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Senate

The Senate met at 11 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Eternal God, You don't disappoint those who look to You in faith. Guide our lawmakers by Your truth and instruct them with Your wisdom. Lord, lead them to do what is right and to stay on Your path. Keep them from being intimidated by the many challenges they face, knowing that Your grace is sufficient for every need. May they be true to You, living so that their words and actions will receive Your approval. Help them to live this day with a sense of accountability to You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in executive session to consider the nomination of Ernest Moniz to be Energy Secretary. There will be up to 3 hours of debate on the nomination. At about 2 p.m. there will be a rollcall vote on confirmation of that nomination.

BENGHAZI ATTACK

Mr. REID. Mr. President, for months my Republican colleagues have argued the Obama administration has engaged in a coverup regarding the tragic events surrounding an attack on the U.S. consulate in Benghazi. The administration provided Members of Congress with over 100 pages of e-mails—sent following that attack—during closed-door sessions. The e-mails proved there was simply no coverup.

Yet Republicans, with full knowledge of these e-mails, claimed the White House was hiding the truth. Yesterday, the administration released even more e-mails to the public. This is only the latest effort by the administration to ensure transparency for the media and the public regarding this awful attack on Americans.

This new information came out for a number of reasons, not the least of which is that we know the press corps spent most of the past week chasing a story based on an e-mail that didn't exist. It was fabricated by a Republican aide and then reported as fact. It is a sad commentary that Republicans are so dead set on embarrassing the President, the Foreign Service, the CIA, and our military they would actually lie to a news organization about the contents of an e-mail and let that news organization report their lies as facts.

The attack on Benghazi is an issue of life and death. We should be focused on tracking down the terrorists who committed this act and bringing them to justice, not on smear politics and false scandals. I hope the media will realize they were fed a false bill of goods and be more skeptical next time.

IMMIGRATION REFORM

Mr. REID. Mr. President, 6 short years ago the prospects for a bipartisan solution to America's broken immigration system seemed bleak. Despite support from congressional Democrats and a Republican President, an immigration reform proposal had been defeated on a procedural vote. Let's say that again. Despite support from congressional Democrats and a Republican President, we couldn't get enough Republicans in the Senate to move forward on a reform proposal. It was defeated, I repeat, on a procedural vote in the Senate.

But one man, who was a long-time member of the Judiciary Committee and who had been chairman of the Subcommittee on Immigration, Refugees and Border Security for decades—Senator Ted Kennedy—reminded us all the reform for which he had fought so hard would pass one day and that day could not be far off. This is what he said when that bill was defeated:

America always finds a way to solve its problems, expand its frontiers, and move closer to its ideals. It is not always easy, but it is the American way. . . . I believe we will soon succeed where we failed today, and that we will enact the kind of comprehensive reform that our ideals and our national security demand.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Ted Kennedy said that in 2007. He always spoke from back here, and I can still hear his booming voice, and I can hear him saying this. Our friend Ted Kennedy was right, and I believe the time for commonsense immigration reform has come. I am sorry Senator Kennedy is not alive to see the widespread bipartisan support for the legislation being considered today in the Judiciary Committee, legislation that I will shortly bring before the full Senate. Senator Kennedy would be very satisfied with the efforts of the Gang of 8—four Democrats and four Republicans.

Even though Ted Kennedy was known as one of America's great progressives, his legacy is that he worked with liberals, conservatives, Independents—he worked with everyone—to get work done. He always was willing to set aside partisanship, and that is what the Gang of 8 has done and that is why he would like this so much.

This Gang of 8 has addressed a critical issue facing our Nation, and he would applaud the work of the Senate Judiciary Committee and the leadership of his long-time friend he served with on that committee for, oh, it must be four decades. Kennedy and LEAHY, they did a lot of work together, and Senator LEAHY has done so much in this committee—work that he has done in the last several weeks to refine and perfect the reasonable proposal of the Gang of 8.

So it is gratifying to see the momentum behind commonsense reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. Although neither Republicans nor Democrats will support each and every proposal or aspect of this legislation, it is reassuring to see the diverse coalition that has formed in support of real reform, commonsense reform—reform that improves our dysfunctional legal immigration system, reform that continues to secure our borders, reform that requires 11 million undocumented people to pass a criminal background check, and pay fines and taxes to start on the path to earn their citizenship. We can't do this piecemeal, and we can't do it without a pathway to earning citizenship.

The thorough and open process underway in the Judiciary Committee is exemplary of how the Senate should work. So far the committee has considered 62 amendments to the original proposal, some from Democrats and some from Republicans. In fact, the committee has adopted 12 Republican amendments, including measures to strengthen the border and improve our legal immigration system.

The Senate completed work on important water resource legislation yesterday—a lot is going on in the Senate—and we are now going to begin consideration of a crucial piece of legislation dealing with agriculture. I commend and applaud the chairman of that committee DEBBIE STABENOW. She is a very good legislator. They got the bill out of that committee in a very quick fashion. So I repeat, I admire what she has done. She also has a new ranking member there, THAD COCHRAN from Mississippi, who is a fine man and a good legislator.

As I have said, as soon as it is ready, I am going to bring that immigration legislation to the floor. We are going to start on the farm bill Monday, and I am going to bring the immigration bill to the floor regardless of whether we have completed action on the farm bill. Although immigration is a complex and controversial issue that deserves ample time for thoughtful debate and consideration, it is also too important to delay action any longer.

As a Senator from Nevada and whose father-in-law was born in Russia and immigrated to the United States, I have witnessed firsthand the heartbreak of our broken immigration system. I see the heartbreak it has caused for immigrants and their families. So this issue is very personal to me, as I have just indicated, and it is very personal to every immigrant family striving to build a better life in America. That is why they came here.

The time has come for permanent solutions—solutions that are tough but fair, solutions that fix our broken legal immigration system, solutions that punish unscrupulous employers that exploit immigrants and drag down wages for every worker in America, solutions that pull 11 million people out of the shadows so they can pay taxes, learn English, and get right with the law, solutions that put them on the path to citizenship so they can contribute fully to their communities and to this country.

I will do everything in my power to have this bill become law. I am confident the time is right. As Senator Kennedy put it, the kind of comprehensive reform that our ideals and our national security demand.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, would you announce the work in the Senate today.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF ERNEST J. MONIZ TO BE SECRETARY OF ENERGY

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 3 hours for debate equally divided in the usual form.

Mr. REID. Mr. President, I ask unanimous consent that when the Republican leader finishes his time and a quorum call is made, that the time during the quorum be equally divided between the two sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IRS INVESTIGATION

Mr. MCCONNELL. Mr. President, last night the President took an important symbolic step in accepting the resignation of acting IRS Commissioner Miller. I had called for this resignation on Monday, when we learned Mr. Miller signed his name to one, if not more, letters that we now know couldn't possibly have been truthful—couldn't possibly have been truthful. But let us be clear: This symbolic step was just that, symbolic.

What Americans want right now is answers about what happened at the IRS, why it wasn't disclosed earlier, who is ultimately accountable for this behavior, and assurances this kind of thing isn't going to go on at the IRS or anywhere else in the Federal Government because the allegations of ideological targeting only continue to multiply. This is continuing to multiply.

This morning I would like to focus on just one of those incidents. It is the case of a group called the National Organization for Marriage. Last May Senator HATCH, the top Republican on the Finance Committee, sent a letter to the IRS inquiring about reports that someone—someone—at the IRS had leaked confidential donor information from NOM—the National Organization for Marriage—to an advocacy group whose political goals were in direct conflict with its own.

NOM has since released documents suggesting that this information came from one source—from within the IRS itself.

All this took place, by the way, in the middle of a national political campaign. Significantly, one of the NOM donors whose name was leaked was none other than Mitt Romney.

And what about the group it was leaked to?

It was headed by a guy who was named a national co-chair of the Obama campaign, and who published the confidential donor information on the website of the organization he ran, an organization opposed to the goals of NOM.

So here is another situation that, at the very least, clearly merits investigation.

There are allegations here that someone at the IRS committed a very serious crime that had the effect of chilling the speech of a political organization that happened to be on the wrong side of the current administration.

Yet, a year later, Senator HATCH has yet to hear anything back from the

IRS. And, according to the folks at NOM, neither have they.

Last year the people at NOM said they brought their concerns about this potentially illegal activity to the IRS and the Justice Department. They say they even hired a forensic specialist to prove that the document that was leaked had originated at the IRS.

According to NOM, the forensics guy knew the document came from the IRS because it bore a watermark distinctive to the agency. And they say they had to hire him—get this—because the IRS asked NOM if they had leaked the confidential information themselves. So they say they provided evidence to show they had not leaked it themselves, and then earlier this year they asked the IRS to release all the information about their complaint, which had apparently reached a dead end at the IRS. And here is what they say they've gotten back: crickets.

They say they have not heard a thing from the IRS or the DOJ about this potentially illegal breach of their confidential donor information—even as they have poured significant resources of their own into the investigation, and, according to them, seen some of their supporters scared off.

Think about that: the IRS has not had the time to respond to this group, or the Finance Committee—a full year after their confidential donor information appears to have been leaked, from inside the IRS, to one of NOM's ideological opponents.

But when the liberal group ProPublica requested confidential information about conservative groups, the IRS got back to those folks with the information they wanted in about two weeks.

This is exactly the kind of thing I have been warning about for more than a year. Here is a group with an agenda that runs counter to that of the administration. Somebody over at the IRS gets a hold of their donor lists. And leaks it to their opponents.

Why? So anybody who thinks about supporting them thinks twice. This is what government intimidation and harassment looks like. It is completely unacceptable.

The idea that you have got to move heaven and earth to get somebody in the Federal Government to lift a finger to get to the bottom of it is an outrage. This is the kind of thing that people should be tripping over themselves to resolve. Yet Senator HATCH is still waiting on a response to a letter he sent about it to the IRS commissioner—last May!

No one should be intimidated by the government into shutting up as part of our political process.

That is why the Republican members of the Finance Committee are sending a letter today to Treasury's Inspector General for Tax Administration requesting investigation into this very issue.

Because, without this sort of inquiry, we may never have confirmed the inappropriate harassment of conservative groups that was going on at the IRS for two years.

Apparently, this is the only way to get this administration to take responsibility for its actions.

We are determined to do that, because there is a very dangerous precedent being set here. I will say it again: Americans, be they conservative or liberal, should be free to participate in the political process without fear of harassment or intimidation from their own government.

I would also like to note that, last month, the Secretary of Energy nominee, Dr. Ernest Moniz, was cleared by the Senate Energy and Natural Resources Committee with robust bipartisan support. The full Senate will likely vote on his nomination today.

A number of my colleagues and I are optimistic about Dr. Moniz's pragmatic approach to solving America's energy challenges.

In particular, I look forward to working with him on finding a sustainable, long-term solution for the Paducah Gaseous Diffusion Plant—a facility that benefits our country, its community, and the many dedicated workers who work there.

I yield the floor.

Mr. WYDEN. Mr. President, the nomination of Dr. Ernest Moniz to head the Department of Energy is now the pending business in the Senate. I would like to discuss the nomination. I note my friend and colleague Senator MURKOWSKI is here. Both of us will take a short amount of time to discuss Dr. Moniz's qualifications.

I urge colleagues on both sides of the aisle to support the nomination of Dr. Ernest Moniz to serve as the Secretary of Energy. Dr. Moniz is smart about energy policy, he is savvy about how the Department of Energy operates, and he is solution-oriented, which is what Democrats and Republicans on the Senate Energy and Natural Resources Committee saw when he was before our committee to consider his nomination.

I am going to talk about why I believe Dr. Moniz is well qualified to spearhead our efforts to evolve our country's energy system, to increase domestic sources, emit less carbon, and to bolster our economy. First, though, I would like to talk for a few minutes about the job Dr. Moniz will be stepping into once he is confirmed.

Right now the Energy Department is at the center of issues that are hugely consequential to our economy and the environment. They are how to manage the newly accessible reserves of natural gas, combating climate change, and making our economy more efficient. Certainly front and center is how, on a bipartisan approach, we can support the development of new energy technology. I believe our country needs that kind of energy to transition to a lower carbon economy. It is built on three pillars: strong economic growth, shrinking our carbon footprint, and spurring energy innovation.

What is unique about this moment is that now, on the issue of energy, our country is truly in a position of strength. Historically, lawmakers have avoided energy issues until there was a short-term crisis. Usually that crisis is a spike in the price of gasoline. Then, as we know, there is a big hue and cry to pass a ''comprehensive energy bill,'' and it ends up being ''comprehensive'' and still lasts a relatively short period of time, maybe a year and a half or 2 years, until there is another hue and cry to pass yet one more comprehensive bill.

Right now, the Congress and the executive branch—the Energy Department—are in a rare position, a position where we can make policy at a time when our country does not face those kinds of short-term calamities. I say that in no way minimizing the extraordinary challenge of climate change. In my view that is a potential catastrophe that needs real and immediate action, and it is something that cannot be ducked or ignored.

On energy, however, the usual calculus has been flipped on its head. New technologies have located potentially huge supplies of natural gas as well as new oil reserves. At the same time, thanks to a combination of improved efficiency, increased renewable power generation, and a rise of affordable natural gas supplies, our carbon emissions actually fell recently. A decade ago no one dreamed of either of those facts.

One of the most immediate issues that will face Dr. Moniz, if he is confirmed, is the question of how our country can maximize the benefits of unconventional shale gas. Abundant, low-cost natural gas provides our country right now with a competitive, economic advantage. The reality is all over the world others want our gas. Our competitors in Europe and Asia—where the costs are four or five times as high as our manufacturers—want what we have.

I think it is obvious that this is also a national security advantage. We will be able to rely on our own energy resources instead of sources which come from unstable parts of the world that certainly don't wish the United States well.

I was encouraged by the commitment Dr. Moniz made to me to use the best, most recent data to look at questions, such as how building natural gas export terminals is going to affect the areas adjacent to those facilities as well as the larger American economy.

From my experience of working with Dr. Moniz, I think he is more than up to the big challenges our country faces as we deal with this historic transition in our energy sector. He knows how the Department works from the inside, and he knows it because he actually has experience there.

With his background as a well-respected scientist, I am confident Dr. Moniz is going to use the best science and most current data in considering key policy issues. He has shown he will

take an independent, data-driven approach as a professor of MIT and director of that university's energy initiative. They have led numerous cutting-edge studies on a range of energy issues.

In one sense the Department of Energy ought to be called the department of innovation. One of the bright lights there is the Advanced Research Projects Agency, what is called ARPA-E, which funds research with the potential to produce major breakthroughs in energy technology. It was authorized in 2005, and it was Dr. Moniz's predecessor, Secretary Steven Chu, who oversaw the first project there and, to his credit, he was an important champion for that agency in its early days.

One of the dozens of efforts that was supported by ARPA-E, for example, is a project at the University of North Dakota which aims to reduce water usage of powerplants. According to the Department of Energy, the university is testing an air-cooled absorbent liquid that retains and releases moisture to cool powerplants that could result in efficient power production with minimal water loss.

I think it would be fair to say we could put together a pretty impressive filibuster if any one of us wanted to describe the various types of research going on or the research funded by the Department. They are leading research in a number of areas our country needs to work on if we are to achieve that objective I have staked out, and that is to secure a lower carbon economy.

As far as energy efficiency, the lowest cost way to reduce energy use and cut emissions is going to be a big part of the Department's mission in the next 4 years. Our committee is moving ahead in that area, starting with yet another bipartisan bill, the Shaheen-Portman legislation that, in my view, is the standard bearer now for energy-efficient legislation. We passed it out of the committee with broad bipartisan support, and I hope it will come to the floor of the Senate very soon.

The Department is also doing important work on carbon capture, carbon sequestration, and utilization—trapping emissions from fossil fuel operations and storing them underground to reduce the impacts to our climate. The chair of our Public Lands, Forests, and Mining Subcommittee—my friend Senator MANCHIN—has a great interest in this particular area, and Dr. Moniz, to his credit, has said this is an area which deserves a significant amount of attention.

DOE research has also helped show that natural gas and renewables are not mutually exclusive. This country does not have to choose between the two. In fact, natural gas plants, in my view, make great partners for intermittent renewables such as wind and solar because they can fire up and power down quickly. That is a very important part of our future energy agenda. We want to have more wind and solar. We know they are intermittent sources.

Some of the challenges, as the President of the Senate knows, are about how to find innovative approaches to storage, and looking at natural gas to help us get wind and solar into our baseload power structure. So this is an important issue.

Renewables can also benefit natural gas. The Energy Department's Pacific Northwest National Lab in Richland, WA—across the river from Oregon—is going to soon test a project to use solar energy to make natural gas plants 20 percent more efficient.

I am not going to pretend to know everything about engineering, but I think it is worth noting that the New York Times said earlier this month the idea that is being explored in Richland, WA, would use concentrated solar rays to heat natural gas and water to about 1,300 degrees Fahrenheit and break open the natural gas and water molecules. The result would create synthetic gas, which burns more efficiently than natural gas alone. This would give us more energy for every molecule of gas burned, which means lower costs and reduced greenhouse gas emissions. This is just one of many projects the Department is backing. They are not sure which are going to ultimately pan out, but the potential for breakthroughs—such as the one I have described—is exactly why it is so important for the Energy Department to have a broad research portfolio.

Our country's competitors are not sitting back waiting for our country to do all of the world's innovation. China, Germany, and others are pouring resources into R&D to try and get an advantage. The fact that we have our Energy Department on the front lines of this fight to show the world how to innovate is a huge American asset.

A significant portion of the Energy Department's budget goes into an office that is described as Environmental Management, which essentially means cleaning up America's radioactive nuclear waste. There are 17 active sites the Department is currently cleaning up, including the Hanford site in southeastern Washington. Whistleblowers and independent watchdogs, such as the Defense Nuclear Facilities Safety Board, have identified some troubling problems with how waste is stored in Hanford—including the potential for hydrogen to build up and explode in several waste tanks. They have also flagged ongoing design issues with the facility that will treat the site's nuclear waste—another matter the Department of Energy must solve.

People who live near Hanford and depend on the Columbia River received some welcome assurances from Dr. Moniz. At the hearing, Senator MURKOWSKI and I brought some of these issues up where Dr. Moniz said the status quo with respect to the Department of Energy on Hanford is not acceptable. I look forward to working with them on that long-term solution.

Finally, I think it is fair to say Dr. Moniz—and it is appropriate to close with this—has a long track record of collaboration. That is why I mentioned early on he showed in his confirmation hearing—and he showed Democrats and Republicans alike—that he is solution-oriented and collaborative on the difficult questions which are ahead. He brings that scientific credibility, which I have outlined, with real-world policy experience that is so important to managing a major Federal agency.

There has been bipartisan support expressed from my colleagues on both sides of the aisle for Dr. Moniz in a usually gridlocked Congress. I feel as though C–SPAN ought to put out a warning to viewers not to adjust their television because this really is how the Senate ought to be working.

One of the reasons we had the bipartisan approach on energy issues I have been discussing—and it was demonstrated again this morning in the energy committee meeting—is because my friend and colleague Senator MURKOWSKI consistently meets me at least halfway, and often more, on these big issues. I thank the Senator from Alaska for that cooperation on the Moniz nomination and many other matters. I look forward to Senator MURKOWSKI's comments.

I see other colleagues here who may wish to speak at this time, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I appreciate the opportunity to follow my friend and colleague Senator WYDEN from Oregon, the chairman of the energy committee, to speak today about the confirmation of Dr. Ernest Moniz to be our Nation's Secretary of Energy.

I think it is good when we are able to stand as the chairman and the ranking member and come to terms of agreement so far as support for an individual for a position such as Secretary of Energy. This is an important position within this administration. It is an important position just from the perspective of how we move forward in this country while we deal with our energy issues and our energy future, which I think is where we get relatively enthusiastic about this nomination.

Again, I thank the chairman of the Energy and Natural Resources Committee, my friend from Oregon, for his leadership in advancing the nomination to the finish line.

I also want to recognize and thank the members of our committee for their very thoughtful questions. When we had Dr. Moniz before the committee, it was perhaps one of the smoother confirmation hearings we have had in quite some time.

I also thank the full Senate for working with us so we can fulfill our constitutional responsibility for advice and consent here today.

Before I speak to Dr. Moniz's qualifications—and I do think Senator WYDEN has addressed those very well—I wish to take a moment to discuss the agency he will soon lead.

The Department of Energy was created back in 1977. It was created following the oil embargo which caused the gasoline shortages we saw around the country. The architects—those who put together the contours of DOE—were surveying a very different energy landscape than we face today.

Back in 1977, energy was viewed from the position of scarcity rather than the abundance we recognize today. Those architects, as they defined what a Department of Energy would look like and what it would hope to achieve, as well as the mission set there, had some pretty high hopes for what the Department would accomplish.

I think what we need to do is look back to that organic act which states that DOE would ''promote the general welfare by assuring coordinated and effective administration of Federal energy policy and programs.'' That is pretty simple.

That same act goes on to list 18 different purposes, a few of which bear repeating. One of them is to assure, to the maximum extent practical, that the productive capacity of private enterprise shall be utilized in the development and achievement of the policy and purposes of the act.

Another one of those purposes is to provide for the cooperation of Federal, State, and local governments in the development and implementation of national energy policies and programs.

A third purpose is to carry out the planning, coordination, support, and management of a balanced and comprehensive energy research and development program.

Looking back at DOE's creation is a reminder of how far we have come and yet how far we still have to go in achieving these various purposes that were set out in that organic act.

Today the Department is a major department. It has a budget of more than $25 billion each year. Thousands of scientists work on cutting-edge technologies at our national labs as they look for breakthroughs and manage our nuclear weapons programs.

