations, including the reasons for not accepting the recommendations;

''(F) to ensure that no permit will be issued if, in the judgment of the Secretary of the Army acting through the Chief of Engineers, after consultation with the Secretary of the department in which the Coast Guard is operating, anchorage and navigation of any of the navigable waters would be substantially impaired by the issuance of the permit;

''(G) to abate violations of the permit or the permit program, including civil and criminal penalties and other means of enforcement;

''(H) to ensure that any permit for a discharge from a publicly owned treatment works includes conditions to require the identification in terms of character and volume of pollutants of any significant source introducing pollutants subject to pretreatment standards under section 307(b) into the treatment works and a program to ensure compliance with those pretreatment standards by each source, in addition to adequate notice, which shall include information on the quality and quantity of effluent to be introduced into the treatment works and any anticipated impact of the change in the quantity or quality of effluent to be discharged from the publicly owned treatment works, to the permitting agency of—

''(i) new introductions into the treatment works of pollutants from any source that would be a new source as defined in section 306 if the source were discharging pollutants;

''(ii) new introductions of pollutants into the treatment works from a source that would be subject to section 301 if the source were discharging those pollutants; or

''(iii) a substantial change in volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit; and

''(I) to ensure that any industrial user of any publicly owned treatment works will comply with sections 204(b), 307, and 308.

''(3) ADMINISTRATION.—Notwithstanding paragraph (2), the Administrator may not disapprove or withdraw approval of a program under this subsection on the basis of the following:

''(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

''(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

(2) CONFORMING AMENDMENTS.—

(A) Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended—

(i) in subsection (c)—

(I) in paragraph (1)(A), by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''; and

(II) in paragraph (2)(A), by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''; and

(ii) in subsection (d), in the first sentence, by striking ''402(b)(8)'' and inserting ''402(b)(2)(H)''.

(B) Section 402(m) of the Federal Water Pollution Control Act (33 U.S.C. 1342(m)) is amended in the first sentence by striking ''subsection (b)(8) of this section'' and inserting ''subsection (b)(2)(H)''.

(c) SUSPENSION OF FEDERAL PROGRAM.—Section 402(c) of the Federal Water Pollution Control Act (33 U.S.C. 1342(c)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) LIMITATION ON DISAPPROVAL.—Notwithstanding paragraphs (1) through (3), the Administrator may not disapprove or withdraw approval of a State program under subsection (b) on the basis of the failure of the following:

''(A) The failure of the program to incorporate or comply with guidance (as defined in subsection (s)(1)).

''(B) The implementation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

(d) NOTIFICATION OF ADMINISTRATOR.—Section 402(d)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1342(d)(2)) is amended—

(1) by striking ''(2) NO'' and inserting the following:

''(2) OBJECTION BY ADMINISTRATOR.—

''(A) IN GENERAL.—Subject to subparagraph (C), no permit shall issue if—

''(i) not later than 90 days after the date on which the Administrator receives notification under subsection (b)(2)(E), the Administrator objects in writing to the issuance of the permit; or

''(ii) not later than 90 days after the date on which the proposed permit of the State is transmitted to the Administrator, the Administrator objects in writing to the issuance of the permit as being outside the guidelines and requirements of this Act.'';

(2) in the second sentence, by striking ''Whenever the Administrator'' and inserting the following:

''(B) REQUIREMENTS.—If the Administrator''; and

(3) by adding at the end the following:

''(C) EXCEPTION.—The Administrator shall not object to or deny the issuance of a permit by a State under subsection (b) or (s) based on the following:

''(i) Guidance, as that term is defined in subsection (s)(1).

''(ii) The Administrator's interpretation of a water quality standard that has been adopted by the State and approved by the Administrator under section 303(c).''.

SEC. 2. PERMITS FOR DREDGED OR FILL MATERIAL.

(a) IN GENERAL.—Section 404(a) of the Federal Water Pollution Control Act (33 U.S.C. 1344(a)) is amended—

(1) by striking the section heading and all that follows through ''SEC. 404. (a) The Secretary may issue'' and inserting the following:

''SEC. 404. PERMITS FOR DREDGED OR FILL MATERIAL.

''(a) PERMITS.—

''(1) IN GENERAL.—The Secretary may issue''; and

(2) by adding at the end the following:

''(2) DEADLINE FOR APPROVAL.—

''(A) PERMIT APPLICATIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), if an environmental assessment or environmental impact statement, as appropriate, is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary shall—

''(I) begin the process not later than 90 days after the date on which the Secretary receives a permit application; and

''(II) approve or deny an application for a permit under this subsection not later than the latter of—

''(aa) if an agency carries out an environmental assessment that leads to a finding of no significant impact, the date on which the finding of no significant impact is issued; or

''(bb) if an agency carries out an environmental assessment that leads to a record of decision, 15 days after the date on which the record of decision on an environmental impact statement is issued.

''(ii) PROCESSES.—Notwithstanding clause (i), regardless of whether the Secretary has commenced an environmental assessment or environmental impact statement by the date described in clause(i)(I), the following deadlines shall apply:

''(I) An environmental assessment carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 1 year after the deadline for commencing the permit process under clause (i)(I).

''(II) An environmental impact statement carried out under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall be completed not later than 2 years after the deadline for commencing the permit process under clause (i)(I).

''(B) FAILURE TO ACT.—If the Secretary fails to act by the deadline specified in clause (i) or (ii) of subparagraph (A)—

''(i) the application, and the permit requested in the application, shall be considered to be approved;

''(ii) the Secretary shall issue a permit to the applicant; and

''(iii) the permit shall not be subject to judicial review.''.

(b) STATE PERMITTING PROGRAMS.—

(1) AUTHORITY OF EPA ADMINISTRATOR.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended by striking ''(c)'' and inserting the following:

''(c) AUTHORITY OF EPA ADMINISTRATOR. .—

''(1) POSSIBLE PROHIBITION OF SPECIFICATION.—Until such time as the Secretary has issued a permit under this section, the Administrator is authorized to prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, and he is authorized to deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, whenever he determines, after notice and opportunity for public hearings, that the discharge of such materials into such area will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas. Before making such determination, the Administrator shall consult with the Secretary. The Administrator shall set forth in writing and make public his findings and his reasons for making any determination under this subsection.

''(2) AUTHORITY OF STATE PERMITTING PROGRAMS.—Paragraph (1) shall not apply to any permit if the State in which the discharge originates or will originate does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect as described in paragraph (1).''.

(c) STATE PROGRAMS.—The first sentence of section 404(g)(1) of such Act (33 U.S.C. 1344(g)(1)) is amended by striking ''for the discharge'' and inserting ''for some or all of the discharges''.

SEC. 3. IMPACTS OF EPA REGULATORY ACTIVITY ON EMPLOYMENT AND ECONOMIC ACTIVITY.

(a) ANALYSIS OF IMPACTS OF ACTIONS ON EMPLOYMENT AND ECONOMIC ACTIVITY.—

(1) ANALYSIS.—Before taking a covered action, the Administrator shall analyze the impact, disaggregated by State, of the covered action on employment levels and economic activity, including estimated job losses and decreased economic activity.

(2) ECONOMIC MODELS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Administrator shall utilize the best available economic models.

(B) ANNUAL GAO REPORT.—Not later than December 31st of each year, the Comptroller General of the United States shall submit to Congress a report on the economic models used by the Administrator to carry out this subsection.

(3) AVAILABILITY OF INFORMATION.—With respect to any covered action, the Administrator shall—

(A) post the analysis under paragraph (1) as a link on the main page of the public Internet Web site of the Environmental Protection Agency; and

(B) request that the Governor of any State experiencing more than a de minimis negative impact post such analysis in the Capitol of such State.

(b) PUBLIC HEARINGS.—

(1) IN GENERAL.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in a State, the Administrator shall hold a public hearing in each such State at least 30 days prior to the effective date of the covered action.

(2) TIME, LOCATION, AND SELECTION.—A public hearing required under paragraph (1) shall be held at a convenient time and location for impacted residents. In selecting a location for such a public hearing, the Administrator shall give priority to locations in the State that will experience the greatest number of job losses.

(c) NOTIFICATION.—If the Administrator concludes under subsection (a)(1) that a covered action will have more than a de minimis negative impact on employment levels or economic activity in any State, the Administrator shall give notice of such impact to the State's Congressional delegation, Governor, and Legislature at least 45 days before the effective date of the covered action.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COVERED ACTION.—The term ''covered action'' means any of the following actions taken by the Administrator under the Federal Water Pollution Control Act (33 U.S.C. 1201 et seq.):

(A) Issuing a regulation, policy statement, guidance, response to a petition, or other requirement.

(B) Implementing a new or substantially altered program.

(3) MORE THAN A DE MINIMIS NEGATIVE IMPACT.—The term ''more than a de minimis negative impact'' means the following:

(A) With respect to employment levels, a loss of more than 100 jobs. Any offsetting job gains that result from the hypothetical creation of new jobs through new technologies or government employment may not be used in the job loss calculation.

(B) With respect to economic activity, a decrease in economic activity of more than $1,000,000 over any calendar year. Any offsetting economic activity that results from the hypothetical creation of new economic activity through new technologies or government employment may not be used in the economic activity calculation.

SEC. 4. IDENTIFICATION OF WATERS PROTECTED BY THE CLEAN WATER ACT.

(a) IN GENERAL.—The Secretary of the Army and the Administrator of the Environmental Protection Agency may not—

(1) finalize, adopt, implement, administer, or enforce the proposed guidance described in the notice of availability and request for comments entitled ''EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act'' (EPA–HQ–OW–2011–0409) (76 Fed. Reg. 24479 (May 2, 2011)); and

(2) use the guidance described in paragraph (1), any successor document, or any substantially similar guidance made publicly available on or after December 3, 2008, as the basis for any decision regarding the scope of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any rulemaking.

(b) RULES.—The use of the guidance described in subsection (a)(1), or any successor document or substantially similar guidance made publicly available on or after December 3, 2008, as the basis for any rule shall be grounds for vacating the rule.

SEC. 5. LIMITATIONS ON AUTHORITY TO MODIFY STATE WATER QUALITY STANDARDS.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(4)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by striking ''(4)'' and inserting ''(4)(A)'';

(3) by striking ''The Administrator shall promulgate'' and inserting the following:

''(B) The Administrator shall promulgate;'' and

(4) by adding at the end the following:

''(C) Notwithstanding subparagraph (A)(ii), the Administrator may not promulgate a revised or new standard for a pollutant in any case in which the State has submitted to the Administrator and the Administrator has approved a water quality standard for that pollutant, unless the State concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of this Act.''.

(b) FEDERAL LICENSES AND PERMITS.—Section 401(a) of such Act (33 U.S.C. 1341(a)) is amended by adding at the end the following:

''(7) With respect to any discharge, if a State or interstate agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate determines under paragraph (1) that the discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, the Administrator may not take any action to supersede the determination.''.

SEC. 6. STATE AUTHORITY TO IDENTIFY WATERS WITHIN ITS BOUNDARIES.

Section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313) is amended by striking subsection (d)(2) and inserting the following:

''(2)(A) Each State shall submit to the Administrator from time to time, with the first such submission not later than 180 days after the date of publication of the first identification of pollutants under section 304(a)(2)(D), the waters identified and the loads established under paragraphs (1)(A), (1)(B), (1)(C), and (1)(D) of this subsection. The Administrator shall approve the State identification and load or announce his disagreement with the State identification and load not later than 30 days after the date of submission and if—

''(i) the Administrator approves the identification and load submitted by the State in accordance with this subsection, such State shall incorporate them into its current plan under subsection (e); and

''(ii) the Administrator announces his disagreement with the identification and load submitted by the State in accordance with this subsection he shall submit, not later than 30 days after the date that the Administrator announces his disagreement with the State's submission, to such State his written recommendation of those additional waters that he identifies and such loads for such waters as he believes are necessary to implement the water quality standards applicable to such waters.

''(B) Upon receipt of the Administrator's recommendation the State shall within 30 days either—

''(i) disregard the Administrator's recommendation in full and incorporate its own identification and load into its current plan under subsection (e);

''(ii) accept the Administrator's recommendation in full and incorporate its identification and load as amended by the Administrator's recommendation into its current plan under subsection (e); or

''(iii) accept the Administrator's recommendation in part, identifying certain additional waters and certain additional loads proposed by the Administrator to be added to such State's identification and load and incorporate the such State's identification and load as amended into its current plan under subsection (e).

''(C)(i) If the Administrator fails to either approve the State identification and load or announce his disagreement with the State identification and load within the time specified in this subsection then such State's identification and load is deemed approved and such State shall incorporate the identification and load that it submitted into its current plan under subsection (e).

''(ii) If the Administrator announces his disagreement with the State identification and load but fails to submit his written recommendation to the State within 30 days as required by subparagraph (A)(ii) then such

State's identification and load is deemed approved and such State shall incorporate the identification and load that it submitted into its current plan under subsection (e).