Yet more than three decades later, it would be difficult to find many who truly believe we have achieved this coordinated and effective administration of Federal energy policy. In fact, we are going to have some who would disagree as to whether we have developed a Federal energy policy that adequately serves our national needs. Instead, we have seen energy-related programs and initiatives that are fragmented and scattered throughout the Federal Government. Not enough money, in my view, is getting to the bench for research and development, which is a critical aspect of how we build out that energy policy. It is also a critical component of how we move toward our energy future.

All too often it appears we have silos within the Department that stand in the way of progress. In recent years I have become concerned that DOE is not clearly and unambiguously working to keep energy abundant, affordable, clean, diverse, and secure, principles that I think go into defining a good, strong Federal energy policy. As I see it, DOE, in particular, must be a stronger voice in the councils of this administration for energy supply. In light of several costly failures, the Department must become a better steward of taxpayer dollars.

So all of these challenges, and more, will be inherited by our next Secretary of Energy. Along with the challenges, I think we also recognize there are great opportunities within the energy sector. That is why I believe we will do well to place Dr. Ernie Moniz, who is clearly a man with talent and experience in both the laboratory and as a public policymaker, to place him at the helm of this department.

Dr. Moniz has some pretty impressive credentials. He is a physicist, having graduated from Boston College before completing his Ph.D. at Stanford. He served in the White House Office of Science and Technology Policy and as an Under Secretary of the Department of Energy during the late 1990s. For the vast majority of his career, he has also served as the director of the MIT Energy Initiative. He has studied and written about nuclear energy, natural gas, innovation—really any number of topics with direct relevance for the future of our energy policy. So he has both. He has the academic experience, most certainly, as we see at MIT and at Stanford, but he also has that practical application. My colleague from Oregon described him as solution oriented, and I think that is a very apt description. He is an impressive nominee.

In our meetings where it is nice and casual and relaxed and people can have a pretty good conversation, I was very impressed with not only Dr. Moniz's background and experience but how he views moving forward within the Department of Energy. There is a level of comfortable confidence I found encouraging. He has shown he understands what his job requires, and because of that I believe he will be a capable Secretary. He is knowledgeable, he is competent, and he is refreshingly candid, and I think that is an important part of it.

I kind of challenged him in the confirmation hearing before the Energy Committee to keep that up: Don't be afraid to speak out, to be refreshingly candid. I think that is good advice.

He also has proven the Senate's confirmation process can be navigated successfully without undue delay, as long as questions are answered and concerns raised by Members are taken seriously, and I think he did attempt to do that.

It is my hope that after his confirmation, Dr. Moniz will guide our Nation's energy policy as the respected scientist he is and do so rigorously, robustly, free of preordained conclusions, and, again, not afraid to speak up or to speak his mind. His Department will benefit, and I think the country will as well.

As I have indicated in my comments, I think the Department of Energy needs good, strong direction. It needs that leadership, and I believe Dr. Moniz will provide both. That is why I am supporting his nomination, and I ask my colleagues in the Senate to join me in voting to confirm him later this afternoon.

I note my colleague from New Jersey is here. I have some comments I wish to make about the Arctic Council meeting, but I will certainly defer to my friend from New Jersey for his comments this morning.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to thank the distinguished ranking member for her courtesy. I intend to support this nominee for all of the reasons the distinguished chairman has said.

(The remarks of Mr. MENENDEZ pertaining to the introduction of S. 980 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. MENENDEZ. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARCTIC COUNCIL MINISTERIAL MEETING

Ms. MURKOWSKI. Madam President, while we are waiting for colleagues to come and join us on the floor to speak about the nomination of Dr. Ernest Moniz to be Secretary for the Department of Energy, I thought I would take a few moments and fill in my colleagues about a meeting I just returned from in Kiruna, Sweden. This was the Arctic Council ministerial meeting.

The Arctic Council is comprised of the eight Arctic nations, of which the United States is one by virtue of the State of Alaska, but not to diminish the fact that we truly are an Arctic nation, and our role as such, involved with other Arctic neighbors, is a growing role and a role the rest of the world is looking at with great interest and great anticipation as to how the United States is going to step forward into this important arena.

This is the second Arctic Council meeting I have attended. I was in Nuuk, Greenland, with Secretary Clinton and Secretary Salazar 2 years ago. That was the first time the United States had sent a Cabinet member, sent the Secretary of State to the Arctic Council, and it caused great waves throughout the Arctic world and certainly gained the attention of nations around the world. The sentiment was the United States is finally stepping up, the United States is moving forward, recognizing its role as an Arctic nation. So it was exceedingly important that Secretary Kerry continued

that good work of Secretary Clinton in leading the United States in its role at this ministerial meeting.

I will tell you, Secretary Kerry has been very involved here in this body as a Senator in his leadership on certain issues, specifically advancing the Law of the Sea Treaty—ratification of that important treaty—speaking out and being very forthright on the issue of climate change. His leadership at the council meeting in Kiruna yesterday was clearly evidenced as he worked to bring the parties together in terms of an agreement to move forward with how we treat observers to the Arctic Council. I commend Secretary Kerry for his leadership, certainly for his initiative, in ensuring that the United States continues to have a high profile and a growing profile.

Why is this important? Why do we need to not only be engaged but to step up that engagement? Well, yesterday, the chairmanship of the Arctic Council transferred from Sweden to Canada, so our neighbors to the North will chair the Arctic Council for these next 2 years. In 2015, the gavel of that chairmanship will pass from Canada to the United States, so we will be working to set the agenda, although it is a very consensus-driven process. But we will clearly be in a leadership role amongst the eight Arctic nations and those observer nations. It is critically important that we are ready, that we be working toward assuming this leadership position.

In doing that, it is more than just attending meetings every other year. It is the agreements that come out as a result of these ministerials, these consensus initiatives that help to advance the dynamic in an evolving part of the world.

In Nuuk, the first-ever binding agreement of the parties was entered into, and this was a search-and-rescue agreement. If there is an incident up in the Arctic—and the world up there knows very little in terms of boundaries and what happens with ice, but we recognize our infrastructure is severely limited. So who is in charge? How do we work cooperatively, collaboratively with search and rescue? It was an exceedingly important initiative that was adopted 2 years ago.

Yesterday, in Kiruna, it was the adoption of the Agreement on Cooperation on Marine Oil Pollution Preparedness and Response in the Arctic. There is a recognition that in the Arctic, where some 15 percent of the world's known oil and gas reserves are situated, there will be activity. We are seeing it in Russia to our left-hand side; we are seeing it in Canada to our right-hand side. In the United States, as we all know, Shell attempted to begin exploration this year. There have been previous exploration efforts up in the Beaufort and in the Chukchi. Whether you are for or against oil development here in this country, the recognition is that within the Arctic nations there is activity. There are ongoing efforts, whether it is through exploration or, hopefully, production that will move forward.

What we are trying to do within the Arctic Council and other entities is make sure that when that happens, we are prepared. So we are putting forward collaboration and collective agreements so there is an understanding that in the event—hopefully, a very unlikely event—something would ever happen, there is an understanding as to how all the nations act, the level of preparation that moves forward.

There are incredibly important initiatives as we deal with an evolving Arctic. Think about the world up north there. Really understand what is happening. This is no longer an area that is locked in ice and snow, an area where we are not able to transit, an area where there is no human activity. The Arctic has clearly seen an opening, as we see the sea ice receding. We are seeing a level of activity that is unprecedented. It is truly the last frontier—a new frontier, so to speak.

Again, how we prepare for a world where there is more movement, where there is more activity, is going to be a critical key to the success and the opportunity. We recognize the volume of shipping now coming through the Northwest Passage, coming from Russia on down through the Bering Strait, through very narrow channels there out to Asia, down into the Pacific. There is incredible movement. So how are we preparing ourselves for an increased volume of shipping traffic? Do we have the navigational aids we need? Do we have the ports and the infrastructure that will be necessary? These are some of the initiatives that were discussed.

Obviously, when we think about an Arctic that is changing, a key focus is on climate change and what is happening. We are seeing the impact of climate change in the Arctic more noticeably than in other parts of the globe. So there is a great deal of science and research that is going on that is necessary. How we collaborate, how we share that with all of our other Arctic neighbors is going to be key.

How we map our resources, whether it is understanding the sea floor, whether it is understanding the coastline, this is an area that—we use the term ''frontier.'' When we go out into a new frontier, it is important to know what it is we are dealing with; how we can work cooperatively on things such as mapping; what we can do to ensure that as we see changes, as we see development, as we see increased economic activity in the Arctic, that the indigenous people—the people who have been there for thousands of years, living a true subsistence lifestyle—that their lifestyle remains intact, that there can be a balance and a harmony with their world and this changing scenery and landscape in front of them.

This is a story that was conveyed to me several years ago. I was up in Barrow, which is, of course, the northernmost city in the United States. Barrow is a relatively small community of several thousand individuals. One afternoon there was a group of folks who were in town and they were all speaking German.

Somebody asked: Well, how did you get here? Where did you come from?

They did not see that many people getting off the Alaska Airlines jet. The German tourists pointed to a cruise ship that was offshore. They had lightered these German tourists into the community. Just a few years back, a cruise ship in these waters was unheard of. What we are seeing now are cruises. We have a level of tourism that would never have been anticipated. So how we prepare for all of this is a challenge for us.

The work of the Arctic Council is again focusing on collaboration and cooperation in an area, in a zone of peace, as many would suggest. This is an important opportunity for us from a diplomacy perspective. Think about how many hot spots we have in the world, how many places on this planet where we are trying to put out fires that have been simmering or smoldering for decades, for generations, for some, millennia. If we have a part of the world where we can work together, what kind of a message, what kind of a symbol does that represent? So we have some enormous opportunities within the Arctic.

Part of my challenge—and I shared this with Secretary Kerry—is impressing upon people in this country that we are an arctic nation. The Presiding Officer hails from the State of Massachusetts. My colleague and chairman of the Energy Committee comes from Oregon. I would venture to say that most of the Senator's constituents do not view themselves as people of the Arctic, but we are. As 50 States, we are. So how we work together to make sure America's role as an arctic nation is represented is key.

I will conclude my remarks by noting that on Friday the White House released its Arctic strategy. This is a document to advance national security interests, how we responsibly manage the Arctic ecosystem, how we bolster international relationships—all very worthwhile goals. I think we recognize that it is perhaps a little bit light on detail, but the good news is that so many of our Federal agencies are working to help advance these goals.

What we need, in addition to a coordinated strategy, is a policy that is going to make sense from all of the different levels, whether it is how we deal with the energy, how we deal with the human side, how we deal with the security aspect of it. These are complicated issues, but it is an opportunity that is almost unprecedented to be able to take a blank page and be able to create opportunities, to be able to create policies that really began with a level of collaboration and cooperation. This is what we are hoping to build not only

with our Arctic neighbors but beyond that.

It was interesting to note the recognition of six nations that joined as observers: China, India, Italy, Japan, Singapore, and South Korea. No one would ever suggest these are Arctic nations, but the reason they want to be engaged as observers is they recognize the importance of the Arctic to the rest of the globe. They recognize the importance, whether from a shipping perspective, whether from an environmental perspective, whether from just an opportunity for resources. There is a keen awareness of what is happening in the Arctic, that this is the place to be right now.

So my urging to my colleagues is to pay attention to not only what is happening in the Arctic but pay attention to how an increased role in the Arctic impacts them and constituents in their States because whether it is sending goods from one nation to another, this is an opportunity to allow for transit and commerce that has only been a dream. Whether it is how we access our energy resources in a way that is done responsibly, safe, and with an eye toward environmental stewardship, there are opportunities for us—challenges, yes, but opportunities for us as well.

So I will be talking much more about our role as an arctic nation, our responsibilities as an arctic nation, but I would ask that we start thinking about this: Where does Massachusetts, where does Oregon, where do they fit in as part of an arctic nation?

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH.) The Senator from Massachusetts.

Mr. COWAN. Mr. President, I rise to speak in support of the nomination of Dr. Ernest Moniz—a native son of Massachusetts—to be Secretary of Energy. In voting yes on his nomination, the Senate will confirm someone who is extremely well qualified for the role of Secretary of Energy and someone who is proof positive that the American dream is alive and well.

Dr. Moniz is a son to first-generation immigrants to America, to Fall River, MA, a historic city on the south coast of Massachusetts rich with a history in the textile and garment mills and now with a bright future in the innovation economy.

It was in Fall River that Dr. Moniz first developed his love of science, both at home and in the Massachusetts public schools. With the help of scholarships from his father's labor union, Dr. Moniz was able to attend and receive his bachelor of science degree, summa cum laude in physics, from Boston College. From there, Dr. Moniz went on to do even greater work.

In Massachusetts, we are grateful for the decades of service he has given to one of the finest institutions not just in the Commonwealth but in the world, the Massachusetts Institute of Technology—otherwise known as MIT—where he has been a faculty member since 1973. Dr. Moniz has led many groundbreaking initiatives at MIT, including most recently serving as the funding director of the MIT Energy Initiative and leading the MIT Laboratory for Energy and the Environment. Through the MIT Energy Initiative, he has been at the forefront of multidisciplinary technology and policy studies on the future of nuclear power, coal, nuclear fuel cycles, natural gas, and solar energy. The initiative has spun out numerous startup companies from the campus lab into the emerging and important clean energy economy.

In addition to his many years of service to the Commonwealth, Dr. Moniz also knows his way around this town, which I am sure will serve him well in his new position. He served previously as Under Secretary of the Department of Energy and before that as Associate Director for Science in the Office of Science and Technology Policy for President Clinton.

One of the biggest challenges he will undoubtedly face as Secretary is how to continue critical U.S. investments in emerging energy technologies, including fusion, in the face of a difficult budget climate. While I recognize that, as Secretary, Dr. Moniz will need to recuse himself from this particular issue, I strongly support continued DOE funding of the domestic fusion energy research program at MIT, the C-Mod Program, which has for years led in fusion science and is an incubator for the next generation of fusion scientists. Unless additional action is taken by DOE, the C-Mod research facility at MIT will be abruptly terminated, 130 fusion scientists, engineers, graduate students, and support personnel at MIT would also be terminated, and hundreds of millions of dollars invested in this program over the past generation will be lost.

Our Nation's domestic fusion program simply cannot withstand the proposed reductions without a severe negative impact to our fusion research and our scientific contributions to the international fusion research community. This shortsighted approach could eliminate the ability of the United States to take a lead role in the development of the next generation of energy research.

The Department of Energy has significant responsibilities that impact America's economic energy, environmental, and security future. It is my strong belief that Dr. Moniz has the ability, knowledge, experience, and vision to be an excellent Secretary of Energy for the people of the United States. I look forward to casting my vote to confirm this brilliant scientist, dedicated public servant, and, yes, native son of Massachusetts.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NLRB

Mr. CASEY. I rise to speak about the National Labor Relations Board. This is a board and a set of issues we are going to be debating and have begun to debate recently. It will be with us for a while, and it is an important debate we are having.

As the Senate considers the National Labor Relations Board member nominations, I think it is very instructive, and I would even say essential, to look back at the history of the Board and the National Labor Relations Act, the legislation that created the Board, to recall why this Board and the act are so important to our economy, our workers, and our businesses.

The National Labor Relations Act played a key role in making the United States the prosperous Nation we are today. A properly functioning labor board and a revived, modernized National Labor Relations Act could be key players in a more prosperous future.

Congress passed the act in 1935 during the depths of the Great Depression. The National Labor Relations Board Act legitimized and gave workers the right to join unions. It encouraged and promoted collective bargaining as a way to set wages and settle disputes over working conditions, and it led to a surge in union membership and representation. It is worth remembering as well why the act was passed in the first place.

To quote section 1 of the act: ''The inequality of bargaining power between employees . . . and employers . . . substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions by depressing wage rates and the purchasing power of wage earners.''

I am quoting in pertinent part the most significant words in that part of the act which are the flow of commerce, how important it is to settle disputes so we can have a free-flowing commerce, and that workers have the rights they are entitled to.

As I said, it was passed in 1935. The economy was reeling. One-fourth of the workforce was jobless. Millions of Americans were poor, hungry, and homeless. Balancing the bargaining power of employers and employees, Congress hoped to restore the Nation to economic prosperity. Giving workers the right to organize and bargain collectively would allow them to stand up to corporate power and demand higher wages, thereby increasing their incomes and their purchasing power. That, in turn, would increase consumption and demand for goods, increasing production and, in fact, increasing employment.

As former NLRB Chairman Wilma Liebman said: ''The law was enacted less as a favor to labor, than to save capitalism from itself.''

We know that before the New Deal, the Federal and State governments, the courts, and the law had all been hostile to the collective rights of workers in their struggles against corporate power. For decades, going back to the late 1800s, the majority of production workers in America's heavy industries had labored in harsh and often dangerous conditions for low wages, with little security. I know this from my own family's history, but I also know it from the history of my own region of northeastern Pennsylvania, the so-called hard coal or anthracite region of Pennsylvania.

Stephen Crane, the great novelist, wrote about the coal mines right around the turn of the century. Actually, they are the coal mines of my home county. He talked about all the ways a miner could lose his life in the coal mines. I ask unanimous consent to have printed in the RECORD that part of Stephen Crane's essay about the coal mines.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The novelist Stephen Crane toured a mine near Scranton in 1894, just ten years before my father went to work in the mines. He described the scene in McClure's Magazine:

The breakers squatted upon the hillsides and in the valley like enormous preying monsters, eating of the sunshine, the grass, the green leaves. The smoke from their nostrils had ravaged the air of coolness and fragrance. All that remained of vegetation looked dark, miserable, half-strangled. . . .

The [boys] . . . are not yet at the spanking period. One continually wonders about their mothers, and if there are any schoolhouses. But as for them, they are not concerned. When they get time off, they go out on the culm heap and play baseball . . . And before them always is the hope of one day getting to be door-boys down in the mines; and, later, mule boys; and yet later, laborers and helpers . . .

A guide then led Crane into the mine:

It was a journey that held a threat of endlessness. Then suddenly the dropping platform slackened its speed. It began to descend slowly and with caution. At last, with a crash and a jar, it stopped. Before us stretched an inscrutable darkness, a soundless place of tangible loneliness. Into the nostrils came a subtly strong odor of powder-smoke, oil, wet earth. The alarmed lungs began to lengthen their respirations.

Our guide strode abruptly into the gloom. His lamp flared shades of yellow and orange upon the walls of a tunnel that led away from the foot of the shaft. Little points of coal caught the light and shone like diamonds. . . .

The wonder of these avenues is the noise—the crash and clatter of machinery as the elevator speeds upward with the loaded cars and drops thunderingly with the empty ones. The place resounds with the shouts of mule boys, and there can always be heard the noise of approaching coal cars, beginning in mild rumbles and then swelling down upon one in a tempest of sound. In the air is the slow painful throb of the pumps working at the water which collects in the depths. There is booming and banging and crashing, until one wonders why the tremendous walls are not wrenched by the force of this uproar. And up and down the tunnel there is a riot of lights, little orange points flickering and flashing. Miners stride in swift and somber procession. But the meaning of it all is in the deep bass rattle of a blast in some hidden part of the mine. It is war. It is the most savage part of all in the endless battle between man and nature. Sometimes their enemy becomes exasperated and snuffs out ten, twenty, thirty lives. Usually she remains calm, and takes one at a time with method and precision. She need not hurry. She possesses eternity. After a blast, the smoke, faintly luminous and silvery, floats silently through the adjacent tunnels . . .

Great and mystically dreadful is the earth from the mine's depth. Man is in the implacable grasp of nature. It has only to tighten slightly, and he is crushed like a bug. His loudest shriek of agony would be as impotent as his final moan to bring help from that fair land that lies, like Heaven, over his head. There is an insidious, silent enemy in the gas. If the huge fanwheel on the top of the earth should stop for a brief period, there is certain death. If a man escapes the gas, the floods, the squeezes of falling rock, the cars shooting through little tunnels, the precarious elevators, the hundred perils, there usually comes to him an attack of miner's asthma that slowly racks and shakes him into the grave. Meanwhile, he gets $3 per day, and his laborer $1.25.

Mr. CASEY. When unions sprang up to defend the rights of workers, they were treated as illegal conspiracies, ruthlessly smashed by companies that either used violence or called on the police or military to defend their interests. The unions rarely made more than temporary gains.

When America began to industrialize in the 1800s, the relationship between workers and their bosses changed dramatically. Craft work by skilled employees was replaced by mass production with hundreds or even thousands of people working for a single, impersonal corporation. Giant powerful entities generally treated their workers like faceless, expendable commodities—inputs into the production process, whose costs had to be kept low in order to maximize profits in the incomes of robber barons. That was certainly true in my home State of Pennsylvania.

The corporations amassed enormous wealth, but the employees were mostly left behind, with lives of misery and hardship. In Pittsburgh, for example, the western corner of our State, a remarkable in-depth sociological study by the Russell Sage Foundation of the lives of working families in the early 1900s found widespread grinding poverty and child labor, poor health and education, and astonishing levels of work-related injury and illness. In Allegheny County, where Pittsburgh is located, with a million residents, more than 500 workers died in industrial accidents in a single year, most of them in the steel mills. The same was true in the coal mines.

To give you an example, in 1907, 1,516 workers were killed in the coal mines of Pennsylvania. In over about a 98-year period, 31,047 known fatalities happened in the coal mines of Pennsylvania.

If the United States today had a proportional number of occupational fatalities as they had in Pittsburgh when 500 workers died, the number would be 150,000 workers today losing their lives on the job. Workers were chewed up and discarded with no workers' compensation system and no hope of suing the corporation for negligence. The law of labor relations was seriously unbalanced. Whereas business owners were able to act collectively, joining together in corporations to be treated as a special kind of person under the law, while escaping individual liability for corporate acts, unions were sometimes treated as criminal conspiracies, their strikes were considered illegal restraints against trade, and courts intervened to issue injunctions to hold unions liable for the acts of their members.

When workers tried to form unions to defend themselves or to win a fair share of the profits, they were usually met by fierce resistance by employers, fueling anger and resentment, often leading to violence.

One of the most famous and, I should say, infamous tragedies involved Carnegie Steel, which for 10 years had a collective bargaining contract with its skilled employees at the Homestead plant but decided in 1892, during an economic depression, both to cut the employees' wages and to destroy the union. I won't go into the whole story today; we don't have time. Suffice it to say the union was crushed completely because of the actions of that steel company and then steel companies after it.

Move forward in history when demand for their products dried up in the Great Depression. Many businesses cut both wages and hours, further depressing workers' incomes and purchasing power.

In President Franklin D. Roosevelt's first year in office in 1933, he pushed through Congress the National Industrial Recovery Act. One of its main purposes was to encourage companies to recognize their unions and to bargain with them. FDR and Labor Secretary Frances Perkins were convinced that raising wages and thereby increasing consumer demand was essential to lift the economy and put people back to work.

Unfortunately, the entity the act created to encourage collective bargaining, the National Labor Board, as it was called at the time, had no power to compel compliance with the new law. Union membership soared, but the companies continued to resist collective bargaining or recognize the sham company unions they controlled, effectively bargaining with themselves rather than the real representatives of the workers. Instead of an orderly, efficient act, or system, I should say, the act produced chaos. The Supreme Court ruled that the act was beyond the powers of Congress under the commerce clause of the Constitution.

What happened then was Senator Robert Wagner of New York started

over and drafted the National Labor Relations Act of 1935. It passed quickly and survived a constitutional challenge in the Supreme Court. The new law required companies to recognize unions as the exclusive representative of their employees when they could prove majority representation. It gave the new board the authority to conduct elections and to order companies to bargain in good faith over wages and working conditions. It outlawed sham company-dominated unions, and it protected employees from violations by employers of their right to join a union or to engage in strikes or other protected, concerted activities such as hand billing or picketing.

The Board itself was given the power to require employers to hire back fired workers, to pay lost wages with interest, and to agree not to break the law in the future.

For a time, the new law worked. As Wilma Liebman, on the National Labor Relations Board for 14 years, said recently:

> Over the next decades, millions of workers voted for union representation in NLRB-conducted elections. And millions achieved a middle class way of life through collective bargaining and agreements that provided fair wages and benefits in major industries of the economy.

At the peak of union power, 35 percent of workers were covered by union contracts. They won higher wages, job security, and other benefits. American family incomes grew by an average of 2.8 percent per year from 1947 to 1973. Let me say that again. There was almost a 3-percent increase in family incomes from 1947 to 1973, with every sector of the economy seeing its income roughly doubled.

Due to a number of factors, union membership as a share of private sector employment has declined from that 35 percent to less than 7 percent today. We know that our history tells us not only is the act important for union members and for their families, but it is also very important for the middle class.

No one thinks the National Labor Relations Board by itself will be able to restore balance to America's incomes or restore purchasing power to the middle class. The Board itself can help make a difference, especially if Congress repairs decades of damage to the rights of unions and employees to organize, bargain and, if necessary, to, in fact, strike. The Employee Free Choice Act would have been a good start in that campaign of repair and restoration.

Tens of millions of Americans today are working at poverty wages. By one estimate, 28 percent of workers are paid at a poverty-level wage or less. People who work hard for a living deserve a path to a decent economic future. Workers today are better off than the average workers surveyed in Pittsburgh 100 years ago, as I cited earlier, but their lives are getting harder every year. They are not sharing in our ever-growing national wealth.

I hope we can begin a process of reviving collective bargaining soon, but first we must end the disgrace of leaving the Nation's most important labor relations agency without leadership. It is shameful if we allow this to happen. The recent record of obstruction of nominations in the Senate is, in a word, unacceptable and should be unacceptable to every American. It is time to confirm the President's nominees to the National Labor Relations Board, to give certainty to workers and to businesses as we continue to recover and create jobs.

As I leave, I would go back to the few short words I will read from the opening Findings and Policies of the National Labor Relations Act:

> Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the free flow of commerce by removing certain recognized sources of industrial strife and unrest.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE IRS

Mr. THUNE. Mr. President, yesterday morning I called for the immediate resignation of Acting IRS Commissioner Steven Miller in light of the IRS's admission that it targeted conservative groups for inappropriate scrutiny. While I was willing to give Mr. Miller and other IRS officials the benefit of the doubt until the facts were in, the Treasury Inspector General report released on Tuesday has erased any doubts as to the severity of the misconduct and the blatant incompetence in dealing with the highest levels of the IRS.

I am pleased President Obama chose to heed the call that I made, and others as well, by dismissing Mr. Miller last night. This is a necessary step, but only a first step, toward restoring the credibility and the integrity of the IRS. This scandal is much larger than any one official within the IRS. Any government official who knew about the misconduct within the IRS and decided not to make this information public should be held accountable. No American taxpayer should ever have to worry that a group they belong to or a view they espouse would subject them to less favorable tax treatment by their government. Yet the IG report has, unfortunately, confirmed this political profiling is exactly what happened.

The misconduct by the IRS is troubling for a host of reasons, but there are two questions yet to be answered that I find particularly troubling. First, how was the improper targeting of IRS agents allowed to continue for more than 18 months before it was finally brought to an end?

Secondly, how did the internal IRS process involve so many high-level IRS officials yet remain hidden from the public and from Congress for more than 2 years?

Former Commissioner Miller was quoted yesterday as saying the IRS misconduct was a result of two ''rogue'' employees in Cincinnati who were ''overly aggressive.'' Yet we now know from the IG report the IRS's attempt to deal with the targeting of conservative groups went through numerous high-level IRS officials in Washington.

We know as early as March of 2010, IRS officials in Washington were involved in applying special scrutiny to tea party and other applications with conservative-sounding names. According to the IG report, the head of the IRS Exempt Organizations Division and the IRS Chief Counsel became aware of this targeting almost 2 years ago in the summer of 2011.

Let's be clear: The scandal isn't simply a few rogue employees. The real scandal is an entire bureaucratic structure within the IRS that allowed this targeting to go on for 18 months.

Behind me is the organizational chart from the IG report showing all the offices that were involved in dealing with the improper targeting of conservative groups. As you can see, of the 12 offices on this chart, only two of these offices are based in Cincinnati. The other 10 offices are in Washington, DC. This particular office was the office—until just last night—Acting Commissioner Steven Miller held. But as you can see, Mr. President, this is lifted directly from the IG's report. This is an organizational chart that suggests the two offices in Cincinnati were a small part of a much bigger web of offices and individuals who were involved.

This situation may have started with a few rogue employees in Cincinnati, but the idea that somehow it was confined to that one small part of the IRS structure is simply untrue. It is also misleading to suggest the IRS has been anything other than secretive and resistant to calls for greater transparency when it comes to the agency's handling of conservative groups.

We now know then-Deputy Commissioner Miller was made aware of inappropriate targeting of conservative groups as early as May of 2012. Yet for 1 year Mr. Miller did not bring this information to the attention of the public or Congress.

In June and August of 2012 I joined with fellow Republican Senators on the Finance Committee in sending letters to the IRS regarding reports the IRS was requiring conservative 501(c)(4)s to disclose their donors and expressing concerns the IRS may change regulations affecting these groups in response

to political pressures. The IRS responses to these letters did not acknowledge any special treatment of conservative groups.

In November Mr. Miller became the Acting IRS Commissioner, and in this capacity he testified before the Senate Finance Committee regarding the issue of tax fraud and ID theft. He did not take that opportunity to make remarks or to comment on the subject of targeting conservative groups. Time and time again high-level IRS officials deliberately avoided disclosing information regarding the targeting of conservative groups.

The American people deserve to know that action will be taken to ensure the IRS will never participate in this kind of partisanship again, and they deserve to know that leaders of such agencies will be held accountable for such breaches of trust. These actions undermine the confidence the American people have in the IRS to objectively and transparently administer our Nation's tax laws.

These actions by the IRS are a continuation of a troubling trend from the self-proclaimed most transparent administration in history. All of these incidents are beginning to add up to a growing credibility gap between this administration under President Obama and the high standard of public service the American people deserve.

Now, thanks to ObamaCare, the IRS will be administering parts of the health care law. The IRS's power will grow as they become responsible for determining whether Americans have satisfied the government mandate to have health insurance and whether the government will pay for part of that coverage through refundable tax credits.

As noted by the National Taxpayer Advocate Nina Olson, ObamaCare is ''the most extensive social benefit program the IRS has been asked to implement in recent history.''

As I previously mentioned, this isn't the only ObamaCare-related scandal that has come to light this week. Over the weekend the Washington Post reported that Secretary of Health and Human Services Kathleen Sebelius has been soliciting donations from health care executives to fund left-leaning organizations that are trying to work hand-in-hand with HHS to enroll individuals in ObamaCare exchanges.

If these reports are accurate, the actions taken by the Secretary represent a very serious conflict of interest. Companies and organizations should never be pressured for money because it sends the message that contributions are necessary to secure favorable regulatory decisions, creating a pay-to-play environment.

Earlier this week David Axelrod, a former senior adviser to President Obama, said it isn't possible for the President to be aware of all these problems in government because government is simply too big. It is mind-blowing to consider how large the Federal Government is and how the one individual responsible for this $3.6 trillion entity can't even keep tabs on all the activity. Perhaps this is exactly why we should be focused on policies that shrink the size of government so it can be more transparent and more accountable to citizens of this country.

Chief Justice John Marshall, in the seminal opinion McCulloch v. Maryland, wrote: ''The power to tax is the power to destroy.'' Those words still ring true nearly 200 years later.

This administration is using one of its greatest powers—the power to tax—to destroy one of the people's strongest God-given rights, the right to free political speech. This isn't just an attack on certain conservative groups, it is an attack on all of our rights to assemble and to express free political speech without the fear of repercussion from our government. President Obama has a long way to go to restore public confidence and to stop the growing credibility gap that so far has plagued his second term.

I look forward to next Tuesday's oversight hearing in the Finance Committee where I hope we can begin the process of reining in a government agency that has run amuck.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRS RULES

Mr. UDALL of New Mexico. Mr. President, I have been watching today as various speakers have come to the floor. I want to join in the outrage about what has happened at the IRS, the idea that the IRS would pick specific groups and target them. In this case, apparently they used the name ''patriot'' and they searched through incoming applications for 501(c)(4)s—and the term ''tea party''—and they were obviously focusing on one side of the political spectrum. They should not have done that.

There is no doubt that the people who are writing me, that people in America have watched this and feel a sense of outrage. They should be outraged. They are outraged, and I am outraged.

One of the things we have to understand as a result of this is that the IRS has tremendous power. It has the power to audit. It has the power to request information. It has the power to refer for criminal conduct. I think in many cases the IRS is probably more feared than the prosecutor's offices, which also have tremendous power. As many know, I have had some real experience there, having been a Federal prosecutor, having been a State attorney general. That is power that should be used in a very careful way. You do not pick one part of the political spectrum and target people when you are entering a phase of a prosecution or an audit, as the IRS was doing. I think our President, who is a lawyer, understands that. President Obama has called for the resignation of the top IRS official. That official has resigned. That is the right thing to do. Such action is inexcusable. No one disputes that. More disciplinary action is likely. The FBI is investigating, and I hope they do a full, thorough, and complete investigation. Of course, as I said before, the IRS should not be targeting specific sides of the political spectrum.

But in thinking about this, there is another failure, and we should talk about that at the same time. The IRS does not have clear rules for nonprofit groups and political activity. We need transparency about what is allowed and what is not allowed. Those rules should be applied to all groups across the board on all sides of the political spectrum. Front groups for huge amounts of campaign money are continually allowed to file false statements with the IRS and get away with it. Over and over again, they do this. This is wrong whether the group is liberal or conservative, Democratic or Republican. This is wrong across the board.

How does this happen? We know that lots of secretive groups want to funnel cash to influence elections, to get their candidates elected. But campaign finance rules are supposed to have transparency. How do these groups, left or right, keep their money secret? They hide behind an organization that is listed with the IRS called a 501(c)(4). They ask for permission under the IRS to be a 501(c)(4) status organization. That is a tax-exempt, nonprofit corporation regulated by the IRS.

These groups have one big hurdle to jump through. The 501(c)(4) has to be set up ''for the promotion of social welfare.'' In fact, the law says it must be exclusively—the law Congress wrote says it must be exclusively for social welfare. That is the law Congress wrote. It seems pretty clear, doesn't it? It seems as though Congress was saying what it intended. But the IRS muddied the water by deciding ''exclusively'' actually means ''primarily.'' ''Primarily engaged in social welfare activity'' means at least 51 percent of the time—not 100 percent of the time, 51 percent of the time. This is baffling, and it is completely misguided.

To make it more confusing, the IRS regulations state that ''the promotion of social welfare does not include direct or indirect participation, or intervention, in political campaigns on behalf or in opposition to any candidate for public office.'' To establish a 501(c)(4) corporation, the organizers must file a form with the IRS pledging that they do not plan to spend money

to influence elections. It appears that many of these groups have lied on their applications for nonprofit status. It also appears that they are allowed to get away with it. That is corrupt, and it is also a crime—and nothing appears to be done about it. That is a scandal right there. As the IRS stands by, these groups, whatever their political affiliation, mock Federal tax laws.

The Center for Responsive Politics noted that in the 2012 election, 501(c)(4) groups spent $254 million to support or oppose candidates. Why would someone donate to a 501(c)(4) instead of giving money to the parties or to the campaigns of candidates they support? Simple—to avoid disclosure. If someone gives $1,000 to a political campaign, that is required to be reported and the donor is known. It is out there. It is in the public. But if someone gives $1,000 to a 501(c)(4) that is improperly engaging in political activity, the public remains in the dark. So if someone gives $1,000 to a 501(c)(4), nobody knows about it, but it can go out under these rules and engage in political activity.

This secret money is a bipartisan outrage. They are seeking to influence elections, not promote social welfare. This has to change. I have long argued that it must change. Since 2010 many of us have come to this floor calling for vitally needed reforms, demanding that we change the way we do business. I believe that requires a constitutional amendment overturning the disastrous Buckley and Citizens United decisions by the Supreme Court, restoring to Congress and the States the authority to regulate elections.

We have also pushed for the DISCLOSE Act. That legislation would have taken the IRS out of the business of investigating these groups—a job it is failing to do anyway. It would have required open reporting with the Federal Election Commission. The DISCLOSE Act doesn't ban any group, but it does say the American people have a right to know who is trying to influence their vote, who is paying for all those ads on television.

There is a saying in Washington from the Watergate era: ''Follow the money.'' That is what I am trying to do. Where does the money come from and where is the money going? Not a single Republican voted for the DISCLOSE Act—not one. In fact, they filibustered it, blocked it from an up-or-down vote.

Partisan bias and abuse by the IRS cannot be tolerated. President Obama is not tolerating it. But Americans are also fed up with the deception by shadowy groups that continue to drown our elections in anonymous cash. The fact that these secret political money groups also serve as tax breaks for extremely wealthy people adds insult to injury.

We need clear rules from the IRS. Exclusive means exclusive, in my book. When the Congress says ''exclusive,'' it means exclusive, and we need to enforce those rules equally on all applicants for tax-exempt status, every single one. If you are a charity or true social welfare organization, you should not pay taxes. There is no need to publicize your donors. But if you are looking to influence Americans' votes and how Americans vote, the voters should know who you are. There must be disclosure at the very least.

We have to change the way we do business. The failure of IRS bureaucrats—billionaires writing political checks but hiding in the shadows and avoiding taxes—this has to change. The time has come to change this.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the quorum call be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I am honored and privileged to stand here today and to say good words on behalf of Ernest Jay Moniz, also known as Dr. Moniz and Ernie Moniz. He is one of my favorite people from the world of academia. I have in my hand a bio of him that I will read out loud. It is not very long, and it is worth listening to.

Dr. Ernest J. Moniz is the Cecil and Ida Green professor of physics and engineering systems at MIT. His research at MIT, where he has served on the faculty since 1973, has focused on energy technology and policy.

Dr. Moniz also serves as the director of MIT's Energy Initiative and the MIT Laboratory for Energy and the Environment.

From 1997 until 2001, Dr. Moniz served as Under Secretary of the Department of Energy. Prior to that time, he served as Associate Director for Science in the Office of Science and Technology Policy in the Executive Office of the President from 1995 until 1997.

In addition to his work at MIT and the Department of Energy, Dr. Moniz has served on any number of boards and commissions, including the President's Council of Advisers on Science and Technology from 2009 until today, the Department of Defense Threat Reduction Advisory Committee from 2010 until today, and on the Blue Ribbon Commission on America's Nuclear Future from 2010 to 2012.

Dr. Moniz is a fellow of the American Association for the Advancement of Science, the Humboldt Foundation, and the American Physical Society. In 1998 he received the Seymour Cray HPCC Recognition Award for vision and leadership in advancing scientific simulation.

Dr. Moniz received a bachelor of science degree summa cum laude in physics from Boston College and a doctorate in theoretical physics from Stanford University.

I have been privileged to know this man for a number of years. Our oldest son was an undergraduate in mechanical engineering at MIT and graduated a few years ago.

I remember holding a field hearing at MIT—gosh, about a half dozen or so years ago—and Dr. Moniz was one of our witnesses. Among the things I liked about him is that he was so approachable. We have all heard the term ''good guy.'' He is a really good guy.

Sometimes we think of somebody as a professor in an ivy tower and kind of out of touch, unable to communicate and connect with people. He could not be more different from that caricature. He is a real person, not to mention a very smart person. As a professor, he is able to explain complex concepts of nuclear energy and clean coal so that even I can understand what he is saying.

He has a wonderful sense of humor. If you happen to be a young person or an older person, Democratic or Republican, he just works so well with everybody. He is smart as a whip. He has a great way about him. He is approachable and has a very can-do attitude. I think the President made a great choice.

I say to Ernie and his family, I appreciate his willingness to serve in a lot of capacities and his willingness now to serve in this capacity. Hopefully, it will be good for him, his life, and his family. I think it certainly is going to be good for our country, so we appreciate that.

I say to my colleagues who have not had a chance to get to know him, I think everyone is going to like him a lot and enjoy working with him. I know I certainly have.

I also wish to discuss something I touched on earlier this week. I stood here just this week talking about the Swiss cheese we have in the executive branch of our Federal Government. There are too many positions that don't have someone confirmed for those positions.

In some cases, the administration has been derelict in terms of sending us nominations because they spend forever vetting nominations because they don't want to send someone to us who has a flaw or a blemish. As a result, I think they spend entirely too much time vetting nominees. In some cases, even when a nominee's name gets here, even if they are really good and well qualified, we delay those nominations further. Whether it is a Democratic or Republican President, we put the nominees through—not torture but something pretty close to it.

We need good people to be willing to serve. When they step up and are willing to serve, we need to process and vet those nominations. We need to scrub them hard, but at the end of the day we need to move them forward.

In the Environment and Public Works Committee, we took a small but important step with the President's nominee Regina McCarthy to be the Administrator for the Environment Protection Agency. She is enormously

well qualified. She has already been confirmed by the Senate for the air pollution side for the EPA and has done a very nice job.

Although she has been nominated by a Democratic President, in the past she served with five Republican Governors. She is smart, hard-working, she has great credentials, and she is approachable. She is somebody who is able to understand and explain things. She will do a great job.

We have had a hard time being able to move her nomination out of the Environment and Public Works Committee. Today we were joined by our Republican colleagues. Unfortunately, none of them voted to report her nomination out of committee. We have reported her out on a straight party-line vote.

My hope is that we will have an opportunity to do what we did a number of years ago—about 7 or 8 years ago. Mike Leavitt, the former Governor of Utah, was nominated to be the head of EPA. There was some delay in his nomination.

We actually had a big markup and business meeting scheduled to consider his nomination, and the Democrats boycotted that meeting. We waited a couple of weeks. At a followup meeting, the Democrats showed up, and we reported him out with Democratic support. Later, we voted for his nomination. It was a big bipartisan vote. I think there were 70 or 80 votes in favor of his nomination.

My hope is that is what we will do with Gina McCarthy. She deserves a vote, and from my perspective she deserves a positive, affirmative vote.

We have Ernie Moniz coming our way later this afternoon in about 40 minutes. I hope my colleagues will join me and give him a big vote so we can send him to work for our country one more time.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. This is about Dr. Ernie Moniz's appointment to be Secretary of Energy. I put a hold on Dr. Moniz. It has nothing to do with him. He is a wonderful fellow. He is an MIT professor. He has been amply associated with the Department of Energy, including the MOX Program. All of us in Georgia and South Carolina look forward to working with him.

What we are upset about is the Obama administration's decision to temporarily stop construction on the MOX facility. It is about 60 percent complete.

What is MOX? It is a program to take 34 metric tons of weapons-grade plutonium in excess of our defense needs and dispose of it by turning it into commercial-grade fuel. It is enough weapons-grade plutonium to make 17,000 warheads.

In 2000 there was an agreement between the United States and Russia: They would dispose of 34 metric tons and we would dispose of 34 metric tons. And we have been studying how to do that.