''(D) This section shall apply to any decision made by the Administrator under this subsection issued on or after March 1, 2013.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 128—EXPRESSING THE SENSE OF THE SENATE THAT SUPPORTING SENIORS AND INDIVIDUALS WITH DISABILITIES IS AN IMPORTANT RESPONSIBILITY OF THE UNITED STATES, AND THAT A COMPREHENSIVE APPROACH TO EXPANDING AND SUPPORTING A STRONG HOME CARE WORKFORCE AND MAKING LONG-TERM SERVICES AND SUPPORTS AFFORDABLE AND ACCESSIBLE IN COMMUNITIES IS NECESSARY TO UPHOLD THE RIGHT OF SENIORS AND INDIVIDUALS WITH DISABILITIES IN THE UNITED STATES TO A DIGNIFIED QUALITY OF LIFE

Mr. HARKIN (for himself, Mrs. MURRAY, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 128

Whereas the aging of the baby boom generation will cause the number of individuals in the United States who are 65 years of age or older to increase from 40,000,000 to 70,000,000 during the next 2 decades;

Whereas 12,000,000 adults, nearly half of whom are under 65 years of age, need long-term services and supports due to functional limitations;

Whereas the decision of the Supreme Court in Olmstead v. L.C., 527 U.S. 581 (1999), mandates the end of unnecessary segregation of individuals with disabilities in institutions, and requires that individuals with disabilities receive services in the most integrated setting appropriate to their needs;

Whereas the vast majority of individuals in the United States prefer to receive long-term services and supports in their homes so that they may continue to live independently and with dignity;

Whereas the costs of long-term services and supports for seniors and individuals with disabilities are high;

Whereas the great expense of long-term services and supports can affect all individuals, regardless of income;

Whereas 70 percent of individuals who are 65 years of age or older will need some form of long-term services and supports;

Whereas the number of individuals who need long-term services and supports is projected to grow from 12,000,000 to 27,000,000 by 2050;

Whereas there are approximately 3,200,000 workers in the direct care workforce, leaving a huge gap between the services needed and the size of the current workforce;

Whereas the United States is experiencing a jobs crisis, as 25,000,000 individuals are unemployed or underemployed;

Whereas home care is one of the fastest growing industries in the United States economy, providing critical daily care, services, and supports to millions of individuals and families across the country;

Whereas an estimated 1,800,000 additional home care workers will be needed during the next decade to serve the growing population of seniors and individuals with disabilities;

Whereas the quality of home care jobs is poor, with low wages, few benefits, high turnover, and a high level of job stress and hazards;

Whereas home care and personal assistance workers earn a median hourly wage of $9.53, and nearly half of such workers live in households that also rely on public assistance;

Whereas approximately 55 percent of home care workers work part-time, and approximately 44 percent of those part-time workers would prefer to work more hours;

Whereas nearly 21 percent of the individuals who provide home care services were born outside the United States;

Whereas a stabilized home care workforce would lead to improved continuity and quality of long-term services and supports;

Whereas the issue of long-term services and supports is a critical issue for women, as 70 percent of individuals who need such care are women 65 years of age or older, 90 percent of paid caregivers are women, and 85 percent of family members and friends who informally provide care are women who often have to leave the paid workforce to provide such care, and thus are at a financial disadvantage during their working years and face a reduction in Social Security benefits when they retire; and

Whereas a comprehensive approach that focuses on job creation and job quality, workforce training, pathways to citizenship and career advancement, and support for individuals and families is necessary to build a strong home care workforce and make quality long-term services and supports affordable and accessible for all individuals in the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

SENATE RESOLUTION 129—RECOGNIZING THE SIGNIFICANCE OF MAY 2013 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. HELLER, Mrs. BOXER, Mrs. MURRAY, Mr. WARNER, Mr. SCHATZ, Mr. BEGICH, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 129

Whereas the United States joins together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, which is a growth rate 4 times faster than that of the total population of the United States;

Whereas the 2010 decennial census estimated that there are approximately 17,300,000 residents of the United States who identify as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up nearly 6 percent of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas 2013 marks 70 years since the repeal of the Act of May 5, 1892 (27 Stat. 25, chapter 60) (commonly known as the ''Geary Act'' or the ''Chinese Exclusion Act''), and 25 years since the passage of the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) that granted reparations to Japanese Americans interned during World War II, both cases in which Congress acted to address discriminatory laws that targeted people of Asian descent;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas, in 2013, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 40 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2013, Asian Americans and Pacific Islanders are serving in State legislatures across the United States in record numbers, including in the States of Alaska, Arizona, California, Connecticut, Colorado, Georgia, Hawaii, Idaho, Maryland, Massachusetts, New York, Pennsylvania, Texas, Utah, Vermont, Virginia, and Washington;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders more than doubled between 2009 and 2013, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high caliber Asian-American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian-American and Pacific Islander community enhances the

rich diversity of and strengthens the United States.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 7, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider S. 783, the Helium Stewardship Act of 2013.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by email to danielle deraney@energy .senate.gov.

For further information, please contact Vickie Gunderson at (202) 224–5479 or Danielle Deraney at (202) 224–1219.

JOINT COMMITTEE OF CONGRESS ON PRINTING

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on Printing will meet on Tuesday, May 7, 2013, at 10 a.m., in SC–4 to conduct its organization meeting for the 113th Congress.

For further information regarding this hearing, please contact Matt McGowan at the Rules and Administration Committee on (202) 224–6352.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on the Library will meet on Tuesday, May 7, 2013, at 10 a.m., in SC–4 to conduct its organization meeting for the 113th Congress.

For further information regarding this hearing, please contact Matt McGowan at the Rules and Administration Committee on (202) 224–6352.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, the Committee on Small Business and Entrepreneurship will meet on May 8, 2013, at 10 am in room 106 of the Dirksen Senate Office building to hold a hearing entitled ''Strengthening the Entrepreneurial Ecosystem for Minority Women.''

ORDERS FOR TUESDAY, MAY 7, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Tuesday, May 7, 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 be in a period of morning business until 11 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 Republicans controlling the first half and the majority controlling the final half; further, that following morning business the Senate proceed to executive session to consider Calendar No. 42, the Medine nomination, as provided under the previous order; and that the Senate then recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote on the Medine nomination at noon tomorrow. At 2:15 p.m., we will begin consideration of S. 601, the Water Resources Development Act. I have spoken to the two managers of that bill, Chairman BOXER and Ranking Member VITTER, and they are going to manage this bill to the best of their ability. They have experience, they know the issue, and people should be ready to work with them to see if we can move this bill as fast as possible.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Tuesday, May 7, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

COLIN STIRLING BRUCE, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF ILLINOIS, VICE MICHAEL P. MCCUSKEY, RETIRING.

SARA LEE ELLIS, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE JOAN B. GOTTSCHALL, RETIRED.

ANDREA R. WOOD, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE WILLIAM J. HIBBLER, DECEASED.

FOREIGN SERVICE

THE FOLLOWING–NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

KATE E. ADDISON, OF VIRGINIA
EHSAN A. ALEAZIZ, OF WASHINGTON
MARVIN J. ALLRED, OF VIRGINIA
JOSEPH A. ANDERSON, OF VIRGINIA
GINA M. ANDREWS, OF TEXAS
CAROLINA J. ASTIGARRAGA, OF VIRGINIA
KRISTIAN T. BARNEY, OF VIRGINIA
CHRISTINE BELL, OF VIRGINIA
JOHN TODD BELMEAR, OF COLORADO
CHARLES M. BENNETT, OF FLORIDA
LADISLAV BERANEK, OF WASHINGTON
ARVIN BHATT, OF NEW YORK
RICHARD BINDRUP, OF NEVADA
KENDALL S. BLACKWELL, OF TEXAS
SARAH M. BOMAN, OF UTAH
EDWARD P. BOUCHER, OF VIRGINIA
MARK J. BOUCHIE, OF VIRGINIA
MEGHAN M. BREEN, OF VIRGINIA
CHEYENNE BROWN, OF VIRGINIA
KATE E. BURNS, OF VIRGINIA
VERONICA CASTRO, OF CALIFORNIA
ALTHEA CAWLEY–MURPHREE, OF WASHINGTON
ANDREW CHIRA, OF THE DISTRICT OF COLUMBIA
SARAH O. CHO, OF VIRGINIA
JAMES P. CHYNOWETH, OF FLORIDA
NICHOLAS CORNELL COHEN, OF INDIANA
ROBERT M. CORNEJO, OF VIRGINIA
MARIA B. CORREA, OF TEXAS
RACHAEL CULLINS, OF INDIANA
MONICA LYNN DAVIS, OF VIRGINIA
EDWARD P. DE MAYE, OF VIRGINIA
JONATHAN L. DECANIO, OF VIRGINIA
MATTHEW P. DORR, OF VIRGINIA
GARY W. DUNCAN, OF VIRGINIA
HADY ELNEIL, OF CALIFORNIA
JESSICA A. FELDMAN, OF VIRGINIA
ROSS FELDMANN, OF THE DISTRICT OF COLUMBIA
RYAN E. FLORY, OF THE DISTRICT OF COLUMBIA
WILBUR C. FREDERICK, OF VIRGINIA
LAURA L. FREEMAN, OF VIRGINIA
JOSEPH GAI, OF VIRGINIA
ELIZABETH G. GAY, OF VIRGINIA
GREG GERARDI, OF VIRGINIA
ANTHONY GIARRIZZI, OF VIRGINIA
MARSHA GOLDING, OF VIRGINIA
CHRISTOPHER DANIEL GOOCH, OF UTAH
LYLE SCOTT GOODE, OF CALIFORNIA
GARRY E. GRABINS, OF ILLINOIS
SHAI E. GRUBER, OF THE DISTRICT OF COLUMBIA
MARK R. GUCWA, OF VIRGINIA
WILLIAM K. HAMBLIN, OF VIRGINIA
YOUNG MOK HAN, OF CALIFORNIA
TIMOTHY J. HANKO, OF VIRGINIA
RYAN MATTHEW HANLON, OF SOUTH DAKOTA
MAXWELL STEINBACH HARRINGTON, OF VIRGINIA
PATRICK BENNETT HARRINGTON, OF CALIFORNIA
CYNTHIA J. HARTMAN, OF VIRGINIA
JANET A. HEG, OF WASHINGTON
MICHELE L. HILTZ, OF VIRGINIA
CHADWICK HOUGHTON, OF THE DISTRICT OF COLUMBIA
SPENCER J. HUBBARD, OF VIRGINIA
JONATHAN JANKORD, OF VIRGINIA
TRAVIS WILLIAM JONES, OF MARYLAND
SETAREH S. JORGENSEN, OF MARYLAND
MARY F. KEFFER, OF VIRGINIA
DEBORAH ANN KERSHNER, OF COLORADO
CHRIS J. KUCHARSKI, OF CALIFORNIA
PATRICK A. LAUGHLIN, OF VIRGINIA
WINSTON LE, OF THE DISTRICT OF COLUMBIA
JENNIFER CARMEN LEE, OF VIRGINIA
JOHN F. LESO, OF THE DISTRICT OF COLUMBIA
EMILY A. LEVASSEUR, OF NEW HAMPSHIRE
STACI K. MACCORKLE, OF OREGON
RICHARD L. MAHY, OF MARYLAND
SAID MAQSODI, OF VIRGINIA
KARON E. MASON, OF VIRGINIA
CHRISTOPHER MCKINNEY, OF TEXAS
JOHN J. MCLOONE III, OF VIRGINIA
DARREN MCMAHON, OF VIRGINIA
JAMES ROBB MCMILLAN, OF VIRGINIA
DAVID E. MERRELL, OF WASHINGTON
CARRIE A. MIRSHAK, OF OHIO
KAREN M. MONTAUDON, OF OREGON
MICHAEL C. MOORE, OF THE DISTRICT OF COLUMBIA
MARIA MORENO, OF CALIFORNIA
DEDRIC J. MORTELMANS, OF VIRGINIA
BRIAN D. MOUZON, OF VIRGINIA
ELISA M. MURPHY, OF VIRGINIA
JENNIFER K. NAMES, OF VIRGINIA
MAXXWELL DAVID NANSON, OF VIRGINIA
ANDREW NISSEN, OF VIRGINIA
ADAM B. NORTON, OF VIRGINIA
EVELYN A. OKOTH, OF MARYLAND
ANDREW JOHN OSORNO, OF CALIFORNIA
JEREMY N. PACE, OF LOUISIANA
SETH PEAVEY, OF NORTH CAROLINA
CHRISTOPHER H. PUHL, OF VIRGINIA
CYNTHIA L. RAPP, OF VIRGINIA
SAMANTHA A. RINGMACHER, OF TEXAS
DAVID ROBBIE, OF COLORADO
JAMES M. ROBINSON, OF WASHINGTON
DAVID A. RONDON, OF VIRGINIA
JEFFREY PAUL SAKURAI, OF CALIFORNIA
NISSA SALOMON, OF THE DISTRICT OF COLUMBIA
JOCELYN M. SMITH, OF VIRGINIA
SEAN Z. SMITH, OF MARYLAND
INGRID SPECHT, OF THE DISTRICT OF COLUMBIA
RICKY D. STROH, OF NORTH CAROLINA
ANNE C. STURTEVANT, OF THE DISTRICT OF COLUMBIA
LIAM O. TOOMEY, OF VIRGINIA
VALERIE M. VASS, OF VERMONT
CONOR M. WALSH, OF VIRGINIA
JESSE WALTER, OF WISCONSIN
MOLLY M. WEAVER, OF VIRGINIA
CHRISTINA C. WEST, OF TEXAS
LINDSEY S. WHITE, OF VIRGINIA
AMY M. WISER, OF VIRGINIA
MICHELE D. WOONACOTT, OF CALIFORNIA
MICHAEL B. WYATT, OF VIRGINIA
JOSEPH H. ZAMOYTA, OF MARYLAND
WILLIAM F. ZEMAN, OF CONNECTICUT