In 2010 the Federal Government—and the Obama administration—in the agreement with the Russians to move forward, said we would MOX the 34 metric tons of weapons-grade plutonium. We were to turn it into mixed oxide fuel to be used in commercial reactors, which was a technology deployed in France, and that was the way forward.

To the administration's credit, we are finally moving forward. Senator ISAKSON, Senator CHAMBLISS, and I went to the facility a couple of years ago and finally saw it moving forward. It is about 60 percent built. Now, in the budget proposal of the President, they stopped construction to study an alternative. There is no other alternative. If they try to turn it into vitrified glass material, that will take more money and more time than doing MOX, and it has not been proven to work the way it is set up today.

At the end of the day, the problems we should be focusing on are the cost overruns of the MOX Program. It is about $2 billion over cost. I would join with the administration to sit down with a contractor and try to recoup that $2 billion to find a way forward and make it affordable.

There are statutes in place that require a $100 million fine to be paid to the State of South Carolina if we don't meet our disposition goals. Last year we extended that statute by 2 years because we don't want the fine money, we want the MOX Program. It is good for the country, and it is good for the world.

Now that we have stopped the study, our fear is that we are stopping and studying an alternative that doesn't exist, and it cannot be cheaper than $2 billion. There is no other way to do it. We have been studying this for about 15 years, and we will be breaking the agreement with the Russians. Other than that, we don't have a problem with what they are doing.

What we want to do is sit down with the contractor and the administration and lower the costs of the program but keep it moving forward. This administration has talked consistently about reducing nuclear proliferation and making the world safer from the use of nuclear materials. This is a program that started in the Clinton administration—then Bush, and now Obama—that really would accomplish that.

Thirty-four metric tons of weapons-grade plutonium—enough to make 17,000 warheads—would be taken off the market forever. In this way, a sword becomes a plowshare by making commercial-grade fuel out of it. It is a good program, and we need to complete the program.

The reason we put a hold on the nominee for Secretary of Energy is to get everybody's attention. I have been talking with Dennis McDonough, and I have been talking with the administration. We hope we can resolve this, but we are here to speak for Georgia and South Carolina.

We have a deal with the Federal Government. We agreed to take this 34 metric tons of weapons-grade plutonium years ago with the understanding that it would leave South Carolina and not affect the environment of South Carolina and Georgia in a permanent way.

We are very DOE-friendly in South Carolina and Georgia. The Savannah River site is right on the border. There are almost as many people from Georgia working at the site as there are from South Carolina. My colleagues from Georgia have been absolutely terrific.

At the end of the day we are going to be insistent that the Federal Government keep its commitment to the States of South Carolina and Georgia and to the Russians. We are going to make sure we dispose of this weapons-grade plutonium, and we are going to be more cost-conscious about it.

We are going to let Ernie Moniz become Secretary of Energy in 40 minutes. I will vote for him, but I will continue to slow down the process and make life incredibly miserable if we cannot find an accommodation that I think is fair. My State and the State of Georgia have been good partners with the Federal Government and the Department of Energy on energy issues.

Several years ago, when I first became a Senator—I think it was in 2002 or 2003—we agreed to leave some waste in the bottom of about 50 tanks that contained high-level waste material from the Cold War era from reactors at the Savannah River site used to make tritium to help fuel hydrogen bombs. By leaving a small amount in the bottom of the tank—the heel—and filling it with concrete, we were able to save $16 billion in cleanup costs. Instead of scrapping it all out and sending it to Yucca Mountain, which never came about, we were able to leave a small amount that would not hurt the environment of South Carolina and Georgia.

Now, in this budget they are reducing the tank closure by $106 million. We cannot do it that way. They cannot get us to help save money for the Federal Government and take on a reasonable risk—not much of a risk at all—and then short us. Whether it is a Republican or Democratic administration, people are going to stop dealing with the Federal Government when it comes to nuclear materials if this is the way we are going to do business.

The people in Georgia and South Carolina have been very accommodating. We appreciate the Savannah River site. It is a wonderful DOE facility. We are proud of it, and we are proud of the employees. But we are not going to be taken advantage of.

We are asking for the administration to sit down with us and others who care about this to find a way to lower the cost of the MOX construction but continue forward with the construction so we can get the MOX facility up and running. We need to honor our commitment to the Russians and get this weapons-grade plutonium off the market.

Count us in in terms of lowering costs; count us out when it comes to stopping the program in the middle and trying to find an alternative that doesn't exist.

As to the tanks, the Federal Government is going to honor its commitment to the people of South Carolina and Georgia to get these tanks closed up on time and on schedule. We have, again, saved $16 billion over the life of the close-up plan for the tanks just by being reasonable.

When it comes to MOX, there were three facilities planned to take the weapons-grade plutonium and turn it into a commercial-grade fuel. We were able to consolidate two of the facilities into one and save $2 billion. I am all for saving money, but I am also all for keeping one's word.

To our friends in the administration, we will work with you when we can, fight you when we must, but when it comes to this, I hope there will be a lot of bipartisanship for the delegations of South Carolina and Georgia to make sure we honor the commitment entered into between the Federal Government and the State of South Carolina that will affect our friends in Georgia and keep this program moving. We are not asking for too much. As a matter of fact, we are insisting on the Federal Government holding up its end of the bargain because we have held up our end of the bargain.

To our friends in the administration, let's see if we can solve this problem.

To my colleagues in this body, I hope I would have the good judgment and common sense to support the Members if anyone found themselves in this position of trying to do something good for the Nation and have it get off the rail. I hope I would be willing to help the other side when it comes to something such as this.

It is very difficult to deal with these high-level waste issues, particularly weapons-grade plutonium. When we find somebody who is willing to be reasonable and helpful, the last thing that should be done is to change the rules in the middle of the game.

With that, I will yield to Senator ISAKSON to just quickly ask him, from his point of view, does he see this as a fundamental breach of the agreement we have had for years, and what effect does he think it will have on our nonproliferation agenda and how does it affect South Carolina and Georgia?

Mr. ISAKSON. First of all, I wish to thank the Senator from South Carolina for his leadership on this important issue, and I am proud to join the senior Senator from Georgia SAXBY CHAMBLISS and, in effect, join Sam Nunn, who is a former Senator from Georgia who, with Dick Lugar, brought about the Nuclear Threat Initiative program which brought about the treaty of 2000 which calls for the reduction by 68 metric tons of nuclear materials.

I would answer the question of the Senator from South Carolina with another question: Where else in the United States of America are there two States willing to accept plutonium, reprocess it into fuel rod for commercial use, and do it safely and have dealt with nuclear materials for over 50 years? That is Georgia and South Carolina.

The idea that we can fund a study to look for an alternative is laughable. That is just merely a smokescreen for the current administration's position.

The Senator is exactly right. Senator CHAMBLISS and myself, along with Senator SCOTT and Senator GRAHAM, are happy to sit down with the administration, look at the cost overrun on the MOX facility, and find ways to find savings. But the dumbest economic decision in the world would be to stop the process when we are half finished because then we have wasted every dime that has already been spent, and we have to spend more money on an alternative that does not exist.

So I wish to add my support to the remarks of Senator GRAHAM and my State's support to reprocess this weapons-grade plutonium into reprocessed materials that fuel powerplants and commercial opportunities. That is a good use. It is a good way to get rid of this nuclear material, and it is also a good way to keep it out of the hands of the terrorists. If we don't destroy it and it lays around in Russia or anywhere else, it is always suspected of being stolen or used in a way that none of us would ever want.

I thank the Senator for his leadership.

Mr. GRAHAM. I can't thank Senator ISAKSON enough. Senator SCOTT has been with us at every step. But I want to let everybody in Georgia know that when it comes to the Savannah River site, we have worked as a team for years, and I just can't thank the Senator enough.

Senator CHAMBLISS is one of the leading national security experts in the Senate, and he has been intimately involved in the MOX program. My question for Senator CHAMBLISS is, we have an agreement with the Russians; they will dispose of their 34 metric tons of excess plutonium—enough to create 17,000 warheads in Russia—and we have agreed to do the same. If we are seen to stop and not honor our commitment, what reaction does the Senator from Georgia think the Russians would have, and is it smart to delay this program in the times in which we live?

I worry about the materials being compromised not so much in South Carolina and Georgia but very much in Russia. Could the Senator express his thoughts about that?

Mr. CHAMBLISS. Mr. President, as did my colleague from Georgia Senator ISAKSON, I wish to thank Senator GRAHAM for his leadership on this issue. He is right. We have been to the facility a number of times to examine what is going on there. There is great work being done by highly trained, highly educated individuals to deal with one of the most sensitive products we have in this country.

The Senator is exactly right that there are significant consequences from an international standpoint if the numbers in the President's budget are allowed to stand. That is why we have had conversations with a number of individuals currently at the Department of Energy and why we had a conversation with Dr. Moniz in preparation for his confirmation by this body. Those discussions have led to the fact that, as the Senator from Georgia says, we are willing—and we have their agreement that they are willing—to sit down with a contractor to talk about the money. That is the real issue because we are talking about a budget item and whether we can afford to do this. If we don't involve the contractor, then obviously we can't get that number down to a manageable number.

So, again, with the leadership of the Senator from South Carolina, we look forward to working with Dr. Moniz and others with respect to sitting down with the contractor and coming to some resolution of the ultimate budget number that is going to be needed.

With respect to Russia, the President met with President Medvedev in 2010, and the two of them, in a press conference, talked about the MOX facility and the agreement on MOX. Here we are 3 years later with this President submitting a budget number that, in fact, in effect starves this program and would have the obvious intended result of eliminating this program, thus breaking his word with President Medvedev in 2010 as well as breaking the U.S. agreement with Russia. That has the potential to have very serious consequences on the international stage.

Also, abandoning the project would have severe economic impact to both the State of Georgia and the State of South Carolina because of the individuals who have been working there for now, as Senator ISAKSON said, 50 years.

It is also going to strand up to 64 metric tons of weapons-grade plutonium. Where else is it going to go? There is no place else for it to go. There is no State jumping up and down saying: Please bring your uranium and your plutonium to my State and we will deal with it. You can transport it to my State. In fact, the exact opposite is happening.

It was intended that we would process this plutonium and it would ultimately ship to Yucca Mountain, as Senator GRAHAM alluded to. Now the State of Nevada is saying no. They are throwing up their hands and saying: We don't want that processed material in

our State because it is hazardous waste.

Well, what we are saying is, we are happy doing what we are doing because we have those trained, sophisticated professionals who know how to deal with this hazardous material. They do an outstanding job of it. We have spent billions of dollars constructing the facilities to the point where they are 40 percent away from being completed now. If we just accept the President's budget, then we will have wasted all of that money and the construction phase of the buildings that are there. Also, we are not going to have anywhere to put this 64 metric tons of hazardous material and weapons-grade plutonium.

So this stands to have economic impacts to our part of the country. It stands to certainly create international issues with the Russians if we break our agreement with them. Also, just as significantly, it leaves 64 metric tons of weapons-grade plutonium outstanding, with nowhere to go, nowhere to store it.

The MOX project was designed to deal with a very sophisticated issue years and years and years ago, and it just makes no sense whatsoever to stop in the middle of it now and say, well, we just don't have the money to take care of something that is as hazardous and potentially as life-threatening as what this weapons-grade plutonium is.

We do need to spend our money wisely. We have to be careful. But there are agreements we need to honor. There are certain aspects of governing that need to be done and need to be done in the right way, and this is simply one of those.

So with the continued leadership of Senator GRAHAM and Senator ISAKSON and Senator SCOTT, I look forward to us sitting down with Dr. Moniz once he is confirmed—and we are all going to vote to confirm him today—because he has so much knowledge about this.

One thing we failed to mention is the fact that he is the guy who negotiated the agreement. He is the guy the President is saying, well, we know you went through some very difficult times in negotiating this with the Russians, but the heck with your agreement, the heck with all the work you did. Thank goodness his attitude is that he wants to work with us.

We want to find a way forward. We look forward to his confirmation being completed, to sitting down with us and the contractor, and let's figure out a way we can make this project the continued success it has been thus far, as well as moving forward.

With that, I yield to Senator GRAHAM.

Mr. GRAHAM. I thank Senator CHAMBLISS.

I believe Senator REED wishes to be recognized for a request.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I ask unanimous consent to be recognized in morning business after Senator GRAHAM has completed his remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Just to conclude, I wish to thank both of my colleagues. They have been great partners on this issue and many others. We have tried to be good partners with the Federal Government. We are proud of the Savannah River site and all that has been accomplished over the last 50 years. Now we are moving into a new phase of trying to get rid of Cold War materials—34 metric tons of weapons-grade plutonium here, and in Russia, 60 percent completion of the MOX program.

As to the $2 billion overrun, that is not lost upon me as being a lot of money. That is a lot of money. But what I am telling my fellow Members of the body, and the country as a whole, there is no way we can find an alternative to MOX cheaper than that $2 billion. It is just not possible. We have been studying this forever, and in the agreement itself with the Russians, it specifically says MOX, and it prohibits us as a nation from burying the plutonium.

So this is the way forward. I promise the Members of the body and the administration we will lower the cost overruns, I promise. This is a complicated scientific endeavor, but we will lower the cost overruns.

What we will not do is stop the program when it is 60 percent complete and study an alternative that has no possibility of coming about scientifically and could never lower costs and interrupt the disposition of this weapons-grade plutonium and breach the agreement with the Russians. We will not be a party to that. We will keep talking.

As to Mr. Moniz, he will be an outstanding Secretary of Energy. We look forward to working with him.

I appreciate my colleagues coming down and joining me in this colloquy and putting everything on the record about the Savannah River site and MOX.

With that, I yield the floor to Senator REED.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, before I begin my remarks, I ask unanimous consent that at the conclusion of my remarks, Senator CHAMBLISS be recognized for up to 10 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOANS

Mr. REED. Mr. President, July 1 is less than 7 weeks away, and unless we act the interest rate on need-based student loans will rise from 3.4 percent to 6.8 percent.

Student loan debt is second only to mortgage debt for American families. Now is not the time to add to student loan debt by allowing the interest rate on need-based student loans to double.

I have worked with Chairman HARKIN, Leader REID, and many of my colleagues to develop a fully offset, 2-year extension of the current student loan interest rate. Instead of charging low- and moderate-income students more for their student loans, the Student Loan Affordability Act will keep rates where they are while closing loopholes in the Federal Tax Code. We should take up this legislation and pass it without delay.

I know many of my colleagues, including myself, are working on longer term solutions that more effectively reflect market rates—but my concern is, frankly, that we will run up against this July 1 deadline and we will not have the long-term solution in place. We have to do something. That is why I urge us to pick up this legislation as quickly as possible.

Our first priority must be to reassure students and families that the interest rate will not double from 3.4 percent to 6.8 percent on July 1. We have to do that. Then we can work toward a longer term solution. We also owe it to them to commit to a full and thoughtful process for devising this longer term solution, to develop an approach that will set interest rates and terms and conditions on all student loans that will be more reflective of market rates, but also more beneficial to students and their families who are borrowing this money.

Senator DURBIN and I have put forward a long-term proposal that would set student loan interest rates based on the actual cost of operating the program so the Federal Government would not be offering student loans at a profit.

There are other long-term proposals on the table. Some of them, such as the one reported out of the Education and the Workforce Committee in the House today, could actually leave students worse off than they would be if the rates were to double. We need to take the time to fully consider comprehensive solutions to our student loan debt crisis—solutions that will make college more affordable, not less so. Rather than rushing to overhaul the Federal student loan program without fully considering the impact on students and college affordability, the Student Loan Affordability Act will secure low interest rates until Congress can act on the reauthorization of the Higher Education Act. Without swift congressional action, more than 7 million students will have to pay an estimated additional $1,000 for each loan. These are the students who need the help the most.

Sixty percent of dependent subsidized loan borrowers come from families with incomes of less than $60,000, while 80 percent of independent subsidized loan borrowers come from families with incomes below $40,000.

Unlike Republican proposals that would balance the budget on the backs of students by charging them higher interest rates or make students vulnerable to exorbitant interest rates in the future, this legislation which we are

proposing will help ensure that college remains within reach for students who rely on Federal loans to pay for their education. This legislation is fully paid for.

Specifically, the pay-fors would be limiting the use of tax-deferred retirement accounts as a complicated estate planning tool, closing a corporate offshore tax loophole by restricting ''earnings stripping'' by expatriated entities, and closing an oil-and-gas industry tax loophole by treating oil from tar sands the same as other petroleum products.

We should not be collecting additional revenue from students when we can eliminate wasteful spending in the Tax Code, and we should not allow—not allow—the interest rate to double on July 1.

I hope all my colleagues will support, as the first step, the 2-year extension until we can truly come up with a thoughtful, comprehensive approach to long-term student lending in the United States.

The PRESIDING OFFICER. The Senator from Georgia.

MILLER RESIGNATION

Mr. CHAMBLISS. Mr. President, I rise to speak about the resignation of Acting IRS Commissioner Steven Miller.

The request by President Obama and Mr. Miller's resignation is too little too late. This is just another example of the President continuing to search for a scapegoat for his own administration's misdeeds.

The American people deserve trust, and this egregious abuse of power demonstrates the worst fears of the American people that they cannot trust their government.

It has been 2 years since these incidents were first reported, and while Members of Congress were led to believe no malfeasance occurred, the details of the IG report were more shocking than we could have realized, as many conservative groups were not only targeted for additional reviews but were harassed as well. Moreover, in some cases, information was purposefully leaked by the Internal Revenue Service.

These actions are unacceptable, and while President Obama's reactions seem to be sincere, he has not yet demonstrated to the American people that all of those responsible will be brought to justice. Above all, we have to make sure this never happens again.

Mr. LEVIN. Mr. President, I am pleased to support President Obama's nomination of Dr. Ernest J. Moniz to be the next Secretary of Energy. Dr. Moniz has a solid and extensive background in the energy field and I believe will bring a balanced and practical perspective to our Nation's energy policy. Dr. Moniz has significant familiarity with the Department of Energy and its issues, having served as Under Secretary during the second Clinton administration. During the Obama administration, he has served in a number of advisory positions, including as a member of the President's Council of Advisers on Science and Technology, the Department of Defense Threat Reduction Advisory Committee, and the Blue Ribbon Commission on America's Nuclear Future.

The Committee on Armed Services, which I chair, has jurisdiction over both the Department of Energy's National Nuclear Security Administration, NNSA, and Department's Environmental Management Program. The NNSA is responsible for the management and security of the Nation's nuclear weapons, nuclear nonproliferation, and naval reactor programs. The Environmental Management Program is responsible for cleanup of the environmental legacy from the Nation's nuclear weapons development and government-sponsored nuclear energy research. Combined, these programs represent more than $16.7 billion of the Department of Energy's $26.3 billion budget, or more than 63 percent.

I recently had the opportunity to meet with Dr. Moniz and to highlight several issues of importance to the State of Michigan and to the Nation. I look forward to working with Dr. Moniz on these issues.

Among these issues is the Facility for Rare Isotope Beams, FRIB, which will be the world's most powerful rare isotope accelerator and provide cutting-edge research capabilities to study questions about the fundamental nature of matter. Applications of research discoveries from FRIB will assist development of new technologies in the fields of biomedicine, environmental science, and national defense. Michigan State University, MSU, was selected in 2008 after an extensive competitive process, and the FRIB project plans and schedules have been through rigorous Federal review. As home of the National Science Foundation's National Superconducting Cyclotron Laboratory, MSU has solid and well-known expertise in the field of rare isotopes and nuclear physics, with the largest nuclear physics faculty in the Nation and a nuclear physics graduate program that ranks No. 1 in the United States. MSU already produces 10 percent of the Nation's Ph.D.s in nuclear physics. In addition to expanding our knowledge of physics and the life science, successful completion of FRIB also will enhance the education of nuclear scientists and engineers needed to maintain U.S. competitiveness.

Another important issue to the State of Michigan and the Nation is collaboration between Federal agencies, the private sector, and academia on the development and transition of advanced ground vehicle and energy technologies. Collaboration in these areas is critical to leverage and maximize the value of the work being done in the Federal Government, in the private sector, and at our academic institutions around the country. The Advanced Vehicle Power Technology Alliance, AVPTA, is a partnership between the Department of Energy and the Department of the Army which was created to provide a mechanism for this collaboration. A charter was signed between these two agencies in July 2011 establishing the mission of the AVPTA to ''leverage resources and research involving the commercial automotive and defense ground vehicle manufacturers to transition technologies into both the commercial and military marketplaces and increase precompetitive research and development.''

Dr. Moniz is familiar with and supportive of these programs, and I look forward to his Senate confirmation as Secretary of Energy. The Department of Energy has been effectively led by Dr. Steven Chu. Dr. Moniz will carry on that good work.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. 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. WYDEN. Mr. President, I believe we have run out of those in the Senate who wish to speak. I would just like to state again that this is a nominee who is supported by both Senator MURKOWSKI and myself. This is a nominee who got an overwhelming bipartisan vote in the Senate Energy and Natural Resources Committee.

As I said earlier, I think he is an individual who is smart about energy policy, he is savvy about how the Department of Energy operates and he is a solution-oriented person and Democrats and Republicans in the Senate Energy and Natural Resources Committee saw that in the confirmation process.

There are huge challenges ahead of him at the Department of Energy, but I think he is very qualified for this position. I would urge all Senators—Democrats and Republicans—to support the nominee.

I yield back all remaining time on both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy?