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROBERT C. BOLTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 9335:

To be brigadier general

COL. ANDREW P. ARMACOST

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RAYMOND A. THOMAS 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

LT. GEN. WILLIAM T. GRISOLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH ANDERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. JOHN M. CHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRIAN E. ALVIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203:

To be major general

BRIGADIER GENERAL WILLIAM F. DUFFY
BRIGADIER GENERAL RONALD E. DZIEDZICKI
BRIGADIER GENERAL MARK T. MCQUEEN
BRIGADIER GENERAL LUCAS N. POLAKOWSKI
BRIGADIER GENERAL RICKY L. WADDELL

To be brigadier general

COLONEL STEVEN W. AINSWORTH
COLONEL RONALD A. BASSFORD
COLONEL JOSE R. BURGOS
COLONEL JOHN E. CARDWELL
COLONEL DANIEL J. CHRISTIAN
COLONEL JOHN J. ELAM
COLONEL BRUCE E. HACKETT
COLONEL JOSEPH J. HECK
COLONEL THOMAS J. KALLMAN
COLONEL WILLIAM B. MASON
COLONEL KENNETH H. MOORE
COLONEL THOMAS T. MURRAY
COLONEL MICHAEL C. O'GUINN
COLONEL MIYAKO N. SCHANELY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT R. RUARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GLENN M. WALTERS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TED N. BRANCH

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. SEAN A. PYBUS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

STEPHEN J. LEPP

To be lieutenant commander

ROBERT G. HOLMES
JOHN C. RUDD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

SARAH E. NILES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RICHARD DIAZ

WITHDRAWAL

Executive message transmitted by the President to the Senate on May 6, 2013 withdrawing from further Senate consideration the following nomination:

NAVY NOMINATION OF JEROME R. PILEWSKI, TO BE COMMANDER, WHICH WAS SENT TO THE SENATE ON MARCH 19, 2013.

EXTENSIONS OF REMARKS

A TRIBUTE TO JOSEPH LUCIAN WYATT, JR.

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Joseph Lucian Wyatt, Jr. of Pasadena, California, who was an influential force in Southern California legal circles as well as an exceptional community activist.

Joe was born in Chicago, Illinois, the only son of Joseph and Cecile Wyatt. From 1942 to 1945, Joe served in the United States Air Force as a First Sergeant in the USAAF Troop Carrier Command in England, France, and Germany. After returning home, Joseph received his undergraduate degree from Northwestern University in 1947 and his law degree from Harvard Law School in 1949. He then moved to California to practice law and soon met Marge Simmons at a California Federation of Young Democrats Convention. They married in 1954.

Mr. Wyatt practiced trust and estate law for three law firms, specializing in trust and estate planning, fiduciary and tax practice, and trial and appellate litigation on behalf of individual and institutional clients. Most recently, Mr. Wyatt served as Senior of Counsel to Morrison/Foerster LLP. He authored an impressive four–volume treatise on Trust Administration and Taxation, and since 1962 he has been a prominent lecturer in his field. He was also an active member of many professional organizations. Mr. Wyatt was known as a people's lawyer and will be fondly remembered as a bow tie aficionado, rarely being seen in public without a bow tie.

Joe served his community as a board member of the Pacific Oaks College and Children's School, the California State Personnel Board, the Board of Administration of the California Public Employees Retirement System, and anti-poverty agencies of Pasadena and Los Angeles. In addition, he also supported many non-profit organizations that specialized in education and children's services. Joe was the counsel to the California delegation at six Democratic National Conventions, prior to which he was a delegate to four conventions. He was very active at state and local Democratic Party events, often serving as a skillful parliamentarian.

Joe Wyatt was a very accomplished man, an admirable lawyer, and a great husband and father. He was principled, intelligent, humble, and humorous. He will be greatly missed not only by his wife Marge and their four children Daniel, Linn, Jonathan, and Lawrence, but by the entire community. I ask all Members to join me in remembering Joseph Lucian Wyatt, Jr.

RECOGNIZING FRANCES MARIE CALVO MONGE ON BEING NAMED THE 2013 FIRST HAWAIIAN BANK AND GUAM BUSINESS MAGAZINE BUSINESSWOMAN OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Frances Marie Calvo Monge on being named the 2013 First Hawaiian Bank and Guam Business Magazine Businesswoman of the Year. Marie is the Chief Operating Officer and Executive Producer of Pacific Telestations Inc.'s KUAM and has been in the media industry for 16 years.

Born and raised on Guam, Marie attended Academy of Our Lady of Guam and graduated from Castilleja School in Palo Alto, Calif., in the spring of 1992. Her first job was a production assistant at a local public access television station in Palo Alto.

In May 1996, Marie graduated Magna Cum Laude from Emerson College in Boston with a Bachelor of Science degree in Mass Communication/Film.

Following graduation, Marie moved to Los Angeles, where she worked as a Development Assistant for Flower Films from January 1996 to September 1996. She worked with the producing team for actress Drew Barrymore to identify script projects that were to be developed into major motion pictures. She also assisted with film pre-production, which included location scouting, casting, and character wardrobe.

In January 1997, Marie began serving as Executive Producer of KUAM, where she oversaw all local productions, directed live productions, and developed local content and programming for the stations of KUAM.

In 2001, Marie co-founded a community service initiative of the stations of KUAM known as the KUAM Careforce. Through this Careforce, KUAM has highlighted many Guam organizations, raising awareness for issues of importance to our island community.

Marie also is the president of The Edward M. Calvo Cancer Foundation, a member of the Guam Chamber of Commerce, and a Board Member of The Rigalu Foundation, Sanctuary, Inc., and Hurao, Inc. She is also a member of the largest media professional group in the United States, Radio Television Digital News Association.

She is married to Eli Monge and together they have two daughters, Noelle Veronica, 14 years old and Reese Frances, 11 years old.

I congratulate Frances Marie Calvo Monge on receiving the 2013 First Hawaiian Bank and Guam Business Magazine Businesswoman of the Year. I join the people of Guam in commending her for her award and thanking her for her contributions to our community as a woman leader in business.

IN SUPPORT OF ''JEWISH AMERICAN HERITAGE MONTH''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise today in recognition of Jewish American Heritage Month. Nearly 360 years have passed since the establishment of the first Jewish community in North America. Since that time, Jewish Americans have contributed to the cultural richness and diversity of our nation in every field of community life, including business, government, medicine, law, the natural and social sciences, the arts and humanities, academia, religion, and the military.

There are approximately 5 million Jewish Americans and more than 100,000 of them live in Texas, nearly half of those, about 45,000, live in the Houston metropolitan area. Although their numbers may be small in a state with a general population over 20 million, the impact of Jewish Americans in Texas and in Houston has been great indeed.

Jewish Americans were there during the fight for Texas' independence from Spain and Mexico. Adolphus Sterne, an East Texas merchant, was a principal source of financial backing for the Texas Revolution and a close friend of Sam Houston. Albert Moses Levy was surgeon-in-chief in the revolutionary army. The De Cordova family helped develop the city of Waco and Henri Castro settled immigrants in several Texas towns. In 1859 the first synagogue in Texas was established in Houston.

Business and trade, especially the merchandising of food, clothing, jewelry with style, elegance, and distinction are the arenas in which many Jewish-Texan families made their most visual marks on the state of Texas. There is hardly a city in the Lone Star State whose history is without landmark stores founded and developed by Jewish entrepreneurs: Neiman, Marcus, Sanger in Dallas; Battelstein and Sakowitz in Houston; and Joske in San Antonio.

These cities and towns reaped the benefits not only in availability of goods, but also in owners' generous patronage of the fine arts and in contributions to civic life such as the historic Levy Opera House in Hillsboro and the Brin Opera House in Terrell. Other early Jewish Americans who contributed mightily to civic life include Anna Hertzberg, who served as president of the original San Antonio Symphony Orchestra before World War I, and Olga Bernstein Kohlberg of El Paso, who started Texas' first free public kindergarten in 1892. That tradition continues today with the Dell Children's Hospital in Austin established by Dell Computers founder and CEO, Michael Dell.

Mr. Speaker, it was 65 years ago this month that President Truman recognized the free, independent, and democratic State of Israel, making the United States the first country to

welcome Israel into the family of nations. And for 65 years Israel and the United States have remained the best of friends and the strongest of allies. One reason for the enduring strength of this relationship is the enduring contributions made by Jewish Americans in enriching American life and culture.

Mr. Speaker, as a representative of the state of Texas which has welcomed Jews for more than three centuries, I join with my colleagues and President Obama in calling upon all Americans to learn more about the heritage and contributions of Jewish Americans and to observe this month with appropriate programs, activities, and ceremonies.

HONORING FRED ACQUAVITA ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the many family, friends, colleagues, and community leaders who have gathered in celebration of an outstanding member of our community and my dear friend, Fred Acquavita, as he retires from his post as Headmaster of St. Thomas Day School in New Haven, Connecticut after more than three decades of service in education.

A native of New Haven, Fred left Connecticut to attend the Kansas State College of Pittsburg to earn his Bachelors Degree and later returned to earn his Masters from Southern Connecticut State University as well as his 6th Year from Bank Street College of Education. Fred began his career as a teacher in the New Haven Public School system working with children in elementary and secondary schools. Deeply passionate about education and making it work for both teachers and our young people, Fred focused his professional growth on building expertise in curriculum development, instructional support, strategic planning, and team building—all of which would serve him well as he accepted the leadership role at St. Thomas's Day School. As Headmaster of St. Thomas's Day School, Fred has helped to shape the lives of hundreds of young people—nourishing their minds, encouraging their imaginations, and preparing them well to meet their full potential and realize their dreams.

Fred's dedication to enriching our community extends far beyond his work in education. Throughout his adult life he has dedicated much of his time to a myriad of local service organizations. He has served on the Board of Directors at Farnum Neighborhood House where he also coached ''Biddy Basketball,'' participated in the Graustein Foundation Leadership Program, and is currently an Associate Fellow Yale's Berkeley College as well as a member of the Board of Directors of the Connecticut Association of Independent Schools.

On a more personal note, I want to take a moment to thank Fred for his many years of special friendship. His support and camaraderie is something that I will always cherish. Fred's passion for making a difference is an inspiration to many and I consider myself very fortunate to call him my friend.

Teacher, administrator, advocate, and mentor, Fred is a reflection of all that we attribute to an outstanding public servant. His actions reflect his deep and abiding belief in the words of St. Francis of Assisi—we should all strive to ''make this a better world and let it begin with me.'' For his many invaluable contributions to both St. Thomas's Day School and our community, I am proud to stand today and extend my deepest thanks and appreciation to my good friend, Fred Acquavita, as he celebrates his retirement. I wish him as well as his wife, Marie; their children, John and Michael; and their three beautiful granddaughters the very best for many more years of health and happiness.

RECOGNIZING ISMAEL GUZMAN ON HIS ENLISTMENT INTO THE UNITED STATES MARINE CORPS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor Mr. Ismael Guzman, a senior at Glades Central High School in Belle Glade, Florida. Ismael is fine young man who has received good grades, and will graduate later this month. He has courageously chosen to enlist in the United States Marine Corps.

Ismael should be extremely proud of his decision to serve this nation. It is thanks to the commitment and dedication of individuals such as him, that we are able to meet here in the House of Representatives, and openly debate and legislate on the many issues facing our nation.

Mr. Speaker, I commend Ismael Guzman for his selflessness to enlist in the Marine Corps. I am certain that he will serve with honor and distinction. We owe him, as well as all the men and women serving in uniform a debt of gratitude.

IN MEMORY OF PATRICK R. FOSTER

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life of Patrick R. Foster.

As a Vietnam War veteran who served in a Naval Attack Squadron and a superintendant with the city of Federal Way, Washington, Pat Foster's life was dedicated to public service. As the self-proclaimed ''CEO of potholes'' for the city, Pat supervised a staff that maintained the city's many roads and sidewalks, using his warmth and sense of humor to add a human touch in handling the multitude of requests the city received.

Pat's tireless efforts and down-to-earth demeanor led his colleagues throughout the Federal Way city government to consider him an integral part of its operations. He was trusted to develop and implement creative and resourceful solutions to the issues and challenges faced by the city and its residents, while involving others and making them feel equally important in the process. As a leader, he spared no opportunity to make sure his staff's good work received due recognition. Under Pat's leadership, his Public Works division and those who worked in it earned a great deal of respect from all. He was also so well regarded by residents that they would request assistance from him by name.