Mrs. BOXER. 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. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. COBURN), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER (Ms. HEITKAMP). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—97

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Lautenberg	Thune
Cornyn	Leahy	Toomey
Cowan	Lee	Udall (CO)
Crapo	Levin	Udall (NM)
Cruz	Manchin	Vitter
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	
Franken	Murkowski	

NOT VOTING—3

Blunt	Coburn	Moran

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. CON. RES. 25

Mrs. MURRAY. Madam President, I am here today on the floor again to ask that Senate Republicans stop blocking the next step in regular order and allow us to move to a bipartisan budget conference with the House of Representatives. We have waited long enough. In fact, we have now waited 54 days, and it is time to get to work on a bipartisan budget agreement.

The Senate Democrats see no reason for delay. We are very proud of our budget, which puts forward a strong, fair vision for getting Americans back to work, tackling our long-term debt and deficit challenges, and laying a strong foundation for the middle class in the future. It seems that some of our Republican colleagues in the Senate and House would rather wait now until the next crisis and see if they can extract political concessions with the clock ticking—or maybe they don't want to air the details of the unpopular House budget.

Either way, there is no excuse for putting the American people through another round of partisan brinkmanship. We have already seen that that hurts our economy, and it causes Americans to question whether their government is working for them.

Yesterday the House Republicans met to talk about what they are going to demand in exchange for not tanking our economy. Apparently they are considering a ''laundry list,'' including repealing ObamaCare—which the House will vote on, by the way, for the 37th time today—and restrictions on women's health choices.

House Republicans' practice of leveraging crises for their own gain died with the Boehner rule, and no amount of wishing is going to bring it back. House Republicans may think brinkmanship helps them win political fights, but it does not help the American families and communities we are here to serve.

I urge our Republican colleagues in the Senate to take a step toward a responsible bipartisan budget agreement and a step away from governing by crisis.

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, 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.

The PRESIDING OFFICER. Is there an objection to the request?

The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, we want to proceed with this as well. We want a budget. It has been 4 years and it has been far too long. What we want to avoid is a deal negotiated behind closed doors, a backroom deal to raise the debt limit.

I ask unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Reserving the right to object, the Senator's request is asking to disregard what the Senate did on those days—54 days ago—to go through over 100 amendments and defeat those amendments time and time again; to go to conference—not behind closed doors, I would add. A conference committee is a committee that is out in the public.

What is happening right now is closed-door agreements. What we are asking for is an open process where we are allowed to take the Senate-passed budget and the House-passed budget, go to conference, and find out where we can agree so we can put this behind us.

I object to the Senator's request and ask again for our unanimous consent request to move to budget conference, as we do in regular order, which is what the Republicans have been demanding for a very long time.

The PRESIDING OFFICER. Objection is heard.

Does the Senator from Utah object?

Mr. LEE. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama.

Mr. SESSIONS. Madam President, we have gone 4 years without a budget, and the Democratic Senate did act this year and passed a budget. The House has also passed a budget, and it is a historic proposal. It balances in 10 years, it does not raise taxes, and it increases spending every year by as much as 3 percent. It is the right way to go for America, and it is the kind of budget we should be talking about.

Chairman MURRAY has indicated we should go through regular order. But under regular order, what we should do is have the House budget at the desk right now. It is a responsible budget. Under regular order, the House budget should be brought to the floor under section 305(b) of the Congressional Budget Act. Then we can have full debate on that budget with 50 hours and the ability to offer amendments. I think this is what we should be doing.

Instead, our Democratic colleagues and Senator REID have offered consent requests that short-circuit the regular order. Their request would automatically bring the House budget off the calendar, replace it entirely with the Senate's own budget and assume it passes without a single minute of debate or without a single vote being taken. That is not the regular order.

Madam President, first, I ask unanimous consent that after my remarks Senator INHOFE be recognized.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, I object. I wish to respond to the Senator.

Mr. SESSIONS. Madam President, I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 33, H. Con. Res. 25, the House-passed budget resolution for fiscal year 2014.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, reserving the right to object, what the

Senator is requesting us to do is to take up the House-passed budget. Remember, we have passed a Senate budget here. We had 50 hours of debate, over 100 amendments were offered. We voted on all of them way into the wee hours, 5 or 6 o'clock in the morning, as everyone here will rightly remember. He is asking us to disregard all that action in the Senate, take up the House bill and have 50 hours more of debate, unlimited amendments, sitting here for weeks at a time again to go through all the amendments.

Madam President, that is a waste of taxpayer money and it is a waste of our time. We have done that work. It is time to go to conference.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding that a colloquy is in order between Senator BLUMENTHAL and Senator LEE, but I ask unanimous consent that at the conclusion of that I be recognized and that following my remarks the Senator from Texas, Mr. CORNYN, be recognized.

The PRESIDING OFFICER. Is there objection?

The Senator from Virginia.

Mr. WARNER. Reserving the right to object, I believe I was listed in the queue a bit earlier than that, but I only have a 3- or 4-minute statement. I do not mind trading off, but I, similar to others, was told the time was right after the vote that I would be recognized.

Mr. INHOFE. Madam President, I ask unanimous consent to amend my unanimous consent request to include the 3-minute remarks of the Senator from Virginia.

Mr. WARNER. I thank the Senator. But reserving the right to object, is that before or after the remarks of the Senator from Oklahoma?

Mr. INHOFE. That would be before the Senator from Oklahoma.

Mr. WARNER. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

UNANIMOUS CONSENT REQUESTS—S. RES. 133 and 134

Mr. LEE. Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 133; that the Senate proceed to its consideration; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BLUMENTHAL. Madam President, reserving the right to object, I wish to point out that the incident that led to this resolution—the Kermit Gosnell prosecution—indeed resulted in a successful prosecution. He was convicted of three counts of first-degree murder and one count of involuntary manslaughter. That case is closed. The criminal justice system has done its part, and the three life sentences without the possibility of parole means that the interests there—the very important public interests—will be served and he will never again harm women, infants or anyone else through his version of medical practice, that distorted and unfortunate betrayal of trust that he called a medical practice.

We need very much to focus on the kind of abuse of trust—unsanitary, abusive, unsafe medical practices—across this country, no matter what kind of procedure is involved, and that is the reason I think this resolution is too narrow in its focus on violations of the standard of medical care when they occur in medical practice, which most certainly was involved in the Gosnell case and involved, unfortunately, in thousands of cases across the country every year.

As Senators, we have a responsibility to focus on that betrayal of trust and care when it occurs. That is the reason I have offered a resolution—S. Res. 134—to express the sense of the Senate that all incidents of abusive, unsanitary, illegal, unhealthful medical practices should be condemned and prevented, and the perpetrators should be prosecuted to the fullest extent of the law, as Gosnell was.

There are, unfortunately, many instances already publicly disclosed of these abuses of standards, and one of them, for example, I cited on the floor just very recently—last week. I remind my colleagues of the Oklahoma dentist who exposed as many as 7,000 patients to the HIV and hepatitis B and C viruses through unsanitary practices. So far, 60 of his patients have tested positive for these viruses. Those are 60 people who trusted a health care provider in a position of authority to provide safe, quality care. Those patients now face life-threatening diseases. In Nevada, practitioners at an endoscopy center exposed 40,000 patients to hepatitis C through their unsanitary practices, which went on for years. My resolution speaks to these kinds of abuses—unsafe, unsanitary practices—no matter what the medical procedure involved may be. So I urge my colleagues to support my resolution, and I do object to the proposed resolution of the Senator from Utah.

Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 134, and the Senate proceed to its consideration; that the resolution be agreed to, the Blumenthal amendment to the preamble, which is at the desk, be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Objection is heard to the request of the Senator from Utah.

Is there objection to the request of the Senator from Connecticut?

The Senator from Utah.

Mr. LEE. Reserving the right to object, the kind of abuse, the kind of betrayal of trust described in the resolution proposed by my friend and my colleague from Connecticut is different in kind from that described in my resolution. The kind of abuse involved in my resolution involves the intentional taking, the first-degree premeditated murder of a human life. I think that deserves its own consideration, and on that basis I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. BLUMENTHAL. If I may respond to my friend's remarks—and I certainly not only sympathize with his motivation but also with the result—I just think it is too narrow a result—to investigate one form of medical practice, no matter how egregious the violation of standard of care may be. In this instance, it involved murder. We can say it now, no longer with the word ''alleged'' before murder, as we did last week. It is now proven. It is heinous and unacceptable. But so are the practices that involve exposing patients to very severe illnesses; and, likewise, the nursing home director in California who inappropriately administered an antipsychotic medicine to residents simply for convenience and which resulted in the death of one patient. Those kinds of practices may be equally egregious in the results and impact they cause, and my resolution would be broader and more inclusive and fairer not only to those victims' families—and I want to express my sympathy to the families of those victims who were so deeply and irreparably harmed by Gosnell—but also with the families and victims of other kinds of medical malpractice and to respect the States that have an independent responsibility to ensure adherence with those standards of care and ought to have the ability to enforce their laws, which might be impeded by the resolution that has been offered by my friend from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I rise to ask my colleagues once again to join me in expressing the sense of the Senate that governments at all levels have a compelling interest in preventing and punishing the practices of late-term abortions under unsafe, unsanitary, and illegal circumstances.

It seems as though every day we find new evidence that this problem is much bigger than we could have feared previously. Earlier this week, of course, Philadelphia abortion doctor Kermit Gosnell was convicted on three counts of first-degree murder for severing the spines of newborn infants, and one count of involuntary manslaughter for the death of a pregnant mother who came to see Dr. Gosnell for care.

The shocking details of the Gosnell case have, despite the best efforts of

the mainstream media to cover it up, become national news. The abortion industry has spun into action, trying to isolate and condemn Gosnell as an aberration. Planned Parenthood cited Gosnell's ''appalling crimes.'' NARAL called him a ''butcher.'' On this very floor last week, Gosnell's actions were decried by pro-choice Senators as ''reprehensible'' and ''an outrage . . . a violation of everything we hold dear.''

But Kermit Gosnell has only been sentenced to life in prison and condemned as a monster for doing things for which—had he done them just a few seconds earlier or a few centimeters in a different direction—those same voices might have hailed him as a hero and not as a monster.

Remember, President Obama himself, while serving in the State legislature of Illinois, voted against legislation that would have protected the civil and constitutional rights of infants—human beings—born alive.

At a recent hearing in the Florida State Legislature, a Planned Parenthood representative refused even to acknowledge that newborn babies have the right to life. In recent weeks, undercover videos have caught abortion clinics around the country casually offering to kill infants born alive. Just this week, evidence emerged about similar abuses at a clinic in Texas.

This has nothing to do with health care or even with medical negligence but with murder—a war on women and children waged under the guise of legitimate health care.

As much as we might want to agree that Kermit Gosnell is an aberration, recent revelations, indeed, suggest otherwise. A mounting body of evidence seems to suggest that at least among some late-term abortion providers and advocates, the immorality of infanticide may be an open question.

The abortion industry's defense of late-term abortion has always been based on a rejection of innate human dignity. How could it be otherwise? But as technology advances, their case for late-term abortion increasingly rejects medical science as well.

We now know as a scientific fact that unborn children, after about 20 weeks of development, can feel pain. We know Dr. Gosnell's victims squirmed and cried before he severed their spinal cords, and we know that every day medical technology progresses our abortion laws fall further behind the science.

It is a tragedy all on its own that even today our laws defining human life depend more on geography than biology. The unsettling question before us now is: Has an industry whose profits have always depended on dehumanizing unborn children gone even further and dehumanized children born alive too?

The case of Kermit Gosnell, the undercover videos, and recent clinic scandals around the country all hint at a terrifying answer. Yet right now we just don't know. My resolution would call on governments at all levels to find out—to find out what the late-term abortion industry is up to and to take any appropriate and necessary measures to prevent and punish abusive, unsanitary, and illegal practices.

Some might say this resolution is a symbolic gesture, and I and others have introduced more concrete legislation. Perhaps. But even so, symbols are themselves important. It is important that the strong stand for the weak; that we, in the world's greatest deliberative body, lend our voices to the voiceless; that we, representatives of the most powerful Nation on Earth, promise to protect the weakest, most innocent, and most vulnerable among us and punish those who would do our children harm.

Mr. CRUZ. Would the Senator from Utah yield for a question?

Mr. LEE. Yes, I would.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I wish to ask a question but will start by laying a predicate and ask the Senator's views on that predicate.

I rise to support the resolution offered by Senator LEE calling upon the Senate to investigate and hold hearings about the late-term abortion practices in this country.

This is especially important given the fact we are seeing allegations of similar conduct to that of Dr. Gosnell potentially being performed in other locations across the country. Indeed, there have been allegations of similar conduct in my hometown of Houston, TX, which I understand are being investigated by the local district attorney and other authorities and that need to be fully and thoroughly investigated.

The crimes committed by Dr. Gosnell are almost unspeakable. The harm inflicted to the mothers and to the babies who were born alive and had their lives willingly extinguished—unthinkable. The actions detailed in the grand jury report depict a house of horrors.

Knowing what we know now about what happened, everyone in this body should be supporting conducting an investigation to make sure there are not other Dr. Kermit Gosnells across this country. We need to make sure it is not happening to other unsuspecting mothers, that other newborn babies are not being murdered as they were in Dr. Gosnell's clinic.

Specifically this resolution states:

> Congress and States should gather information about and correct abusive, unsanitary and illegal abortion practices and the interstate referral of women and girls to facilities engaged in dangerous or illegal second- or third-trimester procedures.

This body should be concerned what referrals were made to Dr. Gosnell and who else might be performing these late-term abortions in such horrific conditions.

This resolution goes on to say:

> Congress has the responsibility to investigate and conduct hearings on abortions performed near, at, or after viability in the United States, public policies regarding such, and evaluate the extent to which such abortions involve violations of the natural right to life of infants who are born alive or are capable of being born alive and therefore are entitled to equal protection under the law.

In my judgment this is a resolution everyone should support. Everyone who proclaims himself or herself to be a champion for women and children should enthusiastically support this resolution.

Many of these late-term abortion clinics serve under-privileged populations. Anyone who proclaims himself a champion dedicated to helping the most vulnerable should be supporting this resolution. The Senate has an obligation to conduct oversight.

Planned Parenthood, the Nation's largest abortion provider in 2001 performed 333,964 abortions in the United States. From 2011 to 2012, Planned Parenthood received 45 percent of its revenue from taxpayer-funded sources. Almost half of its income comes from the taxpayer. This body has an obligation to make sure there are not other Gosnell houses of horror practicing today.

The conditions described in the grand jury report shock the conscience. They describe how doctors and nurses worked without proper licenses.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CRUZ. My question to the Senator is, does he see how any Senator of good faith, given these facts, could oppose this resolution?

Mr. LEE. I ask unanimous consent I be given 60 seconds to answer the question and then I will yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, in short, in response to the question from my colleague from Texas, I do find it difficult to understand why anyone would oppose this resolution. I also find it difficult to understand how this can be put on the same plate—as serious as other kinds of abuses are, as serious as other acts of medical malpractice may be, this one is different. This is about premeditated first degree murder of the most defenseless, most vulnerable people in our society, and I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Again, I renew my objection. Let me say, my two colleagues have made excellent closing arguments to the Gosnell jury. I would expect that to be the case since they are two well-trained, excellent lawyers. But the Gosnell case is over. It is done. He has been sentenced—or he will be shortly. These kinds of abuses ought to arouse outrage wherever and whenever they occur. Anytime, anywhere a doctor endangers a patient in violating standards of care, we ought to condemn them. So I urge my colleagues to join

me in the outrage I feel about the dentist in Oklahoma or the endoscopy center in Nevada or the nursing home director in California. In any case where prosecution is appropriate, an investigation should be done properly by State authorities who have jurisdiction, and they should condemn such practices. I ask them to join me in resolution S. 134.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I appreciate the courtesy of the Senator from Oklahoma, recognizing that he has other accommodations he has to deal with. I ask unanimous consent I be granted up to 4 minutes to speak after the Senator from Oklahoma completes his comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. I thank the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask the Chair if I am correct when I say after comments by the Senator from Virginia, the senior Senator from Texas will be recognized?

The PRESIDING OFFICER. The Senator is correct.

IRAN SANCTIONS IMPLEMENTATION ACT

Mr. INHOFE. Madam President, first of all, I think we, all of us, late in the week, are on a timeline. I have a very significant piece of legislation, S. 965, called the Iran Sanctions Implementation Act. I spent a long time on the floor yesterday talking about this. It occurred to me it is a little bit complicated. The longer we talk about it the more complicated it gets. I have shortened it. Let me make a couple of brief comments about where we are today in relationship to Iran and some of the other countries in the Middle East, and a solution to which everyone can agree to the problem that is there.

First of all, 70 percent of Iran's revenues come from their export of oil. What we have done successfully is had some modest means of reducing that, so we have actually cut their amount of exports in half over the last 4 or 5 years from 2.5 million barrels of oil a day to 1.25 million barrels of oil a day. That amounts to 70 percent of the resources, the revenue that Iran has.

What do they do with their revenue? First of all, we recognize something that people do not like to talk about; that is, our own intelligence says, and has said since 2007, by 2015 Iran will have a weapon and the delivery system for that weapon.

Our concern, of course, is that one of the things that happened in Barack Obama's first budget 4 years ago was, in addition to other things regarding the military, they did away with the ground-based interceptor in Poland which was designed specifically to take care of a missile coming from the east and, of course, what we had there was the threat from Iran. That is a threat.

The second thing they have, besides their nuclear buildup, is they are helping all the terrorist operations throughout the Middle East. We know they are very significant in assisting Asad in his barbaric slaughter of over 70,000 of the Syrian people. They are able to do this because Iran earns $3 billion a month in oil revenue, 70 percent of their revenue. If Iran didn't have access to this money, its ability to influence the region would be either stopped or significantly curtailed. In other words, Iran cannot pose this threat without their oil revenues.

U.S. production is now 7 million barrels a day, which is 40 percent higher—put the chart up, please—40 percent higher than in 2008. When we look at the map, we can see back in the old days the oil belt was the western part of the United States. Look at it now. It has all changed. We have the Marcellus up there in Pennsylvania, which is now the second largest employer in Pennsylvania. It is scattered throughout.

The reason for this surge is because the use of horizontal drilling and hydraulic fracturing has allowed us to reach reserves, reach production we otherwise could not do.

Here is the interesting thing: We have grown by 40 percent in our production, and all 100 percent of it is on State or private land. None of it is on Federal land. In fact, during this boom we are in the middle of right now that is so productive to the economy of most of the States, none of that came from the Federal Government. In fact, we had a reduction during this time in production from Federal lands.

The Institute for Energy Research recently issued a report stating that if we enacted policies that allowed aggressive development of all this off-limits land that is there right now, it would generate $14 trillion in economic activity, create 2.5 million jobs, and reduce the deficit by $2.7 billion. Most of all, we could become totally independent from having to import our energy from any other country.

This bill says if the President would, at his discretion—it would require the President to find some area where we can just increase our production from Federal lands 1.25 million barrels a day. That is just a small, minuscule part of all the production we could have. For example, in just this area, that would exceed 1.25 million barrels a day or this up here, in Alaska, or even offshore.

The Senator from Virginia is going to be speaking next. They have actually voted to go ahead and explore this off their shores. Any of these places would do that.

Why do we say 1.25 million barrels a day? That is what Iran exports. This is what would happen: If we were able to do that, that would be 1.25 million barrels a day that we in the United States would no longer have to import, which would open that up to those who are importing from Iran, and it would completely dry up 70 percent of their revenue. Of course, the rewards of that would be great for our country.

We are looking at one of these rare situations where everything is good, everything that would come from this is beneficial. We could dry up their revenues that they are using right now to enhance their nuclear capability and to perform all these atrocious acts in the Middle East. At the same time, we would be able to lessen our dependence and provide all of the benefits that come from the use of this.

Eventually, we would like to be at a situation where we can do not just 1.25 million barrels a day but maybe 10 times that and become totally independent. In the meantime, we are only talking about one very small amount that we would be telling the President of the United States he is going to have to allow us to explore so we can stop Iran from doing the things they are doing today.

I thank those who have allowed me to have a little bit of time today, and I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Virginia.

SEQUESTRATION

Mr. WARNER. I thank the Senator from Oklahoma and wish him good travels.

I rise briefly today to point out one more time some of the ramifications of the policy I have repeatedly called stupidity on steroids, which is our sequestration policy. Word came out earlier this week from the Department of Defense that the Secretary, to meet his sequestration numbers, is going to have to furlough teachers in Department of Defense schools for 5 days and education support personnel for 11 days.

Many of us on the floor of the Senate stand and praise our men and women who serve in the military, who defend our freedoms. I cannot think of anything that is more of an antithesis to those words we say, that we would praise their service, if we say: Yes, you go off and defend our Nation in Iraq and Afghanistan; meanwhile, your families and your children cannot go to school.

What makes this particularly difficult to stomach at this point is just today, Blue Star Families—one of our Nation's best veterans organizations, veterans support group organizations—came out and said in a list of priorities for military families, No. 1, the impact of deployments, repeated deployments on military families and particularly children; and, No. 2, military children education.

In my State and many other States, military families, particularly on base, have a military DOD school. Those schools provide a valuable service to those military families oftentimes who have their parents deployed. In my mind, how can we stand on the floor of this Senate and commend those men and women who serve and at the same

time say we support that service: We want to support you at home, but not enough to not have your kids have to miss 5 days of school because their teachers are furloughed or providers of other support services for educational personnel are furloughed for 11 days.

I am going to write Secretary Hagel, and I ask that all of my colleagues join with me in this matter in urging that the furloughs of these educators who educate the children of our military families be exempted from the process of sequestration.

While it begs the large question that the Nation confronts a $16 trillion debt, I think most of us in this Chamber know that the only way we are going to get to a solution is if those of us on this side of the aisle find a way to make smart and sensible reforms to our entitlement programs. Our colleagues on the opposite side of the aisle are going to have to work with us to find ways to generate additional revenues; otherwise, we are going to keep coming back to the kinds of cuts we have seen in sequestration and in domestic discretionary.

We are on a current path that would take domestic discretionary spending from 16 percent of our Federal spending down to 4 percent. As a business investor, I would never invest in a business that spent less than 5 percent of its resources on its workforce and infrastructure.

So today I rise on the issue of making sure we actually honor those military families of whom we speak so often and make sure their kids get to go to school next year and don't have to lose valuable educational time because their teachers are furloughed. I hope my colleagues will join me on the letter to Secretary Hagel.

With that, I yield the floor, and I thank the Senator from Texas for his courtesy.

The PRESIDING OFFICER. The Senator from Texas.

OBAMACARE

Mr. CORNYN. Madam President, we have been informed that the Secretary of Health and Human Services has become a private fundraiser to raise funds from the very industry she regulates in order to implement ObamaCare. This raises all sorts of troubling concerns. There is an appearance of impropriety and a conflict of interest. There is an appearance that there is basically a shakedown going on—extracting money from companies she regulates in order to implement the President's health care law. This is certainly unethical—representing a conflict of interest—and possibly illegal. However, it has provided us a useful reminder about ObamaCare: that it represents one of the worst examples of crony capitalism that exist today. Unfortunately, that is true of a number of the administration's policies, but let me just explain what I mean.

When the private enterprise and the government become so intertwined as to become mutually dependent, usually what that means is the people who can hire the most lobbyists, the best lawyers, and others, compete unfairly for government benefits.

The concern is that since Secretary Sebelius is going to be the one who doles out grants and other benefits under ObamaCare, there is the all-too-human temptation to favor those who have gotten you out of a crack and done you a favor.

Let's review how ObamaCare is supposed to work in the first place. The Federal Government is supposed to come up with its own definition of health insurance. What we own right now may not be good enough for the government and its standard for health insurance. It is demanding that private businesses offer their employees this Washington-approved insurance or they get penalized.

It is also demanding that some Americans—many Americans—pay for coverage they don't want, don't need, and may not be able to afford. The best example of that is young adults—sometimes called the young and invincible—who may not think they need comprehensive health care insurance. They may think, well, perhaps I need more of a catastrophic policy or something else that will take care of me if things really turn bad. As a result of ObamaCare, these young people will be forced to buy coverage they don't need. Many of them don't want it and can't afford it.

They will literally see their insurance premiums skyrocket because of a phenomenon known as age-banding. Age-banding is where older Americans cannot be charged more than three times what younger people can be charged. We all know that as we age, we utilize more health care services. Here again, younger Americans are being asked to subsidize their elders in ObamaCare.

One way to look at it is the Obama administration has decided that the purchase of an expensive government-approved product sold by certain private companies is a condition of American citizenship. For those who are American citizens and live here, they have to buy it. If they don't, they pay the penalty. That is one example of crony capitalism.

Private companies are turning into de facto public utilities, and Americans are forced to buy their products but only those products approved by the regulators here in Washington. It is the ultimate marriage of big business and big government, and it is bad for the American taxpayer.

Now Secretary Sebelius has gone a step further. She is using her leverage and power as a regulator over private companies to force them to fund ObamaCare. We all see what is going on. Secretary Sebelius is making the health care industry an offer they cannot refuse. After all, her agency regulates those companies and has enormous influence over their business operations.

Indeed, ObamaCare has expanded Health and Human Services' regulatory power so much, we could say it essentially amounts to a government takeover of one-sixth of the national economy. Anytime there is a dramatic increase in Federal regulation of bureaucratic authority, there will also be a dramatic increase in crony capitalism.

Health and Human Services granted a series of waivers from ObamaCare's annual limit requirements, which fostered the impression that certain companies, labor unions, and other institutions were getting preferential treatment. Why not treat all Americans the same rather than have the government pick winners and losers, with the temptation to pick their friends and political supporters and give them special favors?

We saw this also in the government-run bailout of the Chrysler Corporation when the company's secured bondholders received less for their loans than the United Auto Workers pension fund.

For that matter, we also saw it in the notorious Solyndra project. President Obama's entire green agenda energy policy is based on the idea that the Federal Government should be playing venture capitalist with taxpayer dollars. We all know that when Solyndra went bankrupt, the administration favored private lenders over taxpayers, which was a violation of the law.

But there are many other private companies that have received taxpayer funding for political or ideological reasons, and that is why we say that crony capitalism undermines public trust in government because not everybody is treated the same. The government—those in power—picks winners and losers, political favorites, friends, and family.

I have one final point. We learned about the Sebelius shakedown on the same day we learned that the IRS has been deliberately targeting and harassing some organizations based on their political views.

As we all know, the IRS has a very important and key role in administering some of the biggest parts of ObamaCare and thus will be collecting massive amounts of new information about individual Americans. That was always a bad idea, but now, after we have learned about the abuses at the IRS, it sounds even more dangerous than ever. After what we have learned so far, how can Americans feel confident that the IRS won't abuse these new powers after having abused its current powers? Why should the American people believe what they have been told when they have been lied to time and time again about the IRS's activities?

Back in March 2012, the former IRS Commissioner categorically denied that his agency was targeting certain political organizations. Now we know that he was not only wrong, we also know they intentionally lied. We also know that senior IRS officials—many

who still have their jobs—learned of these abuses 2 years ago and never corrected the record.

In short, if we ever needed another reason to get rid of ObamaCare and replace it with market-driven, patient-centered reform, the IRS has provided us with one.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. CARDIN. Madam President, I remember—and I am sure the Presiding Officer does too—an early morning in March when we completed our budget deliberations. That was a couple of months ago. I remember the outcry about the Senate not following regular order in passing a budget. On that March morning, we followed regular order. We passed a budget. We took up lots of amendments. We spent hours on debate. We voted on many amendments, and the Senate worked its will. Of course, the House has also worked its will. It passed a budget that is different from the Senate budget.

The next step in regular order is for the House and Senate to meet in what is called a conference to work out the differences between the House and the Senate so we can then have a budget for the country. That is how the regular process works.

I know for the last couple of years we have had budgets. We have had budgets because of grand bargains that have been agreed to on debt extensions and things such as that, but there is now a cry to follow regular order. That is what we should do: Follow regular order. So the next step is to go into a conference.

I must tell my colleagues, I don't quite understand why the Republican leader is objecting to going to conference. He is trying to say, We will go to conference if the Senate agrees with the House. No, we don't go to conference because we agree with one body; we go to conference to work out our differences. So I am extremely disappointed that those who are yelling the loudest about following regular order are now preventing us from using regular order.

We need to get to conference, and one of the reasons is so we can get rid of sequestration. Sequestration means across-the-board mindless cuts. It treats every priority in government the same. That is mindless. That is not what we should be doing. It is having a major impact on the mission of many agencies in this country. They can't do what the public wants them to do because they don't have the budget support to do it. For an agency that is affected by sequestration, it amounts to almost 10 percent of their budget, because they have to cram in savings over a short number of months. Also, it only affects some agencies, not all. Not all of the programs are affected by sequestration. But those discretionary programs that are affected are across the board, without any discretion.

If the Presiding Officer ran into a tough economic time or someone we represent does and they lose some income, they look at their family budget. They may have money put aside for rent or mortgage payments, maybe some money put aside for a food budget for their family, and maybe there is some money put aside to go to an Orioles-Red Sox game.

They are going to have to make some tough choices, but they are going to make choices based upon what is most important to their family. They certainly are going to pay their rent payment or their mortgage payment to keep the roof over their family home.

So that is what we should be doing. We have to make decisions, and we cannot do these across-the-board cuts. It is hurting agencies. These are cuts on top of cuts on top of cuts.

Let me mention one group that will be particularly affected by that, and that is our Federal workforce. These are the people who are at NIH, the talented scientists doing the research that is keeping us healthy. They are finding the answers to the dread diseases in our society. These are people who are standing guard on our border, keeping us safe. These are people who do food inspections to make sure we have a healthy food supply. These are people who help our seniors, to make sure they get the checks they need for their dignity in their older years. These are people who are working for the public.

What have we done to them? Three straight years of freezes, no increase in their salaries. We are now looking at what we are going to do with their benefit structure. On top of that, we have freezes on the number of employees; therefore, they are being asked to do more with less. And now we have furloughs, which is basically cuts—cuts in their salary.

It is not the Federal payroll that causes the deficits we have today. As the Presiding Officer and I know, it is the fact that we went to war in two countries, we cut taxes, we went through a recession. We have to answer the way of getting out of this problem in a balanced approach. We have already done the discretionary cuts to those agencies, and we are now affecting their ability to do their mission.

I want to mention some of the effects of sequestration on the citizens of Maryland, whom I have the opportunity to represent in the Senate.

Maryland will lose approximately $14.4 million in funding for primary and secondary education. Twelve thousand fewer students will be served and approximately 30 fewer schools will receive funding. In Maryland, we believe education is a top priority. That is how we compete. That is how we invest in our future. We invest in our children.

Maryland will lose approximately $10 million in funds for about 120 teachers, aides, and staff who help our children with disabilities.

Around 770 fewer low-income students in Maryland will receive aid to help them finance the cost of college, and around 440 fewer students will get work-study jobs that help them pay for college. These are programs that Democrats and Republicans have fought for over the years to make sure they are funded. Now, in Maryland, we are going to have to cut back.

Head Start and Early Head Start services would be eliminated for approximately 800 children in Maryland, reducing access to critical early education.

The list goes on and on and on.

Maryland would lose about $3 million in environmental funding to ensure clean water and air quality, as well as prevent pollution from pesticides and hazardous waste. We have worked hard to clean up the Chesapeake Bay and provide a safe environment for our families. That is in jeopardy as a result of sequestration. In addition, Maryland could lose another $467,000 in grants for fish and wildlife protection.

In Maryland, there will be 46,000—tens of thousands—of civilians in the Department of Defense who will be furloughed, reducing gross payroll by around $353.7 million in total in our State.

Maryland will lose about $317,000 in justice assistance grants. These grants support law enforcement. We all talk about supporting law enforcement. These grants also support prosecution and courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, and crime victim and witness initiatives.

Maryland will lose about $66,000 in funding for job search assistance, referral, and placement, meaning around 9,270 fewer people will get the help and skills they need to find employment.

Madam President, 2,050 fewer children in Maryland will receive vaccines for diseases such as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B.

Maryland will lose approximately $551,000 in funds to help upgrade its ability to respond to public health threats, including infectious diseases, natural disasters, and biological, chemical, nuclear, and radiological events.

Maryland will lose about $1.6 million in grants to help prevent and treat substance abuse, resulting in around 2,500 fewer admissions to substance abuse programs.

Maryland health departments will lose about $595,000, resulting in around 14,900 fewer HIV tests.

Maryland could lose up to $124,000 in funds that provide services to victims of domestic violence.

My point is these are cuts that I do not think the public wants us to do. In Congress, each of us says: Oh, we did not mean that. Well, it is time for us to act. Democrats and Republicans, coming together in a bipartisan way, compromise. That is what our Founding Fathers envisioned we would do—working together—so we have a balanced approach.

Just look at compulsory spending, mandatory spending. We can organize our health care delivery system in a more cost-effective way. Dealing with individuals with high-cost interventions—we can save money there—reduce hospital readmission rates. There are ways we can bring down costs in a sensible way. Our troops are coming home from Afghanistan. We can reduce our military spending. We can certainly look at the $1.2 trillion we spend every year through the Tax Code—that is on a yearly basis—tax expenditures. We can certainly close some of those loopholes and get the badly needed revenues so we can deal with our budget in a balanced, responsible way.

Let's work together in a bipartisan fashion, Democrats and Republicans.

One more thing it will do: Solving problems gives predictability, and people will know what the rules are. They will know what our budget is, they will know what our Tax Code is, and that unleashes our economy and creates jobs, which helps the economy and helps balance our budget.

I urge my colleagues, let's take the next step. The next step is to go to conference on the budget. Let's work out the differences between the House and the Senate. Let's do what we are supposed to do in regular order.

I urge my Republican colleagues to remove their objections, and let's get to a conference on the budget as soon as possible.

With that, I see my distinguished friend from Utah who is on the floor. I always learn a lot when he speaks, so I am going to yield the floor for my colleague from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear friend and colleague from Maryland. He is a wonderful person and a very good Senator. I enjoy him on the Senate Finance Committee. He is one of the brighter people on that committee, among a whole bunch of very bright people.

THE IRS

Mr. HATCH. Madam President, I rise today to speak on a matter that deserves the attention of everyone in this Chamber.

By now we all know about what is going on at the Internal Revenue Service. We have seen the report from the Treasury Inspector General for Tax Administration, TIGTA, indicating that between 2010 and 2012 the IRS was targeting conservative groups applying for tax-exempt status for increased levels of scrutiny.

We have read the accounts of conservative groups that were asked improper questions about their donors while some of their applications were delayed for more than 3 years, even as applications for groups friendly to the President and liberal causes were promptly approved.

We have heard the apologies from senior IRS officials and the condemnations from the White House itself. While we know for a certainty that this unacceptable behavior was going on at the IRS, there is still much more we do not know.

For example, we still do not know why the targeting began or why only conservative groups were targeted by the IRS examiners.

We do not know the full extent to which senior officials at the IRS and Department of Treasury became aware of these practices, when they found out, and what they did or did not do to put a stop to these practices.

Perhaps most importantly, we do not know why, when Members of Congress asked questions about these issues last year, and after senior officials certainly knew of the problem—or problems—we were led to believe that no groups were being targeted.

Indeed, neither Congress nor the American people learned anything about these activities from the responsible officials until they were trapped and their hands were forced.

There are not words to describe what has gone on here. Some of us have tried. Words such as ''unconscionable,'' ''unbelievable,'' and ''Nixonian'' have been thrown around, rightfully, in my opinion.

But regardless of the words we use to describe it, this is easily the most shocking and outrageous turn of events we have seen in Washington in some time—and that is saying something.

One thing I am glad to see is that these actions have, for the most part, been condemned by Members of both parties. In the end, I hope both Republicans and Democrats will work together to address these issues.

I have said from the outset that it does not matter if a tax-exempt group is liberal, conservative, or moderate. It is an outrage that the IRS would single out any group based on its political beliefs. On that point there is bipartisan agreement in Congress and throughout the country.

On the Senate Finance Committee, Chairman BAUCUS and I are undertaking a bipartisan investigation into this matter to find out exactly what happened and make sure this type of thing never happens again.

I am happy to be working with Chairman BAUCUS on this effort, and I want to assure my colleagues that we are going to get to the bottom of this. We are going to find out just how far down the rabbit hole the IRS went in singling out groups based on their political beliefs. We are going to find out why the IRS ignored a bedrock rule of tax administration: Treat similarly situated taxpayers similarly—always. We are going to find out exactly who was responsible, and we are going to hold them accountable for their actions.

The IRS needs to come clean about what went on here. Chairman BAUCUS and I intend to make sure they do.

Sadly, while the targeting of conservative groups in the review process has gotten most of the attention thus far, there are other issues involving the IRS that are every bit as disconcerting.

There are news reports indicating that in 2012, the same IRS office improperly disclosed confidential information about certain conservative groups to media organizations.

Last November, the journalist group ProPublica requested 501(c)(4) applications for 67 different nonprofits. Less than 2 weeks later, the IRS produced application documents submitted by 31 of the organizations. Included in this group of documents were the applications from nine conservative organizations that were still under consideration by the IRS. ProPublica subsequently posted six of those applications in redacted form on the Internet and published articles analyzing the information they obtained.

This is disturbing for at least three reasons. First and foremost, under section 6103 of the Internal Revenue Code, the IRS is prohibited from disclosing applications for tax-exempt status that are still under review. While the IRS is authorized, under section 6104, to release application materials of groups that have already been granted tax-exempt status, pending applications are required by law to remain confidential. This appears to be a pretty cut-and-dried violation of the Internal Revenue Code, meaning that civil and criminal penalties may apply.

Second, the IRS responded to ProPublica's request in just 13 days. That seems extraordinarily swift, and it raises the question of how long the IRS normally takes to respond to such document requests. I do not want to prejudge anything, but I suspect it usually takes longer than 13 days to hear back from the IRS. It certainly takes longer than that for the IRS to respond to requests from Congress.

Finally, this revelation comes not too long after other allegations that the IRS disclosed confidential information submitted by conservative nonprofits.

In the spring of 2012, activist groups and media outlets began posting confidential donor information regarding the National Organization for Marriage, a nonprofit 501(c)(4) organization, on the Internet. Such information is also required by law to be kept confidential.

Although the IRS is authorized to release yearly forms filed by tax-exempt organizations, the law prohibits donor information from being disclosed, and that is whether it is a conservative, moderate, or liberal organization. Yet National Organization for Marriage's documents that found their way online

in the middle of a Presidential election appeared to have come from the IRS. This was suspicious, to say the least.

That is why, in May of 2012, I sent a letter to the IRS Commissioner requesting an investigation into whether the IRS publicly disclosed confidential donor information about the National Organization for Marriage. To date, I have not received a substantive response.

So in addition to the revelations that the IRS was improperly targeting conservative groups for scrutiny of their 501(c)(4) applications, we have these unanswered questions about the possible illegal disclosure of confidential information to media outlets and other organizations. This is another matter that needs to be resolved in order to restore the credibility of the IRS as a government agency.

That is why I, along with all the Republican members of the Senate Finance Committee, have submitted a letter to the Treasury Inspector General asking that he look into these issues.

Among other things, our letter requests that TIGTA—that is the Inspector General's organization—investigate to determine which employees at the IRS were responsible for improperly disclosing confidential documents to ProPublica and whether any actions have been taken against them.

In addition, this letter asks for an investigation into whether the IRS followed its usual Freedom of Information Act procedures in its prompt response to ProPublica's document request.

Our letter asks TIGTA to determine whether the IRS ever undertook an investigation to determine if the agency was responsible for leaking the National Organization for Marriage's donor information.

The American people have a right to expect government agencies to perform their functions in a neutral, unbiased manner. When any agency breaks that trust, it undermines the credibility of the entire government.

These are not matters that can simply be wished away by public apologies and condemnations.

They cannot be covered up by a handful of resignations, and they are not covered up by an apology. I hope the administration knows this. The only way to fully address these issues and to fully restore the credibility of the IRS is to have full accounting of the facts. In one way or another, we are going to learn all we can about the facts and what went on there. I hope we can do so with the full and complete cooperation of the administration.

Look, the IRS is the most powerful agency in government. Our liberties depend upon an impartial IRS. We know many of the employees of the IRS are represented by one of the toughest unions in this country. We can presume from that most of them are not Republicans. Be that as it may, the Democrats I know whom I honor and respect are those who keep their word, live within constraints, follow the rules, do what is right, and fight hard for their principles.

But the IRS is not a place where we should be doing anything but fighting hard for the principles of fair treatment of all U.S. citizens. I would be decrying this if the IRS was doing this to liberal organizations. We do not expect it to ever do that, but I would surely be decrying it. All I can say is that the very essence of liberty is involved with what the IRS does or is doing. If we cannot rely on the most powerful agency in government to treat people fairly, then this country is in much greater trouble than many of us think it is. We know we are in trouble. We know we are living beyond our means. We know we are not doing what is right in this country. We know Congress could do a much better job than it is doing. That includes both Democrats and Republicans. It is inexcusable for an agency with the power the IRS has to be involved in these types of shenanigans. It is chilling, absolutely chilling to anybody who thinks about it, that this most powerful agency can basically come down on anybody for almost any reason if it is not honest.

We have to restore the trust and the honesty of the IRS. We have to be able to rely on the IRS being fair, impartial, and in doing what is right. I think I speak for my colleagues on the Democratic side. Many of them are as outraged as I am about what went on here. It is not right. I think the American people fully understand that.

I appreciate those who are honest. I appreciate those who do abide by their ethical constraints. I appreciate those who are not political at the IRS. There are many good people working there. I do not want them to be besmirched by the few. There might be a little bit more than a few people who do not honor the ethical constraints that the IRS simply has to live up to. Let's hope neither side will ever again use the IRS for political purposes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Madam President, I wanted to come to the floor to follow up on the news that we have had on the IRS situation, which I know is concerning to all Americans, Democrats, Republicans, everyone. The power of government is real and the power of the IRS is very real. So anything involving an abuse of power in the IRS is going to concern Americans irrespective of their political leanings.

Before I do, I just wish to comment on something that happened a few moments ago at a press conference at the White House. I have tremendous respect for the Office of the Presidency and for anyone who would hold themselves out to hold the office. So I say this with the highest respect.

I think the President today in his press conference potentially made a mistake in an answer he gave. I would encourage the White House to clear it up as soon as possible. He was asked specifically if he or anyone in the White House knew about what was going on at the IRS before April 22 of this year.

The President's answer was that he did not know about the inspector general's report until he read about it in the press. So I would submit to you he did not answer that question. I am not implying he did know about it. I am just encouraging the White House and those there to clear this up as soon as possible.

It is kind of reminiscent of when Attorney General Holder would not answer Senator PAUL's question about whether American citizens could be targeted in the homeland with a drone. That led—we all remember what it led to. It is a very simple and straightforward question. I would encourage the White House and the President to echo what Jay Carney said just a couple days ago, which is no one in the White House knew anything about it. I think it is important for the President to answer that clearly; again, not because I am implying he did know, because I think if they leave that out there, it creates questions that should not be created. I hope they will do that. It is important.