Fiercely proud of his service with the Navy, colleagues fondly remember Pat's many stories of his time in the military and remarked about the wealth of aviation knowledge he was able to share. Nowhere was this on more prominent display than during a visit to the National Air and Space Museum. During their trip to Washington, DC, they also shared an especially moving time with Pat at the Vietnam Veterans Memorial.

Pat's unrelenting and quiet dedication to serving the public, in the military and in local government, serves as an example of the tremendous impact one outstanding person can have on his community.

Mr. Speaker, it is with great pleasure that I recognize the life of Pat Foster. He is a reminder of the standards of service to which we should aspire every day.

RECOGNIZING PETTY OFFICER 1ST CLASS (FMF) BENNY MENDIOLA FLORES JR. ON RECEIVING A SILVER STAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to commend Petty Officer 1st Class (FMF) Benny Mendiola Flores Jr., a hospital corpsman serving with the Air Naval Gunfire Liaison Company, on receiving a Silver Star, for conspicuous gallantry and intrepidity in action with combat operations against the enemy while serving as Field Medical Service Technician, I Marine Expeditionary Force (Forward), on 28 April 2012, in support of Operation Enduring Freedom. He was presented with the Silver Star, the military's third-highest award for valor, at a ceremony at Camp Pendleton, Calif., on May 3, 2013.

Petty Officer Flores, a native of Guam, graduated from Southern High School in 2001, and, shortly thereafter, enlisted in the United States Navy. He always wanted to be a corpsman, and, in his remarks at the award ceremony, demonstrated his humility and gratitude for the opportunity to serve our country. He is currently serving his third deployment to the Middle East.

During his deployment to Afghanistan last year, Petty Officer Flores was providing medical coverage for a three-day, Afghan-led mission to Zaranj, Afghanistan near Iran's border. He was riding in the back of a pickup in Nimruz province's Zaranj district returning to camp after a trip to the Iranian border when an improvised explosive device detonated near his vehicle as a result of a suicide bomber. Despite suffering shrapnel wounds to his arms and back, he immediately began helping the wounded. He risked his life four times, running through enemy gunfire to help save the Marines and Afghan Uniform Police officer who were injured in the blast.

Petty Officer Flores stayed focused administering combat lifesaving skills. Although he

worked hard to make sure everyone was secure, another passenger in his vehicle, Master Sergeant Scott Pruitt, died from injuries sustained in the attack.

Petty Officer Flores has received numerous awards and decorations for his service, including a Purple Heart, a Joint Service Commendation Medal and a Joint Service Achievement Medal.

He is currently pursuing a college degree and furthering his passion for medicine by studying sports management at American Military University. He is the son of Benny Flores Sr. and Josepha K. Lizama. He lives at Camp Pendleton Marine Corps Base in California with his wife, Jerrianne, and their daughter, Jaena.

I commend Petty Officer 1st Class Benny Flores on receiving this high honor for his heroic actions in combat. I join the people of Guam in thanking him for his bravery and selfless service to our nation, and for making our island proud.

RECOGNIZING ROB MELLEN FOR HIS CONTRIBUTIONS TO DR. PHILLIPS CHARITIES

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to take this opportunity to recognize a close friend of mine whose philanthropic contributions have greatly impacted the Central Florida community. Rob Mellen served as the President and CEO of Dr. Phillips Charities for the past five years. Prior to his role at Dr. Phillips Charities, Mr. Mellen was a leading and well–recognized corporate, banking and real estate attorney and the managing shareholder at Akerman Senterfitt, one of Florida's largest law firms.

Over the last five years as CEO and President, Mr. Mellen has inspired Dr. Phillips Charities to work towards new endeavors while facing the economic turmoil that has affected our nation. During his tenure, the construction of Orlando's Dr. Phillips Center for the Performing Arts began. He continues to play an important role in the planning and construction of Orlando's long awaited world class performing arts center scheduled to open in 2014. With the completion of Dr. Phillips Charities' new headquarters, Mr. Mellen also secured a place where Dr. Phillips Charities can enhance relationships with other major philanthropic organizations and the partnerships with those that they serve. His efforts to improve Dr. Phillips Charities' real estate portfolio and other investments have enabled Dr. Phillips Charities continuous substantial giving. Many charitable non–profit organizations in the Central Florida community have been the beneficiaries of their giving, and numerous lives have been provided with much–needed support.

Dr. Philips Charities' donations extend into all parts of the Central Florida community, including educational programs, youth programs, health and rehabilitative programs, and much more. They have given other local nonprofit organizations and charities the resources to fund their efforts through donations that have amassed $150 million in grants, pledges, and program–related investments over the last 10 years. Dr. Phillips Charities has made a lasting effect on the Central Florida community that has directly touched the lives of thousands of children and families.

Dr. Phillips Charities has been fortunate to have such a dedicated and experienced leader at the helm of their operations. I want to applaud Rob Mellen on his continued service to the philanthropic needs of the Central Florida community. His commitment to excellence, leadership and service is to be admired, and may it inspire others to follow in his footsteps.

A TRIBUTE TO MABEL BAKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Mabel Baker on the coming celebration of her 100th birthday. Mabel will celebrate a century of life on May 30th, 2013.

Our world has changed a great deal during the course of Mabel's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Mabel has lived through eighteen United States Presidents and twenty–two Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Mabel in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating Ms. Baker on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING PETER N. SILVESTRI

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Peter N. Silvestri, retiring President of the Village of Elmwood Park and current 9th District Cook County Commissioner. Mr. Silvestri has served Elmwood Park for twenty-four years as Village president and chose not to seek reelection this year in order to focus his complete attention on his position of Cook County Commissioner.

Mr. Silvestri has lived in Elmwood Park since 1971, and is a graduate of Elmwood Park High School. He attended DePaul University for undergraduate studies, as well as for his law degree. In 1977, at the age of twenty, Silvestri became the youngest person in Illinois elected to a local school board. He served on Elmwood Park's school board for two years, and was president of the board when he left to serve the Village in other offices.

Following Mr. Silvestri's exit from the school board, he served on the Zoning Board, Plan Commission, Civic Foundation, and as Village Trustee before his election to Village President. Under the leadership of Silvestri, the Village of Elmwood Park has been able to prosper and continue to pursue the village's goal of being a great place to raise a family and start a business. Mr. Silvestri oversaw numerous beautification projects in the Village, as well as efforts to modernize the police, fire, and public works departments. Silvestri also holds a good financial track record with the Village, which is seen through the Village's high bond rating, minimal debt and a reduced tax levy coming next year.

Mr. Silvestri leaves the office of Village President in the wake of numerous accomplishments. Recently, the Village opened a new library, and the aquatic center and the new Centennial Park are scheduled to be opened this spring. Other accomplishments while in office include an expanded recreation center, the creation of Mills, Torpe and Central Parks and an expanded Bambi Park. Silvestri has overseen the development of numerous projects within the Village of Elmwood Park which have contributed greatly to the reputation of Elmwood Park as a great place to live and raise a family.

Mr. Speaker, I ask all of my colleagues to join me in recognizing the years of dedication and public service Peter N. Silvestri has contributed to the Village of Elmwood Park. Mr. Silvestri has helped the Village prosper through the changing social and economic climate of recent decades, and he will surely be missed as the Village's president. I want to thank Mr. Silvestri for his years of service to the Village of Elmwood Park, and I look forward to his continued service as Cook County Commissioner.

TRIBUTE TO PAUL ''BO'' BOLLINGER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to recognize Mr. Paul ''Bo'' Bollinger, President of the Greater Washington Aviation Open (GWAO). As the GWAO celebrates its 25th anniversary this year and Mr. Bollinger begins the process of succession to new tournament leadership, it is the proper time to recognize his quarter century of outstanding leadership.

In 1989, Mr. Bollinger conceived and began an aviation charity event to raise and donate funds to worthy causes. Mr. Bollinger convinced several aviation executives and several aviation associations to hold an annual charity golf and auction event for this purpose. Twenty five years later, the GWAO has become the largest aviation charity event in Washington, DC, raising almost $1.7 million for deserving organizations.

Under Mr. Bollinger's leadership, the charities receiving tournament proceeds varied over the first four years, subsequently settling on the Corporate Angel Network (CAN) as its major benefactor. The CAN mission of flying cancer patients on empty seats of business aircraft to treatment facilities was a perfect match with the GWAO mission. In 2006, Mr. Bollinger led the effort to include funding a

four-year scholarship for a deserving T.C. Williams High School graduate entering a college in an aviation degree program; and in 2011 the Veteran's Airlift Command was added as an additional benefactor.

Mr. Speaker, as a fellow Kentuckian I am honored and proud to commend Mr. Bollinger for a quarter century of heroic, selfless and successful service to thousands of deserving people. In their names I wish to publicly thank you, Bo, on behalf of all the people whose lives you have enhanced.

RECOGNIZING BERNARD GRAY ON HIS ENLISTMENT INTO THE UNITED STATES ARMY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor Mr. Bernard Gray, a senior at Glades Central High School in Belle Glade, Florida. Bernard is a fine young man, who has compiled a very good academic record at Glades Central, and will be graduating later this month. He has proudly chosen to enlist in the United States Army.

I want to congratulate Bernard on his decision to serve his country. It is thanks to the dedication of fine individuals such as him, that we are able to meet here in the House of Representatives, and openly debate and legislate on the many issues facing our nation.

Mr. Speaker, Bernard Gray is a selfless and courageous individual. I am certain that he will make us proud with his service. We owe him, as well as all the men and women in uniform an enormous debt of gratitude.

HONORING JOSEPH W. MAHONEY, JR.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a great Philadelphian whom we mourn today. Joe Mahoney, Jr. was a man that everyone called a friend. As Executive Vice President of the Greater Philadelphia Chamber of Commerce, Joe was the face of Philadelphia business. He was an eloquent and passionate advocate for the entire business community. But small business was his special love. He and his best friend, his bride Pat, owned a small business themselves. He personally understood the joys and challenges of building and maintaining an enterprise.

There are many adjectives you can use when you talk about Joe. Smart, dedicated, energetic, diplomatic, charming, and knowledgeable are just a few. But the fact that he and Pat were true partners in every sense tells you all that you really need to know. They worked together in support of our region, their alma mater, St. Joseph's University, and in support of local charity. That's the kind of guy Joe was.

Joe was especially gifted in the field of government relations. He worked equally well with Democrats, Republicans, and Independents. He was at home in the Halls of Congress, the State Legislature, and City Hall. He understood and respected both the executive and legislative branches, as well as business, labor, and the non-profit centers. He worked as well in New Jersey and Delaware as he did in Pennsylvania. He was liked and respected in all of the region's counties. Joe understood how all the pieces fit together to form the complex mosaic that is the Delaware Valley. His life made that mosaic more beautiful. His loss leaves it less so.

Mr. Speaker, I am honored to say that I knew Joe. I'm even more honored to say that Joe knew me. He was a friend to all. We all grieve his passing, even as we celebrate his life. I am sure that all of my colleagues join me in expressing our condolences to his family.

A TRIBUTE TO MARISSA FROST

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate 8th grader Marissa Frost of Urbandale Middle School for being named Iowa's state winner in the Doodle 4 Google art competition.

The Doodle 4 Google competition is held annually by Google and invites students from across the country to use their artistic talents and creativity to redesign Google's homepage themes, which appear on millions of computers across the globe. The nationwide winner is also awarded a scholarship worth $30,000 and the winner's school will receive a $50,000 technology grant to establish or improve a computer lab or technology program.

Marissa titled her doodle 'Discover' and portrays her response to the 2013 Doodle 4 Google theme "My Best Day Ever. . ." Her artwork is one of only 50 pieces that have been selected from across the country and was selected by a panel of Google employees for its artistic merit, creativity, and communication of the competition's theme. Marissa's doodle is now displayed in an online gallery where she will compete to be named a national finalist. Representing Iowa in this national competition is an extraordinary reflection of Marissa's talents and artistic ability.

Mr. Speaker, it is a profound honor to represent future leaders like Marissa from the great state of Iowa in the United States Congress. I invite my colleagues in the House to join me in congratulating her for this achievement, and I wish Miss Frost the best of luck in the remainder of the competition and with her future studies.

CELEBRATING THE CITY OF NEW HAVEN ON THE OCCASION OF ITS 375TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. DELAURO. Mr. Speaker, it is with great pride and much appreciation that I rise today to join my hometown of New Haven, Connecticut in commemoration of the City's 375th Anniversary—a remarkable milestone for a very special community. Today, hundreds are gathered not only to pay tribute to our past but to celebrate the unique blend of cultures, traditions, and history that has made our City so strong.

The story of New Haven is the story of America. It was on April 24, 1638, that a group of five hundred English Puritans, led by Reverend John Davenport and Theophilus Eaton and in search of a place where "the word of God shall be the only rule," sailed into the harbor. Upon their arrival they soon met with a local Native American tribe, the Quinnpiack, whose leader, Momauguin, agreed to sell the tribe's land in exchange for the settlers' protection from neighboring raiding bands and the use of the lands east of the harbor. In just two short years a government had been established and the settlement, based on a grid of nine squares with the central square as the public common or Green, was flourishing. In 1784, New Haven was incorporated as a city and Roger Sherman, one of the signers of the Declaration of Independence was elected its first mayor.