I wish to bring to the attention of the Senate and the American people a compilation of stories that have emerged since the initial question emerged. They are very troubling. They extend, quite frankly, beyond the IRS, but I will begin with the IRS. Here is a report from the Washington Examiner. The headline reads: ''IRS denied tax-exempt status to pro-lifers on behalf of Planned Parenthood.''

Let me read what it says inside. It says: ''In one case, the IRS withheld approval of an application for tax exempt status for Coalition for Life of Iowa.''

In a phone call that this reporter reported he had with one of the leaders—I am sorry. One of the leaders claimed that in a phone call he had with the IRS on June 6 of 2009, ''the IRS agent 'Ms. Richards' told the group to send a letter to the IRS with the entire board's signatures stating that, under perjury of the law, they do not picket/protest or organize groups to picket or protest outside of Planned Parenthood.''

They said that ''once the IRS received this letter, this application would be approved.'' That is troubling if true. That is one report that is in the news.

Here is another one. This one comes from a very respected individual in the United States. His name is Franklin Graham. He is the son of the Reverend Billy Graham. He claims the Billy Graham Evangelical Association and the family's international humanitarian organization Samaritan's Purse, the

IRS notified them in September that it was conducting a ''review'' of their activities for tax year 2010.

He goes on to say, by the way, that this review happened after Mr. Graham's organization published newspaper ads in North Carolina backing a State constitutional amendment banning same-sex marriage. That is in the news. That was from Politico. Again, I am just reporting what different outlets are reporting.

This is another report that has been out there. I think I alluded to this yesterday in my speech. This talks about how the same IRS office that deliberately targeted conservative groups applying for tax-exempt status in the runup to the 2012 election released nine pending confidential applications of conservative groups to ProPublica late last year. I think this is actually ProPublica admitting that is where they got the information.

This is in response to a request for the applications for 67 different nonprofits last November. So this is an admission, basically, from ProPublica, which is in this not-for-profit investigative reporting group. They are admitting the source of these leaked documents was the IRS office in Cincinnati, the leaked documents of nine conservative groups.

So now it is no longer audits, it is cooperating with investigative journalists by provided them with information which is illegal to provide them, confidential tax information. That is what this report says from the organization that got the leak.

This is FOX News Latino. It reports that the former President of San Antonio tea party said they received a questionnaire with over 50 questions, including inquiries into whom the group met with, where their meetings were held, who was in attendance, the subjects of internal e-mails, et cetera.

This is in line with some of the other stories we have been hearing around the country. This was actually posted online. These are letters going back and forth between the Richmond tea party and the IRS. These are the actual online letters we pulled, with some information redacted for privacy.

Some of the questions they were asked: Provide the following information for all events and programs you have conducted and participated in from October 22 to now.

They wanted copies of handouts provided to the audience. They wanted to know if there were any speeches or forums conducted in the event or program, provide detailed contents of the speeches or forums, the names of the speakers and panels, their credentials, the names of persons from your organization and the amount of time they spent on the event or the program. Indicate the percentage of time and resources you spent on all of the events and programs in relation to your activity.

It goes on and on. This is page after page of information being asked of a citizen group by the IRS. Anyone who has gotten a letter from the IRS understands it is never a pleasant circumstance, unless there is a refund check in that envelope. You go to the mailbox, open it, it says IRS, and no one likes that.

Just imagine this group of everyday citizens. These are not professional political activists. They do not have entire law firms at their disposal. These are just everyday Americans who are speaking out about the principles of limited government and free enterprise. By the way, if they were speaking out in favor of big government, they still have the same right not to be harassed by the IRS.

So I just want to bring the real face of this to bear, because this is not just a problem with an abuse of power in the IRS. Think about the impact this has had on the lives of everyday Americans who one day decided: I want to get involved in politics. I want to speak out. I want to say something. They get hit with a letter such as this, this kind of questionnaire, which quite frankly what happens with a lot of these people is they decide I am not going to do it. I am not going to get involved. I do not have the time for this. I do not need the hassle. Maybe that was the intent.

So we went over that for a moment. Here is something that is very troubling. This is from USA Today. The USA Today headline: ''IRS approved liberal groups while Tea Party in limbo.'' Some of those groups were approved in as little as 9 months. Bus for Progress in New Jersey, a not-for-profit that uses red, white, and blue buses to drive progressive change, Missourians Organizing for Reform and Empowerment, they got their tax-exempt status just 9 months after a pretty simple and straightforward process.

Progress Florida in my own home State, similar experience. Again, this is USA Today. I think this was their cover story yesterday, where it described the difference in how tea party groups are treated, in comparison, that had words in their title such as ''progress'' or ''progressive.''

Here is one more that actually shows this kind of behavior extends beyond the Internal Revenue Service. This is from the Competitive Enterprise Institute, May 14. It talks about how public records produced by EPA, the Environmental Protection Agency, in response to a lawsuit filed by CEI under the Freedom of Information Act, show a pattern of making it far more difficult for limited government groups, in particular those that argue for more freedom and less EPA, how it makes it harder for them to get access to public records.

For example, green groups such as the Natural Resources Defense Council, the Sierra Club, the Public Employees for Environmental Responsibility, Earth Justice, they had their fees waived in 75 out of 82 cases.

Meanwhile, the EPA effectively or expressly denied CEI's request for fee waivers in 14 of its 15 requests—14 of its 15 requests. So that is 93 percent of the time versus basically the alternative, which is what they did to these other groups. Again, all a chain in a pattern of behavior that I think is not anything any of us ever want to see. So far I have not seen it, and I do not think we are going to, quite frankly. I suspect we will not see a single Member of Congress come to the floor of either Chamber and say this is acceptable behavior.

I wish to tie in the loop, though, because this is not just about these agencies run amok. This is not just about a handful of people in the IRS's Cincinnati office or somewhere else doing something wrong. This is much deeper than that.

I talked about it yesterday, I will repeat it today; that is, the sense that this administration has pursued a real culture of intimidation in the political process, including the way it ran its campaign. But I wish to take it one step further. What this should remind us of is the danger of government power. Let me stop there and remind everyone. We need government. No one here—I do not know any anarchists who serve in the U.S. Government, for the most part. All of us believe government has an important role to play in our country and the national defense. By and large, we believe there needs to be a safety net to help those who cannot help themselves, not as a way of life but to help those who have fallen to stand and try again.

We think the government plays an important role in our laws. One of the things that attracts people to the United States—for example, to do business here—is that we have a legal system where property rights are going to be respected. So if one says they own a piece of property, it belongs to them. No one would necessarily dispute that. If they do, they have to go to court. There are countries in the world where the owner of the property is whoever has the bigger guns or whoever has the best connection to government. We take that for granted sometimes.

So there is a role for government to play. It is a very important role. But the problem is that our Framers, the Founders of this Nation, had a deep suspicion of government no matter who was running the government. They rejected this notion that if we get very good people in government, we will have very good government.

Government has a role to play. But when government's powers extend beyond its natural limits or its important limits, we start to have problems such as these emerge. I bring this to the floor because this is exactly what we have been debating in so many instances, is expanding the natural power of government beyond where it should be and allowing it to have jurisdiction and influence over areas of our life, where no matter who is in charge, Republican or Democrat, we may not like the way it turns out.

We talked about the IRS for a moment. The IRS is going to be on the frontlines of enforcing the health care law. This is the same agency of government that has for the most part over the last few years, now by admission of everyone involved, been abusing power—at least some of their employees have. I don't want to besmirch the entire agency. As Senator HATCH was saying a few minutes ago, there are very good people at work all throughout government who would never participate in this sort of behavior.

My point is that this is the agency that was targeting Americans because they were organizing themselves as conservatives. This is now the agency that is going to be empowered with new powers it has never had before—the power to force every American to either buy health insurance or pay a fine, buy health insurance or pay a tax.

In the weeks to come, I am going to be outlining examples of why giving government more power than it should have creates situations like this—the potential for situations like this to occur. There was enormous wisdom in limiting the power of the Federal Government that our Framers had, enormous wisdom in that. That is why they specifically said: If this Constitution doesn't give the Federal Government this power, it doesn't have it. We sometimes forget that lesson from two centuries later, but we shouldn't. That is an important limit.

I think we can have an honest debate about what role government should be playing in our lives and in our economy. There could be an honest debate about that because there is a role for government to play. There is an important role for government to play in our country. It can go too far, whether it is in the realm of civil liberties or economic liberties. That is what I think the debate should be focused on in the weeks to come, in addition to getting to the bottom of what has happened here, understanding clearly what has happened here.

I am involved in another endeavor: immigration reform. One of the biggest impediments to immigration reform that I am facing—that we are facing—is this distrust of the Federal Government. It is the belief that they are not going to enforce the law. No matter what we pass or what we put in place, they are not going to do it. We tried this 20 or 30 years ago, and they didn't do it. That is unfortunate. I hope we can overcome that. I believe we can because the truth is that the vast majority of Americans—the vast majority of Republicans, Democrats, Independents—are willing to deal with the fact that we have 11 million people living in this country illegally so long as we can ensure that this problem never happens again in the future. They are willing to deal with that. We have to win their confidence that, in fact, the measures we are going to take are going to prevent that from happening in the future. We are struggling because people have such a distrust of the government's willingness or ability to enforce the law. You see it, even in that issue, rear its head.

I think it is important to remind ourselves that even if government is run by the best people with the best of intentions, it has a tendency to do these sorts of things. You see that at every level but particularly at the Federal level where there are such enormous powers.

Anytime we come here and debate giving government a new power, a new agency, a new mandate, or a new jurisdiction, we should be cognizant of the history of government power. We should be cognizant of what it has meant throughout human history. We should remember why the Framers limited that power to begin with—because they understood that power could be abused.

In the weeks to come, I know that I, along with all my colleagues, want to get to the bottom of this. We want to understand from the IRS' perspective who was involved in doing this, why this happened, and, more importantly, what we can do now to make sure this never, ever happens again, what we can do now to ensure that not just in the IRS but across the government that a situation like this never happens again so that no matter what your political persuasion may be, no American ever feels afraid to speak out politically because they may wind up the target of governmental action.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INEQUALITY

Mr. SANDERS. Mr. President, I ask unanimous consent to have printed in the RECORD the English translation of remarks made this morning by Pope Francis, who addressed the new nonresident ambassadors to the Holy See.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENGLISH LANGUAGE TRANSLATION OF POPE FRANCIS' ADDRESS FOR THE NEW NON-RESIDENT AMBASSADORS TO THE HOLY SEE: KYRGYZSTAN, ANTIGUA AND BARBUDA, LUXEMBOURG AND BOTSWANA (16 MAY 2013)

Your Excellencies,

I am pleased to receive you for the presentation of the Letters accrediting you as Ambassadors Extraordinary and Plenipotentiary to the Holy See on the part of your respective countries: Kytgyzstan, Antigua and Barbuda, the Grand Duchy of Luxembourg and Botswana. The gracious words which you have addressed to me, for which I thank you heartily, have testified that the Heads of State of your countries are concerned to develop relations of respect and cooperation with the Holy See. I would ask you kindly to convey to them my sentiments of gratitude and esteem, together with the assurance of my prayers for them and their fellow citizens.

Ladies and Gentlemen, our human family is presently experiencing something of a turning point in its own history, if we consider the advances made in various areas. We can only praise the positive achievements which contribute to the authentic welfare of mankind, in fields such as those of health, education and communications. At the same time, we must also acknowledge that the majority of the men and women of our time continue to live daily in situations of insecurity, with dire consequences. Certain pathologies are increasing, with their psychological consequences; fear and desperation grip the hearts of many people, even in the so-called rich countries; the joy of life is diminishing; indecency and violence are on the rise; poverty is becoming more and more evident. People have to struggle to live and, frequently, to live in an undignified way. One cause of this situation, in my opinion, is in our relationship with money, and our acceptance of its power over ourselves and our society. Consequently the financial crisis which we are experiencing makes us forget that its ultimate origin is to be found in a profound human crisis. In the denial of the primacy of human beings! We have created new idols. The worship of the golden calf of old (cf. Ex 32:15–34) has found a new and heartless image in the cult of money and the dictatorship of an economy which is faceless and lacking any truly humane goal.

The worldwide financial and economic crisis seems to highlight their distortions and above all the gravely deficient human perspective, which reduces man to one of his needs alone, namely, consumption. Worse yet, human beings themselves are nowadays considered as consumer goods which can be used and thrown away. We have begun a throw away culture. This tendency is seen on the level of individuals and whole societies; and it is being promoted! In circumstances like these, solidarity, which is the treasure of the poor, is often considered counterproductive, opposed to the logic of finance and the economy. While the income of a minority is increasing exponentially, that of the majority is crumbling. This imbalance results from ideologies which uphold the absolute autonomy of markets and financial speculation, and thus deny the right of control to States, which are themselves charged with providing for the common good. A new, invisible and at times virtual, tyranny is established, one which unilaterally and irremediably imposes its own laws and rules. Moreover, indebtedness and credit distance countries from their real economy and citizens from their real buying power. Added to this, as if it were needed, is widespread corruption and selfish fiscal evasion which have taken on worldwide dimensions. The will to power and of possession has become limitless.

Concealed behind this attitude is a rejection of ethics, a rejection of God. Ethics, like solidarity, is a nuisance! It is regarded as counterproductive: as something too human, because it relativizes money and power; as a threat, because it rejects manipulation and subjection of people: because ethics leads to God, who is situated outside the categories of the market. These financiers, economists and politicians consider God to be unmanageable, unmanageable even dangerous, because he calls man to his full realization and to independence from any kind of slavery. Ethics—naturally, not the ethics of ideology—makes it possible, in my view, to create a balanced social order that is more humane. In this sense, I encourage the financial experts and the political leaders of your countries to consider the words of Saint

John Chrysostom: ''Not to share one's goods with the poor is to rob them and to deprive them of life. It is not our goods that we possess, but theirs'' (Homily on Lazarus, 1:6–PG 48, 992D),

Dear Ambassadors, there is a need for financial reform along ethical lines that would produce in its turn an economic reform to benefit everyone. This would nevertheless require a courageous change of attitude on the part of political leaders. I urge them to face this challenge with determination and farsightedness, taking account, naturally, of their particular situations. Money has to serve, not to rule! The Pope loves everyone, rich and poor alike, but the Pope has the duty, in Christ's name, to remind the rich to help the poor, to respect them, to promote them. The Pope appeals for disinterested solidarity and for a return to person-centred ethics in the world of finance and economics.

For her part, the Church always works for the integral development of every person, In this sense, she reiterates that the common good should not be simply an extra, simply a conceptual scheme of inferior quality tacked onto political programmes. The Church encourages those in power to be truly at the service of the common good of their peoples. She urges financial leaders to take account of ethics and solidarity. And why should they not turn to God to draw inspiration from his designs? in this way, a new political and economic mindset would arise that would help to transform the absolute dichotomy between the economic and social spheres into a healthy symbiosis.

Finally, through you, I greet with affection the Pastors and the faithful of the Catholic communities present in your countries. I urge them to continue their courageous and joyful witness of faith and fraternal love in accordance with Christ's teaching. Let them not be afraid to offer their contribution to the development of their countries, through initiatives and attitudes inspired by the Sacred Scriptures! And as you inaugurate your mission, I extend to you, dear Ambassadors, my very best wishes, assuring you of the assistance of the Roman Curia for the fulfilment of you duties. To this end, upon you and your families, and also upon your Embassy staff, I willingly invoke abundant divine blessings.

Mr. SANDERS. I don't usually comment much on religious matters, but I was very impressed by what the Pope had to say today. In his remarks Pope Francis called for a revamping of the global financial system, a system which he pointed out benefits the few, values money over human dignity, and continues to widen the gap between the rich and everybody else.

While acknowledging the advances modern society has made in health care, education, technology, and other areas, the Pope expressed his concern for the least amongst us. The Pope said:

We must also acknowledge that the majority of the men and women of our time continue to live daily in situations of insecurity, with dire consequences . . . fear and desperation grip the hearts of many people, even in the so-called rich countries; the joy of life is diminishing; indecency and violence are on the rise; poverty is becoming more and more evident. People have to struggle to live and, frequently, to live in an undignified way.

The Pope went on to say this in his rather brief remarks:

One cause of this situation . . . is in our relationship with money, and our acceptance of its power over ourselves and our society . . . The worship of the golden calf of old has found a new and heartless image in the cult of money and the dictatorship of an economy which is faceless and lacking any truly humane goal.

The Pope continued:

The worldwide financial and economic crisis seems to highlight their distortions and above all the gravely deficient human perspective, which reduces man to one of his needs alone, namely, consumption. Worse yet, human beings themselves are nowadays considered as consumer goods which can be used and thrown away. We have begun a throw away culture.

He also said:

Solidarity, which is the treasure of the poor, is often considered counterproductive, opposed to the logic of finance and the economy.

Further quoting the Pope, and I hope everybody listens to this:

While the income of a minority is increasing exponentially, that of the majority is crumbling.

Let me repeat that. This is what the Pope said today:

While the income of a minority is increasing exponentially, that of the majority is crumbling. This imbalance results from ideologies which uphold the absolute autonomy of markets and financial speculation, and thus deny the right of control to States, which are themselves charged with providing for the common good. A new, invisible and at times virtual, tyranny is established, one which unilaterally and irremediably imposes its own laws and rules. Moreover, indebtedness and credit distance countries from their real economy and citizens from their real buying power. Added to this, as if it were needed, is widespread corruption and selfish fiscal evasion, which have taken on worldwide dimensions. The will to power and of possession has become limitless.

This is from a speech Pope Francis made today. I think it is important that we listen to the Pope on this issue. Frankly, I have strong disagreements with the Catholic Church on issues of women's rights, issues of gay rights, and a number of other issues. On this issue of what is happening economically around the world—the power of financial markets; the growing gap between the very rich and everyone else; the need for government and for states around the world to step in and protect the dispossessed; the need to understand that money unto itself means nothing unless it is being used in a way that improves the lives of all people—that is a message coming from the Pope. It is a message worth thinking about and discussing.

THE IRS

Mr. SANDERS. In the Senate, I hear a lot of criticism of government, some of which is certainly justified. All of us, I would hope, are deeply concerned, embarrassed, and disagree with what the IRS did in terms of picking out one political persuasion in terms of tax-exempt status. That is clearly wrong, unacceptable, and must be dealt with.

Many of my friends attack government day after day when government is trying to do the right thing in protecting middle-class and working families. There are some in the Congress, for example, who believe that government programs such as Social Security, Medicare, and Medicaid should be significantly cut or that maybe government shouldn't even be involved in those areas. They believe these programs are unconstitutional.

If you were to eliminate Social Security, Medicare, and Medicaid, what would happen to tens of millions of people who rely on Social Security for their retirement, especially at a time when many private pensions have been cut severely? If you make cuts or eliminate Medicare for the old or you undo the Medicare system we know and turn it into the system our friends in the House would like to have, what will happen to elderly people when they get sick and need health care and don't have the money in their own pockets to pay for that? I will tell you what will happen.

This year alone, it is estimated that approximately 45,000 Americans will die because they never made it to a doctor on time when they should have made it. If you make major cuts in Medicare or do away with the basic guarantees Medicare now provides, clearly the number of people who will die will simply increase.

If you are 67 years of age and are diagnosed with cancer and Medicare is not there for you and you don't have a family who has money, what will happen to you? Some of my Republican friends will say: Well, go to charity. Charity is not going to be there to provide health care for millions of people.

In terms of health care, what we must point out over and over again because many Americans don't understand it is that our Nation is the only Nation in the industrialized world that does not guarantee health care to all people as a right of citizenship.

Today, although we hope that will change in the very near future, 50 million people have no health insurance. Many others have large deductibles or copayments, which keep them from going to the doctor when they should.

We have invited the Ambassador from Denmark to join us in a town meeting in Vermont on Saturday. He will explain to us how in Denmark, among many other countries throughout the world, they can provide health care to people that is virtually free from out-of-pocket expenses and yet per capita end up spending substantially less than we do. He will explain to us why the cost of their prescription drugs is substantially lower than it is in the United States.

In terms of education, this is at a time when in my State the average college graduate in Vermont leaves school some $28,000 in debt—roughly the national average. This is at a time when hundreds of thousands of young people cannot afford to go to college, and we lose all of their intellectual capabilities and the genius they might provide

for our society. In Denmark, college education is virtually free, including graduate school and medical school.

At a time when in our country millions of people are overworked and underpaid; at a time when we work some of the longest hours of any people in the industrialized world, when people in Vermont are working not 40 hours a week but 50 hours a week, 60 hours a week; at a time when people are not working one job but two jobs, three jobs, trying to cobble together an income; at a time when some employers are hiring people and providing zero vacation time or maybe, if one is lucky, a week off, how does it happen that in countries such as Denmark people not only get 5 weeks' guaranteed paid vacation, but they get another 11 vacation days?

In this country, we talk a lot about family values. However, if you are a working-class woman having a baby, you will get some maybe. If you are working for a large enough employer, family medical leave may have an impact and you may get some time off to have the baby, but you can't stay home very long to take care of your newborn because you will not have any money coming in. Millions of folks have a baby and go right back to work, putting the child back in childcare when they would prefer otherwise. How does it happen in countries such as Denmark that women get 4 weeks off, fully paid before they give birth, and then months off afterwards to stay home with the baby, not to mention three-quarters payment from the government for childcare, while we so poorly manage that?

I think it is time we have a serious discussion about values, and that discussion has to include whether we feel good about the fact that in this country so few have so much and so many have so little.

Do we feel comfortable with the growing imbalance in terms of income and wealth such that the top 1 percent owns 38 percent of the wealth and the bottom 60 percent owns only 2.3 percent, and the gap between the billionaire class and everybody else is growing wider?