The history of New Haven is in fact a reflection of our nation's great history. It was in New Haven in 1775, the day after Lexington and Concord, or as we call it Powder House Day, that Benedict Arnold demanded the keys to the local powder house so that patriots could use it in defense of the colonies. It was in New Haven, that Eli Whitney developed the cotton gin and interchangeable parts revolutionizing the manufacturing industry and revitalizing the American economy. It was in New Haven that a group of African Mendi Warriors, led by Cinque Pieh and marooned aboard the Spanish schooner *Amistad*, won a court battle and were able to return to their homeland—an important triumph of the anti-slavery movement. In the 19th century, New Haven was the center of the carriage industry as well as the oyster capitol of the world. New Haven is home to the prestigious Yale University—an institution that has educated three of our last four presidents and three of our current Supreme Court justices.

New Haven, like so many other communities across our nation, also has a rich immigrant story—the story of the American dream. Our City may be most well known for its Italian and fish communities, but we have also become home to a number of other immigrant groups including those from Eastern Europe and Ecuador. As is the same story in so many other communities, these immigrant groups faced all kinds of challenges and obstacles. Through those struggles they stuck together, they established organizations to help re-create a little bit of the Old Country, and to honor the values of family and community we all hold dear—they made New Haven their home.

With such a rich history, the bonds of our community are strong. Born and raised in the Wooster Square neighborhood, wherever I go in this world, it is always with me. That is New Haven—and that is why I am so proud to rise today to say Happy 375th Birthday New Haven.

IN RECOGNITION OF DR. SHARON ROOT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. PALLONE. Mr. Speaker, I rise today to honor Sharon M. Root, D.P.M., FACFAOM as she is recognized by fellow colleagues at the 64th Annual American Podiatric Medical Association (APMA) Region 3 Scientific Meeting. Dr. Root's dedication to her profession and her selfless actions outside of the office are truly deserving of this body's recognition.

Dr. Sharon Root graduated Magna Cum Laude from New York College of Podiatric Medicine. Previously, she completed Biological Sciences and Pre-medical studies at Rutgers University—Newark and earned her Associate in Applied Science Degree and was a Highest Honors Graduate in Nursing at County College of Morris. She completed her residency in Podiatric Surgery at The Bryn Mawr Hospital in 1993 and currently practices in Succasunna, New Jersey.

Throughout her career, Dr. Root has been a member of several professional organizations. She is a current New Jersey Delegate to the APMA House of Representatives and serves on the Resolutions Committee and Elections Committee. In addition, Dr. Root was president of the New Jersey Podiatric Medical Society for the 2006–2007 year and held many other positions within the Society, including Advisor of the Executive Committee, Chair of the Constitution and Bylaws Committee and Chair of the Carrier Advisory Committee.

Dr. Root is also a dedicated physician outside of the office. On March 16, 2012, while at dinner in Washington, DC, Dr. Root performed the Heimlich maneuver on another diner, Maryland psychologist Dr. Ellen Lent, who was choking. Dr. Root's quick actions saved Dr. Lent's life.

Mr. Speaker, please join me in recognizing Dr. Sharon Root on her many professional accomplishments and thanking her for her actions to save another life.

WALNUT GROVE LADY TIGERS BASKETBALL TEAM CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize the Walnut Grove Lady Tigers Basketball Team for winning the Missouri Class 1 Girls State Championship.

The Lady Tigers clinched the title with a thrilling finish, making a free throw with 1 second left for a final score of 47–46. Members of the team include Miranda Allison, Audree Crain, Carrigan Comstock, Ellen Hayter, Heather Harman, Lexi Harman, Shelby Harman, Megan Shuler, Madisyn Freeze, and Karsyn Hejna.

Through their hard work and dedication on and off the court, the Lady Tigers developed into a truly great championship team. The Lady Tigers ended the season 30–2, which set a school record for most wins in a season.

I also want to commend Head Coach Rory Henry and Assistant Coaches Deidre Parks and Jeff Cope for a job well-done on developing such a strong basketball program.

The Walnut Grove community is justifiably proud of this extraordinary group of young and talented student-athletes. I urge my colleagues to join me in congratulating the Walnut Grove Lady Tigers as they celebrate their Class 1 Girls State Championship.

HONORING NATIONAL MEDAL WINNERS OF THE SCHOLASTIC ART AND WRITING AWARDS OF 2013

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ISRAEL. Mr. Speaker, I rise today to honor a number of talented and dedicated high school students from my Congressional District who have won National Medals from the Scholastic Art & Writing Awards of 2013. The Scholastic Awards are the largest, longest-running scholarship and recognition program for creative teens and are presented annually by the Alliance for Young Artists & Writers. These talented students are creative thinkers that will lead our nation into the future and I am so proud to recognize them today.

I am honored to represent Long Island and Queens which are home to many top notch schools with dedicated teachers guiding talented young students to success. Specifically, I want to recognize the following students that I have the honor to represent here in Congress: Megan Basaldua of Frank Sinatra School of the Arts High School; Michela Bentel of the Choate Rosemary Hall; Lindsay Bu of Stuyvesant High School; Max Carol of Syosset Senior High School; Michelle Chen of Hunter College High School; Soohyun Cho, Seungeun Ha and Min Soo Kim of Oogie Art; Yirang Choe of Ashcan Studio Art; Alexandra Deplas, Megan Fox, Lauren Goldstein and Danielle Pestyner of Jericho Senior High School; Patrick Fahey of Manhasset Secondary School; Meagan Fontanes, Brianna Martin and Julia Tannenbaum of Northport Senior High School; Samantha Rose Klainberg and Kaiqi Zhu of Great Neck South High School; and Nicole Lee of High School Art & Design.

Only 1,900 works of art and writing, from the initial pool of 230,000 submissions, earned a National Medal. These students and their teachers should be commended for excelling and achieving such great success. They will be honored at Carnegie Hall in New York City on Friday, May 31. Artwork from the award-winning students will be featured in an exhibition at Parsons The New School for Design and the Pratt Manhattan Gallery. A selection of students receiving awards for writing will have their work published in the annual anthology The Best Teen Writing of 2013.

Mr. Speaker, I again want to applaud the families, teachers and students that have made these achievements possible. I urge my colleagues to join me in commending you for all of your successes and I look forward to seeing your continued contribution to the arts.

A TRIBUTE TO CRAIG AND SHIRLEY PHINNEY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Craig and Shirley Phinney for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

The lives of Craig and Shirley Phinney changed forever one Friday evening in 2009 when Craig, a police officer and military veteran, was diagnosed with colorectal cancer. After seeing the struggles and sacrifices of other cancer patients firsthand, the Phinneys started the Cops Against Cancer organization to provide financial assistance to cancer patients and their families that are burdened by the unexpected and overwhelming expenses associated with cancer treatments. Craig and Shirley's organization assists with costs that are not typically covered by insurance, such as lodging and travel expenses for medical appointments, specialized treatments, and various monthly home expenses. Cops Against Cancer has assisted more than 125 families in 41 of Iowa's 99 counties, seven families outside of the state, and even a family as far away as Quebec, Canada. In one particular instance, the organization was able to help absorb the travel costs of a 72-year-old patient who had to travel 80 miles one-way for treatment because her local medical facility had been damaged by a tornado. In addition to their financial assistance, Craig and Shirley also provide the families and medical staffs of patients with their personal phone numbers to be able to assist at any hour of the day or night. The Phinneys' commitment to ''protect and serve'' their community is present in all facets of their lives, and it truly embodies what it means to be a hero. These wonderful Iowans have set a shining example that our state can be proud of.

Mr. Speaker, Mr. and Mrs. Phinneys' actions that earned them each the title a ''Hero of the Heartland'' are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating Craig and Shirley on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

HONORING SERVICE OF COAST GUARD CAPTAIN CHRISTOPHER L. ROBERGE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize the extraordinary service of Capt. Christopher L. Roberge, who is retiring after nearly 30 years in the United States Coast Guard.

For the last two years, Capt. Roberge has shown incredible leadership as the Commander of Coast Guard Sector New England, overseeing 1,100 personnel in Maine, New Hampshire, Vermont and northern New York. His tenure there has capped an extremely distinguished career with over 30 military decorations, including four Meritorious Service Medals.

Since taking command, Capt. Roberge has strengthened Coast Guard operations in the sector and around the country. He identified key vulnerabilities in the sector's emergency communications system and implemented vital changes to make the system less susceptible to outages—his recommendations paved the way for similar upgrades around the country. The Reserve Readiness Assessment Program he developed has moved the sector's Reserve unit to the number one position in the nation for readiness. And while supporting the planning for the first-ever tidal power generator in a U.S. waterway, Capt. Roberge's guidance has put the Coast Guard in a better position to handle future energy projects.

Capt. Roberge's day-to-day management of the sector also served to distinguish him. His leadership and expertise ensured the flawless execution of 1,690 vessel boardings, 213 pollution responses, and 1,058 Search and Rescue cases, with over 2,000 lives saved or assisted and $38.9 million in property preserved.

As an island resident who regularly makes ferry trips across miles of water, I have a personal appreciation for the men and women of the Coast Guard. I feel safer knowing that they stand ready to respond to an emergency with skill and courage, and deeply appreciate their willingness to risk their lives to save others. My special thanks to Capt. Roberge for the many ways he has better prepared the Coast Guard to answer the call when we need them, and for his exceptional service to the country. I wish him the best of luck in his future endeavors.

HONORING AUBURN MANUFACTURING, INC.

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor Auburn Manufacturing, Inc. as it breaks ground on a significant expansion to its Auburn, Maine Kittyhawk Industrial Park location. Founded by President and CEO Kathie Leonard more than three decades ago, Auburn Manufacturing is known across the world as a leader in extreme temperature textiles.

Kathie and her former business partner founded Auburn Manufacturing in 1979. In the intervening years, the company has grown to employ 50 employees, with its upcoming expansion set to create jobs for four new individuals. Kathie has never strayed from her core commitment to producing American-made textiles, seeking to enhance or improve Auburn Manufacturing's unique products without reinventing the wheel. It should come as no surprise that MaineBiz named Kathie one of its ''Women to Watch'' in 2009.

Auburn Manufacturing is the only manufacturer of extreme temperature fabrics to make its product line entirely in the United States. The company's commitment to producing ''Made in the USA'' products is in no small part because of Kathie's strong belief that domestic manufacturing is the key to innovation.

With another major expansion in Auburn Manufacturing's business plan, I have no doubt that Kathie and her employees will continue to turn out quality American made products for years and years to come.

Mr. Speaker, please join me on congratulating Kathie Leonard and her employees as they begin this tremendous next chapter for Auburn Manufacturing.

CELEBRATING INDIA PLAZA'S 10TH ANNIVERSARY

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. SINEMA. Mr. Speaker, I ask my colleagues to join me in honoring the India Plaza of Tempe, Arizona for its 10 years of dedicated service to the community.

Since 2003, India Plaza has served as a meeting place gateway for Arizonans into Indian culture, a center for education and celebrating diversity. They have also been actively engaged with the wider community, donating land and funds to various causes and working with both local government and Arizona State University to promote a more accessible city. India Plaza is a true community partner, receiving awards such as the ''Best of Phoenix'' and an Honorable Mention as ''Tempe's Good Neighbor of the Year''.

India Plaza serves as an excellent example to the rest of the Nation of what can be accomplished when people come together to promote diversity and understanding. It is my privilege to serve this great community. I ask my colleagues to join me in congratulating India Plaza on its 10 years of service and in wishing it many more.

A TRIBUTE TO JOHN OSTRING

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize John Ostring for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

On a spring day in June, John Ostring was in his workshop when he heard an explosion from the home next door. As John told his wife Mary to call 911, the house had become engulfed in flames. Knowing his neighbor still may have been inside, Mr. Ostring ran into the burning house to find his neighbor unresponsive on the floor. To save her life, John picked her up and carried her outside until the first responders could arrive. Although the home was destroyed that day, a life was saved because of Mr. Ostring's bravery and quick thinking. John's life-saving actions provide a shining example that our state can be proud of.

Mr. Speaker, Mr. Ostring's actions that earned him the title a ''Hero of the Heartland'' are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating John on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

TRIBUTE TO LAW ENFORCEMENT MEN AND WOMEN

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BUCHANAN. Mr. Speaker, I rise today to pay tribute to law enforcement men and women who have provided distinctive service to the people of Florida's 16th Congressional District.

Law enforcement is a demanding profession that requires sacrifice, courage and a dedication to serve others. Every day, brave men and women put themselves in harm's way to enforce the laws of our society and protect public safety. They deserve our gratitude and respect.

Last year, I established the 16th District Congressional Law Enforcement Awards, CLEA, to give special recognition to law enforcement officers, departments, or units for exceptional achievement.

This year, during National Police Week, I will present congressional law enforcement awards to the following winners chosen by an independent panel comprised of current and retired law enforcement personnel representing a cross-section of the district's law enforcement community.

Sergeant Ryan LaRowe of the Palmetto Police Department received the Career Service Award.

Officer Sean Hammett of the Venice Police Department, Sergeant Debra Kaspar of the Sarasota County Sheriff's Office, and Detective Louis Licata of the North Port Police Department received the Dedication and Professionalism Award.

Sergeant Debra Kaspar, Detective Timothy Speth, Detective Cassandra Dusseau, Detective Louis Licata, Investigator Lynn Thompson, and Investigator Brent Blosser, Detective Jeff Pasler and Sergeant Donald Kennard of the Sarasota County Sheriff's Office Pharmaceutical Diversion Investigative Unit received the Unit Citation Award.

Officer Peter Vilardi of the Sarasota-Manatee County Airport Authority Police Department, Officer Andres Perez of the Bradenton Police Department, and Officer Joshua Fleischer of the Holmes Beach Police Department received the Preservation of Life Award.

Deputy Justin Warren of the Manatee County Sheriff's Office received the Above and Beyond the Call of Duty Award.

On behalf of the people of Florida's 16th District I congratulate each of these outstanding law enforcement officers and offer my sincere appreciation for their service and dedication.

I also appreciate the law enforcement agencies that made such outstanding nominations and panel that judged them. I believe these awards are a fitting tribute to our officers and a reminder of the important role they play in our communities.

COMMEMORATING BUILDING SAFETY MONTH

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GIBSON. Mr. Speaker, I rise today to commemorate the start of Building Safety Month, specifically in recognition of the expertise, leadership, and influence of the International Code Council (ICC). The ICC develops and publishes the building safety, energy efficiency, and fire safety model codes used throughout the United States, as well as in many other nations.

Over the past year, we have had several sobering reminders about the effects of properly-enforced building codes. When Hurricane Sandy devastated New York, New Jersey, and several other states, we were reminded of how much we rely on these vital safety standards in mitigating damage and loss of life. Reports after Sandy and other natural disasters show that the loss of life and property damage would have been considerably worse had modern building codes not been in place and enforced.

For these reasons, I want to congratulate the leaders of the ICC who sponsor Building Safety Month. These leaders include Ronald Piester, the Director of New York State Division of Code Enforcement and Administration, Stephen D. Jones, Construction Official for Millburn Township, New Jersey, and Guy Tomberlin, Code Specialist for Fairfax County, Virginia. These professionals also act as the President, Vice President, and Secretary-Treasurer of the ICC's Board of Directors. ICC's Chief Executive Officer Dominic Sims will join them in Washington, DC this week to discuss the critical need for the adoption and enforcement of current building codes in order to maximize our safety.

I would also like to thank the thousands of men and women who work every day to make sure our buildings comply with building and fire codes. Their work, largely unseen and often unnoticed, is critical to keeping Americans safe. The model building codes, produced by ICC, allow every community in the United States to share the advantage of building codes that are adaptable to local conditions, but at the same time incorporate the very latest research, materials, and building practices. This is achieved in a private-public partnership, saving local jurisdictions from bearing the significant cost of code revision, updating and coordination. These model codes are produced with the input of thousands of local officials as well as the building industry and represent a consensus on what the minimum safety requirements are for various building types, all developed without using federal taxpayer funds. In fact, the Architect of the Capitol maintains the safety of this building, and all congressional office buildings, following the requirements in the current International Building Code.

During May's Building Safety Month, I recommend that all of my colleagues aim to reach out to building code and fire officials from their districts to learn more about the great work they do in ensuring the safety of the American people and infrastructure through building code compliance and enforcement.

Thank you again to the hard working members and leadership of the International Code Council.

HONORING HIGH SCHOOL SENIORS WHO HAVE DECIDED TO SERVE THE UNITED STATES OF AMERICA AS A MEMBER OF THE ARMED FORCES

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor seventy-one high school seniors in Florida's 22' District who have decided to enlist in the United States Armed Forces.

Of these seventy-one, nine have joined the Army; their names are the following: Alexander Meyer, Cory Warr, Steven Britt, Victoria Danielson, Evan Giarritta, Brenela Good, Richard Ramos, David Vogelsong, Diego Gonzalez. Nineteen have joined the Navy; their names are the following: Tatiana Parra, Kethleen Souza, Kassondra Uhl, Michael Hamlin II, Alex Riebman, Kevin Sanchez Villalba, Angevens Eugene, Falon Murray, Nathaniel Hopkins, Jose Colon, Camille Grant, Tylar McCranie, Bryant Ruano, Michael Tesch, Taylor Wachtel, Dandy Barrios, Celines Ocasio, Andrea Castillo, Anthony Celenie. Thirty-eight have joined the Marines; their names are the following: Alexander Field, Christian Garcia, Cody Kruse, David Munoz, Devon Genova, Diana Bustamante, Felipe Moresco, Guilson Godinez, Henry Villatoro, Joshua Carter, Kevin Nguyen, Lucas Ferreira, Austin Pastor, Cameron Kelley, Craig Baumann, Erik Littlefield, John Angeles, Kyle Stewart, Lucas Tavares, Paul Louis Curd, Yira Medina, Anna Dolmany, Lorena Guimaraes, Alma Castillo, Brian Abreu, Edwin Garcia-Gonzalez, Erik Mendez Aguilar, Evan Stimely, Garrett Marshall, Israel Manuel-Pedro, Jonathan Villalba, Junior Jayseus, Kevin Bradlow, Kyle Marciulonis, Manuel Gonzales, Melissa Gunther, Christian Matute, Iridian Maldonado. Four have joined the Air Force; their names are the following: Paul Girao, Brianna Dipasquale, Stephen Favreau, and Lee Golladay.

It is in thanks to the dedication of patriots like these that we are able to meet here today, in the United States House of Representatives, and openly debate the best solutions to the diverse issues that confront our country. On behalf of myself and all of my constituents in Florida's Twenty-Second District, thank you for your service and best of luck as you pursue this challenging endeavor.

PERSONAL EXPLANATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. BURGESS. Mr. Speaker, I rise today regarding my recent absence from the House on Thursday, April 25th and Friday, April 26th. During this time, I attended the opening of the George W. Bush Presidential Library and Museum at Southern Methodist University in Dallas, Texas. Because of this absence, I missed several important votes on the House floor, and would like to submit how I would have voted had I been in attendance. The votes were:

Rollcall 124, on Agreeing to H. Res. 178, Providing for consideration of the bill (H.R. 527) to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, and for other purposes. I would have voted "yea".

Rollcall 125, on the Motion to Suspend the Rules and Pass H.R. 1765, The Reducing Flight Delays Act. I would have voted "yea".

Rollcall 126, on Agreeing to the Amendment to H.R. 527, the Dent of Pennsylvania Amendment No. 2. I would have voted "no".

Rollcall 127, on the Motion to Recommit with Instructions to H.R. 527. I would have voted "no".

Rollcall 128, on Passage of H.R. 527, to Amend the Helium Act. I would have voted "yea".

A TRIBUTE TO SIX HEROES OF THE HEARTLAND

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Ryan Brown, Dave McCaulley, Ben Wier, Rob Bacon, Doug Bates, and Matt Myers for being named a 2013 Hero of the Heartland by the American Red Cross serving Greater Iowa.

Each year, the American Red Cross serving Greater Iowa recognizes Heroes of the Heartland by selecting everyday Iowans who have done extraordinary things to help their neighbors and communities. The Iowans honored with this prestigious award displayed selflessness in a variety of courageous, charitable

and thoughtful acts. The Heroes of the Heartland program not only showcases the heroes among us, but also helps raise crucial funds to ensure that the American Red Cross is prepared and equipped to assist those that need food, shelter, and comfort during emergencies and difficult times.

To be named Heroes of the Heartland, these six men responded in an extraordinary fashion to what began as an ordinary game of golf. On July 12, 2012, at the sixth tee box at Indian Creek Country Club, Dennis Kjarland suffered a heart attack. Without hesitation, these six men responded to the life–threatening situation by calling 911 and collectively performing chest compressions and assisted breathing for 15 minutes before first responders arrived. Because of their brave actions and quick thinking, Mr. Kjarland recently had the opportunity to celebrate his 70th birthday. The actions of these six men are truly an example that our state can be proud of.

Mr. Speaker, the actions of these men that earned them each the title a ''Hero of the Heartland'' are a testament to the humble, hardworking and helpful people who make up the great state of Iowa. I invite my colleagues in the House to join me in congratulating these six men on a job well done, thanking the American Red Cross serving Greater Iowa for their life changing efforts, and wishing all of those involved in the Heroes of the Heartland program continued success for years to come.

REDUCING FLIGHT DELAYS ACT OF 2013

SPEECH OF

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 26, 2013

Mr. BISHOP of New York. Mr. Speaker, I rise in support of H.R. 1765, authorizing flexibility to the Secretary of Transportation for the purpose of transferring funds into the FAA operations budget to prevent additional furloughs from further slowing commercial aviation traffic.

This is a commonsense action to ensure that understaffing at air traffic control centers does not compromise the safety of the flying public. In addition, reliable commercial aviation service underpins the business travel that is vital to America's economy and is especially critical to America's tourism industry as the summer vacation season approaches.

While this is a necessary action, it is just a quick-fix and does not address the budget shortfall that will prevent the FAA from performing all the important tasks our nation expects of it. Current air travel delays are only one example of the counterproductive budget cuts included in sequestration that will harm our economy.

And while this bill takes one small step to provide relief, others in our community will still feel the impact of sequestration: cancer patients will still find it difficult to access care because of the two percent Medicare reimbursement reduction, thousands of children will be shut out of a Head Start classroom, and seniors will struggle from reductions in Meals on Wheels programs. Congress must reach a long-term debt agreement that will replace the sequester with a more responsible approach to deficit reduction.

I regret that our nation's air traffic controllers were forced to reduce their level of service to the flying public due to this unfortunate consequence of sequestration. I am privileged to represent many of this nation's 20,000 controllers and applaud them for working through this difficulty.

Mr. Speaker, I urge my colleagues to support this bill and thank our leadership for its consideration.

IN RECOGNITION OF THE 50TH WEDDING ANNIVERSARY OF STEVE AND CAROLYN WALLACE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special occasion today—the 50th wedding anniversary of Steve and Carolyn Wallace. This event will take place on May 4.

Clark Stephen Wallace was born on November 22, 1936, in Anniston, Alabama, and Hannah Caroline Allen was born on November 4, 1942, also in Anniston. They both lived on Mulberry Avenue in Anniston for six years before going on their first date in 1963. After persuasion from family and church members, Carolyn asked Steve to a Valentine's Day banquet at Glenaddie Baptist Church. Steve accepted, and they were married three months later on May 4, 1963, at the same church where they went on their first date.

Steve served six years in the United States Air Force and retired from the United States Post Office. Carolyn retired from the Calhoun County School System where she was Assistant Manager of the Saks Elementary School lunchroom.

Together, Steve and Carolyn have two children, Robert Clark Wallace and Rebecca Lucille Wallace Griffin. They have three grandchildren, Robert Brandon Wallace, Michael Stephen McLeroy and Zachary Hunter Wallace. They have one great-grandchild, Alanna Jade Wallace.

Steve and Carolyn are active members of Saks Baptist Church in Anniston, Alabama.

Please join me in congratulating this lovely couple on 50 years together. The celebration will take place on May 4 at a reception with their friends and family members.

CELEBRATING SENIOR CORPS WEEK AND THE SERVICE OF OLDER AMERICANS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GRIJALVA. Mr. Speaker, I rise today in support of national Senior Corps week.

Older Americans bring a lifetime of skills and experience as parents, workers, and citizens that can be tapped to meet challenges in our communities.

For more than four decades Senior Corps, and its three programs—RSVP, Senior Companions, and Foster Grandparents—have proven to be a highly effective way to engage Americans ages 55 and over in meeting national and community needs.

Each year Senior Corps provides opportunities for nearly 330,000 older Americans across the nation, including approximately 1,700 in Arizona to serve their communities. Foster Grandparents serve one-on-one as tutors and mentors to more than 1,400 young Arizonans who have special needs. Senior Companions help more than 860 homebound Arizona seniors and other adults maintain independence in their own homes. RSVP volunteers conduct safety patrols for local police departments, protect the environment, tutor and mentor youth, respond to natural disasters, and provide other services through more than 130 groups across Arizona.

Senior Corps volunteers last year provided more than 96.2 million hours of service, helping to improve the lives of our most vulnerable citizens, strengthen our educational system; protect our environment, provide independent living services, and contribute to our public safety.

Senior Corps volunteers build capacity of organizations and communities by serving through more than 65,000 nonprofit, community, educational, and faith-based community groups nationwide.

At a time of mounting social needs and growing interest in service by older Americans, there is an unprecedented opportunity to harness the talents of 55–plus volunteers to address community challenges.

Service by older Americans helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy.

The fourth annual Senior Corps Week, taking place May 6–10, 2013, is a time to thank Senior Corps volunteers for their service and recognize their positive impact and value to our communities and nation.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, during the week of April 23rd, I missed roll Nos. 118 through 128 due to cataract surgery. Had I been present, I would have voted ''nay'' on roll Nos. 120, 121, 122, 124, 125, and 126. I would have voted ''yea'' on roll Nos. 118, 119, 123, 127, and 128.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 7, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

MAY 8

9 a.m.
Committee on the Judiciary
Subcommittee on Crime and Terrorism
To hold hearings to examine cyber threats, focusing on law enforcement and private sector responses.
SD–226

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
To hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–222

Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–232A

10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Air Force.
SD–192

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine curbing Federal agency waste and fraud, focusing on new steps to strengthen the integrity of Federal payments.
SD–342

Committee on Small Business and Entrepreneurship
To hold hearings to examine strengthening the entrepreneurial ecosystem for minority women.
SD–106

11:30 a.m.
Committee on Energy and Natural Resources
Business meeting to consider S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, S. 761, to promote energy savings in residential and commercial buildings and industry, H.R. 267, to improve hydropower, and H.R. 678, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law.
SD–366

2 p.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Treasury and the Internal Revenue Service.
SD–138

Commission on Security and Cooperation in Europe
To hold hearings to examine Ukraine's leadership of the Organization for Security and Co-operation in Europe (OSCE), focusing on finding new ways to address protracted regional conflicts, energy security, and human dimension issues such as human trafficking, tolerance, media freedom, democratic elections and election observation, and efforts to improve implementation of commitments regarding fundamental human rights and freedom.
SD–562

Joint Economic Committee
To continue hearings to examine immigration and its contribution to our economic strength.
SH–216

2:30 p.m.
Committee on Appropriations
Subcommittee on Energy and Water Development
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Army Corps of Engineers and Bureau of Reclamation.
SD–192

Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine strategic forces programs of the National Nuclear Security Administration and the Department of Energy's Office of Environmental Management in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–232A

Committee on Commerce, Science, and Transportation
To hold hearings to examine the role of immigrants in America's innovation economy.
SR–253

Committee on Homeland Security and Governmental Affairs
Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia
To hold hearings to examine the role of the private sector in preparedness and emergency response.
SD–342

Committee on Indian Affairs
To hold hearings to examine S. 434, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation and the State of Montana, and S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act.
SD–628

Committee on the Judiciary
To hold hearings to examine the nominations of Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, and William H. Pryor, Jr., of Alabama, and Rachel Elise Barkow, of New York, both to be a Member of the United States Sentencing Commission.
SD–226

4 p.m.
Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations.
SD–430

MAY 9

9:15 a.m.
Committee on Environment and Public Works
Business meeting to consider the nomination of Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency.
SD–406

9:30 a.m.
Committee on the Judiciary
Business meeting to consider S. 744, to provide for comprehensive immigration reform, and the nominations of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Jennifer A. Dorsey, to be United States District Judge for the District of Nevada.
SH–216

10 a.m.
Committee on Appropriations
Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Agriculture.
SD–124

Committee on Appropriations
Subcommittee on Transportation and Housing and Urban Development, and Related Agencies
To hold hearings to examine an overview of the Federal Housing Administration.
SD–138

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine pharmaceutical compounding, focusing on a proposed legislative solution.
SD–430

Committee on Veterans' Affairs
To hold hearings to examine pending health care legislation.
SR–418

2 p.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Departments of Defense and Navy.
SD–124

2:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
To hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.
SR–222

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

MAY 13

3 p.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget.
SD–342

MAY 14

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
To hold hearings to examine Marine Corps modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program.
SR–222

10:30 a.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of video.
SR–253

2:30 p.m.
Committee on Armed Services
To receive a closed briefing on the situation in Syria.
SVC–217

MAY 15

2:30 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine the views and priorities of Interior Secretary Jewell with regard to matters of Indian affairs.
SD–628

MAY 16

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the law of armed conflict, the use of military force, and the 2001 Authorization for Use of Military Force.
SD–106

10 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine certain nominations.
SD–430

MAY 22

10 a.m.
Joint Economic Committee
To hold hearings to examine the current economic outlook.
SH–216

JUNE 4

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications.
SR–253

JUNE 11

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

JUNE 12

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

JUNE 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

JUNE 14

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

CORRECTION

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate passed S. 743, Marketplace Fairness Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S3069–S3098

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 856–867, and S. Res. 128–129. **Page S3091**

Measures Passed:

Marketplace Fairness Act: By 69 yeas to 27 nays (Vote No. 113), Senate passed S. 743, to restore States' sovereign rights to enforce State and local sales and use tax laws, after taking action on the following amendments proposed thereto: **Pages S3081–84**

Adopted:

By 70 yeas to 24 nays (Vote No. 112), Reid (for Enzi) Amendment No. 741, of a perfecting nature. **Pages S3081–82**

Withdrawn:

Durbin Amendment No. 745 (to Amendment No. 741), to change the enactment date. **Page S3081**

Water Resources Development Act—Agreement: A unanimous-consent agreement was reached providing that the cloture motion with respect to the motion to proceed to consideration of S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, be withdrawn; and, that at 2:15 p.m., on Tuesday, May 7, 2013, the motion to proceed to consideration of the bill, be agreed to, and Senate begin consideration of the bill. **Page S3079**

Medine Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 11 a.m., on Tuesday, May 7, 2013, Senate begin consideration of the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, as provided for under the order of Thursday, April 25, 2013. **Page S3097**

Nominations Received: Senate received the following nominations:

Colin Stirling Bruce, of Illinois, to be United States District Judge for the Central District of Illinois.

Sara Lee Ellis, of Illinois, to be United States District Judge for the Northern District of Illinois.

Andrea R. Wood, of Illinois, to be United States District Judge for the Northern District of Illinois.

2 Air Force nominations in the rank of general.

24 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Foreign Service and Navy. **Pages S3097–98**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

A routine list in the Navy. **Page S3098**

Messages from the House: **Pages S3090–91**

Measures Referred: **Page S3091**

Additional Cosponsors: **Pages S3091–93**

Statements on Introduced Bills/Resolutions: **Pages S3093–97**

Additional Statements: **Pages S3087–90**

Notices of Hearings/Meetings: **Page S3097**

Record Votes: Two record votes were taken today. (Total—113) **Pages S3082–83**

Adjournment: Senate convened at 2 p.m. and adjourned at 7 p.m., until 10 a.m. on Tuesday, May 7, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3097.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 1827–1841; and 4 resolutions, H. Res. 197, 199–201 were introduced. **Pages H2436–37**

Additional Cosponsors: **Pages H2437–39**

Report Filed: A report was filed today as follows:

H. Res. 198, providing for consideration of the bill (H.R. 1406) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector (H. Rept. 113–51). **Pages H2414, H2436**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bentivolio to act as Speaker pro tempore for today. **Page H2407**

Recess: The House recessed at 12:08 p.m. and reconvened at 2 p.m. **Page H2408**

Recess: The House recessed at 2:08 p.m. and reconvened at 5:07 p.m. **Page H2409**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Vietnam Veterans Donor Acknowledgment Act of 2013: H.R. 588, to provide for donor contribution acknowledgments to be displayed at the Vietnam Veterans Memorial Visitor Center, by a ⅔ yea-and-nay vote of 398 yeas to 2 nays, Roll No. 129; **Pages H2409–10, H2412–13**

Black Hills Cemetery Act: H.R. 291, to provide for the conveyance of certain cemeteries that are located on National Forest System land in Black Hills National Forest, South Dakota, by a ⅔ yea-and-nay vote of 390 yeas to 2 nays, Roll No. 130; and **Pages H2410–11, H2413**

Pascua Yaqui Tribe Trust Land Act: H.R. 507, to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, by a ⅔ yea-and-nay vote of 401 yeas to 2 nays, Roll No. 131. **Pages H2411–12, H2413–14**

Recess: The House recessed at 5:21 p.m. and reconvened at 6:31 p.m. **Page H2412**

Authorizing the use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition: The House agreed to discharge from committee and agree to H. Con. Res. 32, to authorize the use of the Capitol Grounds for the National Honor Guard and Pipe Band Exhibition. **Page H2414**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2412, H2413, H2413–14. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 10 p.m.

Committee Meetings

WORKING FAMILIES FLEXIBILITY ACT OF 2013

Committee on Rules: Full Committee held a hearing on H.R. 1406, the "Working Families Flexibility Act of 2013". The Committee granted, by voice vote, a structured rule for H.R. 1406. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill 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 makes in order only the further amendment printed in the Rules Committee report, if offered by Representative Gibson of New York or his designee. The amendment shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendment printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Roby and Courtney.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled "Ongoing Intelligence Activities". This was a closed hearing.

Joint Meetings

DEMOCRACY IN ALBANIA

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine democracy in Albania, focusing on the pace of progress, including the building of its democratic institutions and practices, and respect for the rule of law, after receiving testimony from Philip T. Reeker, Deputy Assistant Secretary of State for European and Eurasian Affairs; Elez Biberaj, Director, Eurasia Division, Voice

of America, Broadcasting Board of Governors; Gilbert Galanxhi, Ambassador of Albania to the United States of America, Washington, D.C.; and Besa Shahini, European Stability Initative, Tirana, Albania.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D324)*

H.R. 1246, to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office. Signed on May 1, 2013. (Public Law 113–8)

H.R. 1765, to provide the Secretary of Transportation with the flexibility to transfer certain funds to prevent reduced operations and staffing of the Federal Aviation Administration. Signed on May 1, 2013. (Public Law 113–9)

COMMITTEE MEETINGS FOR TUESDAY, MAY 7, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Library of Congress and the Open World Leadership Center, 9:30 a.m., SD–138.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the United States Agency for International Development, 10:15 a.m., SD–192.

Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Interior, 10:30 a.m., SD–124.

Committee on Armed Services: to hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 9:30 a.m., SH–216.

Subcommittee on Strategic Forces, to hold hearings to examine National Nuclear Security Administration management of its National Security Laboratories in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States, 10:15 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine credit reports, focusing on what accuracy and errors mean for consumers, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine H.R. 527, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, 9:30 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine the nominations of James Knight, of Alabama, to be Ambassador to the Republic of Chad, and Deborah Kay Jones, of New Mexico, to be Ambassador to Libya, both of the Department of State, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine border security, focusing on S. 744, to provide for comprehensive immigration reform, 10:30 a.m., SD–342.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations Subcommittee on Interior, Environment and Related Agencies, hearing on Bureau of Land Management Budget, 9:30 a.m., B–308 Rayburn.

Subcommittee on Defense, hearing on Navy and Marine Corps Budget, 10 a.m., H–140 Capitol.

Subcommittee on Financial Services and General Government, hearing on Securities and Exchange Commission Budget, 2 p.m., 2359 Rayburn.

Committee on Education and the Workforce, Full Committee, hearing entitled "Raising the Bar: Exploring State and Local Efforts to Improve Accountability", 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Power, hearing entitled "U.S. Energy Abundance: Exports and the Changing Global Energy Landscape", 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Vacation Nation: How Tourism Benefits Our Economy", 10:30 a.m., 2322 Rayburn.

Subcommittee on Health, markup on H.R. 1407, to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs; and legislation to amend the Federal Food, Drug, and Cosmetic Act with respect to the pharmaceutical distribution supply chain, and for other purposes, 4 p.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, markup on the following measures: H.R. 701, to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action; H.R. 801, the "Holding Company Registration Threshold Equalization Act of 2013"; H.R. 742, the "Swap Data Repository and Clearinghouse Indemnification Correction Act of 2013"; H.R. 1341, the "Financial Competitive Act of 2013"; H.R. 634, the "Business Risk Mitigation and Price Stabilization Act of

2013''; H.R. 677, the ''Inter-Affiliate Swap Clarification Act''; H.R. 992, the ''Swaps Regulatory Improvement Act''; H.R. 1256, the ''Swap Jurisdiction Certainty Act''; and ''H.R. 1062, the ''SEC Regulatory Accountability Act'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled ''Local and Private Sector Initiatives to Combat International Human Trafficking'', 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Increasing American Jobs through Greater Exports to Africa'', 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Full Committee, markup on legislation to Create an Over-Criminalization Task Force; H.R. 180, the ''National Blue Alert Act of 2013''; and H. Res. 196, a resolution supporting the Sixth Amendment to the United States Constitution, the right to counsel, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Public Lands and Environmental Regulation, hearing entitled ''Impediments to Public Recreation on Public Lands'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Economic Growth, Job Creation and Regulatory Affairs; and Committee on the Judiciary Subcommittee on The Constitution and Civil Justice, joint hearing entitled ''DOJ's Quid Pro Quo with St. Paul: A Whistleblower's Perspective'', 10 a.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 807, the ''Full Faith and Credit Act'', 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Energy; and Subcommittee on Environment, hearing entitled ''Keystone XL Pipeline: Examination of Scientific and Environmental Issues'', 10 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing entitled ''VA Construction Policy: Failed Plans Result In Plans That Fail'', 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Health, hearing entitled ''Developing a Viable Medicare Physician Payment Policy'', 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine immigration and its contribution to our economic strength, 9:30 a.m., SD–562.

Joint Committee on Printing: with the Joint Committee on the Library, organizational business meeting to consider committee's rules of procedure and budget for the 113th Congress, 10 a.m., SC–04, Capitol.

Joint Committee on the Library: with the Joint Committee on Printing, organizational business meeting to consider committee's rules of procedure and budget for the 113th Congress, 10 a.m., SC–04, Capitol.

CONGRESSIONAL PROGRAM AHEAD

Week of May 7 through May 10, 2013

Senate Chamber

On *Tuesday*, at approximately 11 a.m., Senate will begin consideration of the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, with a vote on confirmation of the nomination, at approximately 12 p.m.

On *Tuesday*, at 2:15 p.m., Senate will begin consideration of S. 601, Water Resources Development Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: May 7, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Library of Congress and the Open World Leadership Center, 9:30 a.m., SD–138.

May 7, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the United States Agency for International Development, 10:15 a.m., SD–192.

May 7, Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Interior, 10:30 a.m., SD–124.

May 8, Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Air Force, 10 a.m., SD–192.

May 8, Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of the Treasury and the Internal Revenue Service, 2 p.m., SD–138.

May 8, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Army Corps of Engineers and Bureau of Reclamation, 2:30 p.m., SD–192.

May 9, Subcommittee on Transportation and Housing and Urban Development, and Related Agencies, to hold hearings to examine an overview of the Federal Housing Administration, 10 a.m., SD–138.

May 9, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Department of Agriculture, 10 a.m., SD–124.

May 9, Subcommittee on Military Construction and Veterans Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for the Departments of Defense and Navy, 2 p.m., SD–124.

Committee on Armed Services: May 7, to hold hearings to examine the Department of the Air Force in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 9:30 a.m., SH–216.

May 7, Subcommittee on Strategic Forces, to hold hearings to examine National Nuclear Security Administration management of its National Security Laboratories in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 2:30 p.m., SR–222.

May 8, Subcommittee on SeaPower, to hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 9:30 a.m., SR–232A.

May 8, Subcommittee on Airland, to hold hearings to examine Army modernization in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 9:30 a.m., SR–222.

May 8, Subcommittee on Strategic Forces, to hold hearings to examine strategic forces programs of the National Nuclear Security Administration and the Department of Energy's Office of Environmental Management in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program, 2:30 p.m., SR–232A.

May 9, Subcommittee on Strategic Forces, to hold hearings to examine ballistic missile defense policies and programs in review of the Defense Authorization Request for fiscal year 2014 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: May 7, to hold hearings to examine the nomination of Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States, 10:15 a.m., SD–538.

Committee on Commerce, Science, and Transportation: May 7, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine credit reports, focusing on what accuracy and errors mean for consumers, 2:30 p.m., SR–253.

May 8, Full Committee, to hold hearings to examine the role of immigrants in America's innovation economy, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: May 7, to hold hearings to examine H.R. 527, to amend the Helium Act to complete the privatization of the Federal helium reserve in a competitive market fashion that ensures stability in the helium markets while protecting the interests of American taxpayers, 9:30 a.m., SD–366.

May 8, Full Committee, business meeting to consider S. 306, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, S. 545, to improve hydropower, S. 761, to promote energy savings in residential and commercial buildings and industry, H.R. 267, to improve hydropower, and H.R. 678, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, 11:30 a.m., SD–366.

Committee on Environment and Public Works: May 9, business meeting to consider the nomination of Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency, 9:15 a.m., SD–406.

Committee on Foreign Relations: May 7, to hold hearings to examine the nominations of James Knight, of Alabama, to be Ambassador to the Republic of Chad, and Deborah Kay Jones, of New Mexico, to be Ambassador to Libya, both of the Department of State, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: May 8, business meeting to consider the nomination of Thomas Edward Perez, of Maryland, to be Secretary of Labor, and any pending nominations, 4 p.m., SD–430.

May 9, Full Committee, to hold hearings to examine pharmaceutical compounding, focusing on a proposed legislative solution, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: May 7, to hold hearings to examine border security, focusing on S. 744, to provide for comprehensive immigration reform, 10:30 a.m., SD–342.

May 8, Full Committee, to hold hearings to examine curbing Federal agency waste and fraud, focusing on new steps to strengthen the integrity of Federal payments, 10 a.m., SD–342.

May 8, Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia, to hold hearings to examine the role of the private sector in preparedness and emergency response, 2:30 p.m., SD–342.

Committee on Indian Affairs: May 8, to hold hearings to examine S. 434, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation and the State of Montana, and S. 611, to make a technical amendment to the T'uf Shur Bien Preservation Trust Area Act, 2:30 p.m., SD–628.

Committee on the Judiciary: May 8, Subcommittee on Crime and Terrorism, to hold hearings to examine cyber threats, focusing on law enforcement and private sector responses, 9 a.m., SD–226.

May 8, Full Committee, to hold hearings to examine the nominations of Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, and William H. Pryor, Jr., of Alabama, and Rachel Elise Barkow, of New York, both to be a Member of the United States Sentencing Commission, 2:30 p.m., SD–226.

May 9, Full Committee, business meeting to consider S. 744, to provide for comprehensive immigration reform, and the nominations of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, and Jennifer A. Dorsey, to be United States District Judge for the District of Nevada, 9:30 a.m., SH–216.

Committee on Small Business and Entrepreneurship: May 8, to hold hearings to examine strengthening the entrepreneurial ecosystem for minority women, 10 a.m., SD–106.

Committee on Veterans' Affairs: May 9, to hold hearings to examine pending health care legislation, 10 a.m., SR–418.

Select Committee on Intelligence: May 7, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

May 9, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Appropriations, May 8, Subcommittee on Interior, Environment and Related Agencies, hearing on Environmental Protection Agency Budget, 1 p.m., 2359 Rayburn.

May 8, Subcommittee on Defense, hearing on Army Budget, 1 p.m., H–140 Capitol.

May 9, Subcommittee on Defense, hearing on Air Force Budget, 9:30 a.m., H–140 Capitol.

Committee on Armed Services, May 8, Full Committee, hearing on National Defense Priorities from Members for the FY 2014 National Defense Authorization Act, 12:30 p.m., 2118 Rayburn.

May 8, Subcommittee on Strategic Forces, hearing on Fiscal Year 2014 National Defense Authorization Budget Request for Missile Defense Programs, 3 p.m., 2212 Rayburn.

May 9, Subcommittee on Strategic Forces, hearing on Fiscal Year 2014 Budget Request for Atomic Energy Defense Activities and Nuclear Forces Programs, 9 a.m., 2118 Rayburn.

Committee on Energy and Commerce, May 9, Subcommittee on Energy and Power, hearing entitled ''American Energy Security and Innovation: Grid Reliability Challenges in a Shifting Energy Resource Landscape'', 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, May 8, Subcommittee on Monetary Policy and Trade, hearing entitled ''Reauthorizing the Defense Production Act'', 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, May 8, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''The Threat of China's Unsafe Consumables'', 2 p.m., 2172 Rayburn.

May 9, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Resolving International Parental Child Abductions to Non-Hague Convention Countries'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, May 8, Subcommittee on Transportation Security, hearing entitled ''TSA Procurement Reform: Saving Taxpayer Dollars Through Smarter Spending Practices'', 1:30 p.m., 311 Cannon.

May 9, Full Committee, hearing entitled ''The Boston Bombings: A First Look'', 9 a.m., 311 Cannon.

Committee on Natural Resources, May 8, Full Committee, hearing entitled ''DOI Hydraulic Fracturing Rule: A Recipe for Government Waste, Duplication and Delay'', 10 a.m., 1324 Longworth.

May 9, Subcommittee on Public Lands and Environmental Regulation, hearing on legislation to direct Federal public land management officials to exercise their authority under existing law to facilitate use of and access to Federal public lands for fishing, sport hunting, and recreational shooting, and for other purposes; H.R. 586, the ''Denali National Park Improvement Act''; H.R. 995, the ''Organ Mountains National Monument Establishment Act''; and H.R. 1411, the ''California Coastal National Monument Expansion Act of 2013'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, May 8, Full Committee, hearing entitled ''Benghazi: Exposing Failure and Recognizing Courage'', 11:30 a.m., 2154 Rayburn.

May 9, Subcommittee on Government Operations hearing entitled ''Federal Government Approaches to Issuing Biometric IDs'', 9 a.m., 2154 Rayburn.

May 9, Subcommittee on Federal Workforce, U.S. Postal Service, and the Census, hearing entitled ''Is OPM Processing Federal Worker Pension Claims on Time?'', 9:30 a.m., 2247 Rayburn.

Committee on Science, Space, and Technology, May 9, Subcommittee on Space; and Subcommittee on Research, hearing entitled ''Exoplanet Discoveries: Have We Found Other Earths?'', 10 a.m., 2318 Rayburn.

Committee on Small Business, May 8, Full Committee, hearing entitled ''Retrospective Review: Have Existing Regulatory Burdens on Small Businesses Been Reduced?'', 1 p.m., 2360 Rayburn.

May 9, Subcommittee on Health and Technology, hearing entitled ''The Health Insurance Fee: Impact on Small Businesses'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, May 9, Full Committee, markup on H.R. 3, the ''Northern Route Approval Act''; and H.R. 1092, to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center'', 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, May 8, Full Committee, markup on the following legislation: H.R. 671, the ''Ruth Moore Act of 2013''; H.R. 1405, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include an appeals form in any notice of decision issued for the denial of a benefit sought; H.R. 570, the ''American Heroes COLA Act''; H.R. 1412, the ''Improving Job Opportunities for Veterans Act of 2013''; H.R. 357, the ''GI Bill Tuition Fairness Act of 2013''; and H.R. 602, the ''Veterans 2nd Amendment Protection Act'', 9 a.m., 334 Cannon.

Committee on Ways and Means, May 8, Subcommittee on Oversight, hearing entitled ''Internal Revenue Service's Colleges and Universities Compliance Project'', 2 p.m., 1100 Longworth.

May 9, Subcommittee on Human Resources, hearing entitled ''Letting Kids Be Kids: Balancing Safety with Opportunity for Foster Youth'', 9:30 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence, May 9, Full Committee, hearing entitled ''Ongoing Intelligence Activities, 9 a.m., HVC–304. This is a closed hearing.

Joint Meetings

Joint Economic Committee: May 7, to hold hearings to examine immigration and its contribution to our economic strength, 9:30 a.m., SD–562.

Joint Economic Committee: May 8, to continue hearings to examine immigration and its contribution to our economic strength, 2 p.m., SH–216.

Joint Committee on the Library: May 7, with the Joint Committee on Printing, organizational business meeting to consider committee's rules of procedure and budget for the 113th Congress, 10 a.m., SC–04, Capitol.

Joint Committee on Printing: May 7, with the Joint Committee on the Library, organizational business meeting to consider committee's rules of procedure and budget for the 113th Congress, 10 a.m., SC–04, Capitol.

Commission on Security and Cooperation in Europe: May 8, to hold hearings to examine Ukraine's leadership of the Organization for Security and Co-operation in Europe (OSCE), focusing on finding new ways to address protracted regional conflicts, energy security, and human dimension issues such as human trafficking, tolerance, media freedom, democratic elections and election observation, and efforts to improve implementation of commitments regarding fundamental human rights and freedom, 2 p.m., SD–562.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED THIRTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through April 30, 2013

	Senate	*House*	*Total*
Days in session	49	51	..
Time in session	346 hrs., 27′	193 hrs.	..
Congressional Record:			
Pages of proceedings	3,065	2,405	..
Extensions of Remarks	..	589	..
Public bills enacted into law	2	5	7
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Bills through conference			
Measures passed, total	101	91	192
Senate bills	7	2	..
House bills	7	38	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	7	4	..
House concurrent resolutions	6	8	..
Simple resolutions	74	39	..
Measures reported, total	*54	*47	101
Senate bills	29	..	..
House bills	1	28	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	3	..
Simple resolutions	23	16	..
Special reports	12	2	..
Conference reports	..	..	..
Measures pending on calendar	54	7	..
Measures introduced, total	1,011	2,097	3,108
Bills	855	1,824	..
Joint resolutions	14	42	..
Concurrent resolutions	15	36	..
Simple resolutions	127	195	..
Quorum calls	1	1	..
Yea-and-nay votes	111	85	..
Recorded votes	..	42	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through April 30, 2013

Civilian nominations, totaling 137, disposed of as follows:	
Confirmed	27
Unconfirmed	108
Withdrawn	2
Other Civilian nominations, totaling 501, disposed of as follows:	
Confirmed	5
Unconfirmed	496
Air Force nominations, totaling 3,172, disposed of as follows:	
Confirmed	581
Unconfirmed	2,591
Army nominations, totaling 3,045, disposed of as follows:	
Confirmed	782
Unconfirmed	2,263
Navy nominations, totaling 609, disposed of as follows:	
Confirmed	102
Unconfirmed	507
Marine Corps nominations, totaling 758, disposed of as follows:	
Confirmed	227
Unconfirmed	531

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	8,222
Total confirmed	1,724
Total unconfirmed	6,496
Total withdrawn	2
Total returned to the White House	0

Next Meeting of the SENATE

10 a.m., Tuesday, May 7

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, with a vote on confirmation of the nomination at approximately 12 p.m.

At 2:15 p.m., Senate will begin consideration of S. 601, Water Resources Development Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, May 7

House Chamber

Program for Tuesday: Begin consideration of H.R. 1406—Working Families Flexibility Act of 2013 (Subject to a Rule).

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