As the Pope asked: Are we comfortable with a financial system where the goal is not to invest in the productive economy but to make money for itself, such that the top six financial institutions in this country have assets equivalent to some 70 percent of the GDP of the United States—some $9 trillion—and enormous political power?

This IRS business people are talking about on the floor of the Senate is related to the absurd campaign finance system we have where big companies can secretly put hundreds of millions of dollars into the political process. Are we comfortable with a political system where people can make contributions in secret that end up in the political process and then end up on a 30-second ad on our TV—money coming from billionaires who don't have to disclose their contributions?

So when we talk about values, it is important to assess who we are as Americans and what we believe in. I believe most Americans believe we have to do a lot better job at focusing on the needs of the declining and disappearing middle class; that we have to create millions of jobs so our young people do not have outrageously high levels of unemployment and older people who lose their jobs have nothing to go back to; that we have to address the issue of high childhood poverty; and we have to, in fact, make sure government works for all of the people and not just the people on top.

I would just conclude by recommending to the Members and to the American people they examine the remarks made this morning by Pope Francis, which I think raise some very important issues. I think there is a lot to be learned from those remarks.

With that, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WORKER PROTECTION

Mr. BROWN. Mr. President, 50 years ago, in August 1963, Martin Luther King wrote, ''Injustice anywhere is a threat to justice everywhere.''

When a factory full of human beings collapses in Bangladesh, it matters in Bucyrus and Boardman and Bellefontaine. When the concrete ceiling of a shoe factory crumbles in Cambodia, it matters in Celina and Canton.

Earlier this month we observed Workers Memorial Day. We paused and remembered those Americans who had lost their lives on the job. We honor their memories by passing laws to help ensure no other child waits by the door for a mother or a father who will never return home from work.

Out of the ashes of the Triangle Shirt Waste Factory fire 100 years ago in New York City, we fought and won workplace safety reforms that have helped save countless lives decade after decade after decade in our country. Yet even though we have passed the Occupational Safety and Health Act of 1970, even though we have a National Labor Relations Board, we still have a moral responsibility to be vocal about violations to worker safety wherever it happens—whether it happens in Cleveland, in Honolulu, or in Bangladesh.

We are interconnected with this world. Our economy is linked to the women and children—to the people—whose names we don't know, the workers we don't know, who sew labels we all know in our shirts and in our sweaters. American and European retailers purchase some two-thirds of Bangladeshi garment production.

That is why, Mr. President, in the aftermath of the deadly Rana Plaza collapse in Bangladesh and the Wing Star Shoes collapse outside of Phnom Penh, we might have expected outraged American companies to take action. That is not exactly what happened. Which member of this multibillion-dollar industry will speak out for workers who face hazardous conditions for a minimum wage—in many cases of just $38 per month—making the clothes we wear in this country?

Today, Leader REID, Senator HARKIN of Iowa, DURBIN of Illinois, LEVIN of Michigan, LEAHY of Vermont, MURRAY of Washington State, ROCKEFELLER of West Virginia, and I sent a letter to some of our leading American retailers. We are urging retailers such as Walmart to sign onto a legally binding global accord to help ensure worker safety in Bangladesh. We are asking a number of the largest retailers in America to sign onto this legally binding global accord to help ensure worker safety in Bangladesh.

Remember, as Dr. King wrote some 50 years ago, injustice anywhere threatens our ability to create a more just world. Signing this accord from our retailers is one step our leading retailers can take to help us usher in a new era of justice in this new century.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COWAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back again to remind this body and the American people for what I think is perhaps the 32nd speech on this subject that I have been giving weekly, that it is time, indeed it is well past time, for Congress to wake up to the disastrous effects of global climate change. The famous Mauna Loa Observatory has for the first time ever hit 400 parts per million of carbon in the atmosphere. That is an alarming benchmark to have hit.

What is happening? Over on the House side today they are repealing ObamaCare for the 37th time. That is the level of seriousness in Washington right now. In particular, our oceans—the Presiding Officer represents the Bay State, I represent the Ocean State—our oceans face an unprecedented set of challenges that come from climate change as well as from pollution and energy exploration and more.

We just have to look around to see it. We can look up to the far north and see that the Arctic ice is melting. Indeed, last summer sea ice extant in the Arctic Ocean hit a record low.

If we go south to the tropic seas, we will see that live coral coverage on Caribbean reefs is plummeting. It is down to less than 10 percent today. If we go to the top of the food chain, we will see marine mammals so laden with PCBs, flame retardants, mercury, and other bioaccumulative pollutants that many of them are swimming toxic waste—living, swimming toxic waste.

If we go to the very bottom of the food chain, we will see that the population of phytoplankton—some of our smallest ocean inhabitants and the basic building block for the oceanic food chain—has dropped 40 percent during the 20th century.

If we go far away from where we are, we will reach the great Pacific garbage patch, which is growing and swirling about the northern Pacific Ocean.

Close to my home—and near the Presiding Officer's home—is Narragansett Bay, which is 4 degrees warmer in the winter than it was a few decades ago.

Globally, the most threatening challenge, and the force behind many others, is ocean acidification. Our oceans have absorbed more than 550 billion tons of our carbon pollution. Try to wrap your head around a number that big. That is the carbon the ocean has absorbed from the excess we have pumped into the atmosphere.

The result is pretty clear, and it is a matter of basic chemistry. The oceans have become more acidic. Indeed, they have become 30 percent more acidic. By the way, that is a measurement, not a theory.

By the end of this century, the increase could be as much as 160 percent more acidic. That makes life a lot harder for species such as oysters, crabs, lobsters, corals, and even those plankton that comprise the base of the food web.

Ocean temperatures are changing dramatically—also driven by carbon pollution. Sea surface temperatures in 2012, from the Gulf of Maine to Cape Hatteras, were the highest ever recorded in 150 years. By the way, that is another measurement.

Fish stocks are shifting northward with some disappearing from U.S. waters as they move farther offshore. As we know, when the temperature rises, water expands in volume. On top of that, fresh water pours out of Arctic snowpacks and ice sheets that are melting, and as a result sea levels are rising.

Tide gauges in Newport, RI, show an increase in average sea level of 10 inches since 1930. That is a big deal when we in Rhode Island think of how devastating the great hurricane of 1938 was to our shores and what more would now befall us with 10 more inches of sea for such a storm to throw at our shores.

At these tide gauges, measurements show not only the sea level rising but the rate of sea level rise is increasing. This matches reports that since 1990, the sea level has been rising faster than the rate predicted by the Intergovernmental Panel on Climate Change.

I have said before: We will continue to take advantage of the ocean's bounty, as we should. We will trade, we will fish, and we will sail. We will extract fuel and harness the wind. We will work our oceans. Navies and cruise ships, sailboats and supertankers will plow their surface. We cannot undo this part of our relationship with the sea. What we can change is what we do in return. For the first time we can become not just takers but caretakers of our oceans.

We are beginning to take some baby steps. Last week, the Senate voted 67 to 32 to authorize a national endowment for the oceans, coasts, and Great Lakes, which is a funding stream for research, restoration, and protection of our marine and coastal resources. I hope that before long we can find a way to fund it by working with all of my colleagues. The famous ocean explorer Bob Ballard has described as ''a major problem . . . the disconnect between the importance of oceans and the meager funds we as a nation invest to not only understand their complexity, but become responsible stewards of the bounty they represent.''

This endowment—if we can get it over the remaining legislative hurdles and get it funded—will help us become more responsible stewards of that bounty. It will help us better respond to oilspills, it will help coastal States protect or relocate coastal infrastructure, and it will help our fisheries and marine industries take part in economically important conservation efforts.

I sincerely appreciate the support shown for this amendment by colleagues from every region of the country and both sides of the aisle. Protecting the oceans upon which our communities and our economy depend is neither a Democratic nor a Republican objective, and there ought to be a great deal of agreement on the need to meet these challenges.

We also see that agreement in the bipartisan Senate Oceans Caucus, which works to increase awareness of and find common ground on issues facing the oceans and coasts.

My fellow cochair Senator MURKOWSKI, honorary cochair Senator MARK BEGICH, Senator Mark Wicker, and all of our partners are working to stop illegal, unregulated, and unreported fishing. We are working to clean up marine debris and collect baseline scientific data so we can make policy-informed decisions. This is important work. It demonstrates the good both parties can accomplish when we come together. I look forward to getting it done, but it is not enough. Until we address what is causing our oceans to change so drastically, until we protect our planet from carbon pollution unprecedented in human history, we are doing little more than putting Band-Aids on a gaping and growing wound.

I want to push back on the idea that so many of us seem to have accepted, that we cannot do anything serious on carbon pollution. In fact, we can. The tools to do it lie right around us, if only we would pick them up and go to work.

Very simply, here is my case: Pricing carbon is necessary. Make big carbon polluters pay a fee to the American people to cover the cost of dumping their waste into our atmosphere and oceans—a cost they now push off on to the rest of us—and return that fee to the American people.

At present, however, political conditions in Congress do not allow us to price carbon. It is necessary. Political conditions do not allow us to do it, so we must change those political conditions.

Changing the political conditions will require three actions: No. 1, there has to be a regulatory threat to the polluters. No. 2, there must be a political threat to the deniers here in the Senate and in Congress. No. 3, those of us who wish to limit carbon pollution must gather the armies that are on our side.

Let me go through those steps. First, as long as the polluters and their allies control Congress, legislative action is unlikely. That means we have to rely on the executive branch for regulatory action—very strong regulatory action that will change the equation for the polluters. That is the test. Will it change the equation for the polluters?

The status quo is a win for the polluters. They pollute for free. Change that balance, and it will not take them long to come to Congress. Why? Because regulatory action puts costs directly on the polluters but creates no revenues for them. A carbon pollution fee, now that creates revenues. A portion of that could offset their costs of transitioning to a green economy.

If that is the choice they have—regulation with no revenues or a fee they can get revenues from—it becomes in their interest to strike a deal in Congress. This regulatory step in the executive branch will, however, require an awakening at the White House.

Second, to create a meaningful political threat, the advocates out there for our climate and our oceans will need to employ all of the sophisticated political tools the polluters use—all the political artillery of the post-Citizens United world.

There is an expression that you should not bring a knife to a gunfight. Right now climate advocates bring not even a knife but a feather to this gunfight. It is no wonder we lose. When deniers in Congress see real artillery coming on the political field against them, some will rethink.

Third, and last, is gathering the armies. There is astonishingly wide support for action on climate. Obviously environmental groups support this, as

well as the green energy and investment industry, our national security officials, property casualty insurers and reinsurers, young people—such as the growing college movement for coal divestment—faith groups, many utilities, celebrities, hunting, fishing, outdoor, conservation groups, retailers, such as Apple, Coca-Cola and Nike, labor groups, mayors, local officials, and the public. The public is with us, and the polls show that.

The problem: Most of this support is latent and unorganized. None of these groups feel they can carry this battle on their own; yet if they choose to unite, create an allied command, assemble these various divisions and join in on a strategy that deploys them all effectively into action, that latent strength becomes potent strength, and that is a game changer.

When the polluting industry is looking down the barrel of a regulatory gun, when their political allies are fearful of a strongly backed political operation—backed also by the American people—when mobilized and motivated forces from a wide swath of the economy and multiple sectors are all active, the political landscape then shifts dramatically and a price on carbon is achievable.

I propose to the American people, to those who believe it is time to wake up and take action, to fend off devastating changes to our oceans and our climate: Let us be not faint of heart. Let us have the strength of our convictions and get to work and get this done. We can do it. The tools to do it already lie all around us. This can all take place quite rapidly. Let's get it done.

I yield the floor.

RECOGNIZING THE WHAYNE SUPPLY COMPANY

Mr. McCONNELL. Mr. President, I rise today to congratulate the Whayne Supply Company, a leader in Kentucky businesses and one of the Nation's oldest and largest Caterpillar dealerships, for reaching the milestone of 100 years in operation. That is a full century of serving the needs of Kentucky's construction, mining, agriculture, and industrial markets; a full century of employing Kentuckians; and a full century of expanding opportunity across the Commonwealth.

Whayne Supply Company was founded in 1913 by Mr. Roy C. Whayne, Sr. At the time of the firm's founding, he was its sole employee, and the business consisted of selling light engines, pumps, wheelbarrows, and bicycles. In 1925, the company began its long and continued association with Caterpillar, one of the world's largest manufacturers of construction and mining equipment. Today Whayne is also the dealer for Thomas Built Buses, Challenger, Lexion, Trail King, Mirenco, Sullair, Allmand, and other lines of construction, industrial, mining, paving, and agricultural equipment.

Today Whayne is consistently ranked as one of the country's top Caterpillar dealerships. It also provides customers with an extensive parts inventory and broad service capabilities. Whayne Supply Company is currently owned by Monty Boyd, who became president of Whayne Supply in 2005 after working for the company in various roles for 25 years. Under Mr. Boyd's leadership, Whayne has grown to employ over 1,300 people and operate 15 facilities across Kentucky and southern Indiana.

Whayne's home office is in Louisville, and it operates other branches in Ashland, Bowling Green, Corbin, Dry Ridge, Elizabethtown, Hazard, Hopkinsville, Lexington, Owensboro, Paducah, Pikeville, and Somerset, as well as in Evansville, Indiana, and Jeffersonville, IN.

The Whayne Supply Company intends to mark its 100th anniversary throughout 2013 by recognizing its employees and customers and holding a series of community service projects. With the company's ties to all regions of the State, I am sure many Kentuckians will have occasion to note this anniversary and reflect on Whayne Supply's century of service.

Mr. President, I know my colleagues in the Senate join me in commending the Whayne Supply Company for 100 years of operations and saluting them for their commitment to the people of Kentucky.

WORLD WAR II VETERANS VISIT

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday: 85 World War II veterans from Montana will take part in the fourth Big Sky Honor Flight and come to Washington, DC, to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight Program. The mission is to recognize American veterans for their sacrifices and achievements by flying them to Washington, DC, to see their memorials at no cost. The program, which has already flown more than 250 Montana veterans to visit the memorials, is generously funded by businesses, student groups, and folks all across Montana.

These veterans come from all parts of our great State, and while they are in Washington, they will see the WWII Memorial and other monuments and enjoy a banquet honoring their service to the country.

This is a special 2 days for this group of heroes, but it is also a time to give thanks for courage and sacrifice of all our veterans and service members. It is a time to reflect on the sacrifices made by those who fought on the frontlines in Europe and the Pacific, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's Capital this weekend. I ask unanimous consent that the following names be printed in the RECORD.

There being no objection, the material was printed in the RECORD, as follows:

Douglas M Alexander, Woodrow W Archer, Ralph W Arnold, Tim M Babcock, Peter E Bakken, Norman F Balko, Burl E Baty, Henry F Beckman, Harold M Brown, Charles L Bullis, Lester E Crouse, Stuart Ellison, Frederick L Ernst, Thomas E Francis, Merle M Green, Francis W Grove.

Harry P Hayden, Bernard J Heetderks, Paul L Hickman, Joseph Hucke, Maurice C Knutson, John C Kindelman, Leonard E Kuffel, Donald M Lilienthal, Harry M Merlak, John L Mulford, Antone F O'Dea, Lewis A Paschke, Billy M Paul, Oscar S Peterson, Charles F Petranek, Hardy J Pugliano, Charles F Romee, Raymond R Rumfelt, Paul T Ringling.

Dorothy K Roeder, Lester T Rutledge, Frank J Schledorn, William K Schultz, Maurice W Shoemaker, Duane Steinke, Robert L Stewart, Ralph W Stodden, John W Todd, Lawrence F Thomas, Kenneth Torgrimson, John D Walsh, Roman T Wuertz, George J Wright, Mike N Steiner, Harry H Knodel, Audrey Manuel.

Stanley R Kniepkamp, Leo F Staat, Frank P Scotten, Dean H Elliott, Joseph H Cook, Donald F David, Robert L Tillery, Bishop S Everingham, Oliver R Germann, Paul Hafner, Robert Barnhart, Leonard E Gissler, Thomas W Huff, Leo H Drain, Rolland Karlin, Doris A Adolph, Alfred J Adolph, Vernon L Phillips.

Colin F Glasgow, Leroy Bourque, John P Dillon, Bryon N Manley, Sebastian Messer, Raymond A Grossman, Ben J Raisland, Robert J O'Connell, Alfred J Falcon, Vernon E Locke, George Schuyler, Robert Kovash, Donald R Anderson, Robert G Orlando, Earl K Warne.

Mr. TOOMEY. Mr. President, as a proud co-sponsor of S. Res. 140, I was delighted by the Senate's unanimous passage this week of legislation commemorating the dedication and sacrifice made by Federal, State and local law enforcement officers who have been killed or injured in the line of duty.

As our Nation celebrates National Police Week, I wish to honor five heroes who gave their lives in service to the people of the Commonwealth of Pennsylvania in 2012. Like 120 other law enforcement officers across the U.S., they died in the line of duty, joining the ranks of the 21,465 officers who have similarly given their lives since 1791.

This week we honor Trooper First Class Blake T. Coble, Police Officer Bradley Michael Fox, Police Officer Moses Walker Jr., Police Officer Brian J. Lorenzo and Patrolman Avery Freeman. Additionally we honor their families who must bear the profound absence of their loved ones.

On behalf of all Pennsylvanians I extend my condolences to the families and friends of these heroes. We mourn the loss of these remarkable men and women who represented the best of their communities and whose memory will serve as an inspiration for future generations.

RECOGNIZING LAW ENFORCEMENT OFFICERS

Mr. BOOZMAN. Mr. President, in Arkansas, our law enforcement history runs deep. Take my hometown of Fort Smith, for example, where the U.S. Marshals Service played an integral part in shaping the city's unique role in our country's westward expansion. Many people in the area today find their family roots trace back to a U.S. Marshal.

From an early age we were taught about Judge Isaac Parker's efforts to bring order to Indian Territory, and great lawmen such as Deputy U.S. Marshal Bass Reeves helped lay the foundation that highlighted Fort Smith's chapter in the history of the U.S. Marshals Service. We have a lot to be thankful for as we honor these brave men and women as part of National Police Week.

May 15 marks Peace Officers Memorial Day. Each May during National Police Week we honor the men and women who died in the line of duty by adding their names to the National Law Enforcement Officers Memorial.

This year 321 names will be added to the memorial including Arkansas Department of Correction SGT Barbara Ester, who died in January 2012, and former Johnson County Sheriff John Hall Powers who was shot and killed while trying to stop a bank robbery in 1902.

The tradition of courageous public service is carried on today by the men and women who keep communities across the country safe 24 hours a day. They truly are on the front lines, walking some of the toughest beats in America, and keeping our streets safe.

More brave men and women opt to follow their lead in a career in law enforcement every day. I recently had the honor of handing out diplomas to graduates of the Black River Technical College Law Enforcement Training Academy in Pocahontas, AR. Graduates of this program follow different tracks in police work such as crime scene investigation, criminal training and police training with hands-on instruction and the currently available resources to allow for the best work possible. The program produced a great group of graduates who are excited to use the skills they learned in the field.

We recognize, not only during this week, but all year long, the devotion of the 900,000 law enforcement officers who put their lives on the line every day to make our communities safer.

Law enforcement faces unique challenges today and we are working to provide the best tools and training to prepare these men and women for unpredictable situations. As our world changes, so do the threats we face. The key to being equipped for these unexpected events is to prepare for these emerging threats. That is why a lot of law enforcement training today focuses on domestic terrorism. Look no further than the Boston Police Department that became the first line of defense against terrorism during the Boston Marathon bombing.

In order to keep our communities safe, we are challenged to develop the newest training techniques and prepare for a wide range of incidents. We have great resources in Arkansas that provide our officers with advanced training.

I thank the law enforcement officers in Arkansas and across the country who dedicate their lives to protecting our children and communities and seek to bring criminals to justice. These heroes come to our rescue when we need help and I am committed to providing them with the tools and the resources they need to fulfill their responsibilities.

EDENTON, NORTH CAROLINA

Mr. BURR. Mr. President, today I wish to pay homage to the beautiful Town of Edenton, NC. I join its citizens, its friends, and city and State leaders in celebrating their historic 300th anniversary. Originally known as the Town on Queen Anne's Creek, Edenton was renamed after the death of the first man appointed by the Crown as ''full'' Governor of North Carolina, Charles Eden, in 1722.

The first Colonial Capital until 1743, Edenton citizens were widely known for their steadfast values and dedication to a free society. Edenton's Penelope Barker was the first woman to organize a political event in the colonies when she gathered women from the region to a petition to King George opposing taxation. The son of Edenton's James Iredell, Sr., was nominated by President George Washington to serve on the first U.S. Supreme Court, and was confirmed the very next day at only 38-years-old. Edentonian Hugh Williamson signed the U.S. Constitution and effectively argued for the inclusion of the Bill of Rights. Edentonians have long been a proud community committed to our Nation's founding principles.

The Chowan County Courthouse in Edenton is not only North Carolina's oldest courthouse, but also the State's oldest government building. It is still in use today. The impressive building, of southern Georgian architecture, was built in 1767 on a plot of land first surveyed in 1712. Today, it is recognized as a National Historic Landmark. One of the signers of the Declaration of Independence, Joseph Hewes, a long-time Edenton resident, was instrumental in making the courthouse a reality.

Thanks to the Town of Edenton, Chowan County, the Edenton Historical Commission, Chowan County Tourism Development Authority and many citizen leaders, the town's treasured historic sites remain healthy and preserved. These treasures not only serve to teach us about our Nation's rich heritage, but they also boost our economy and attract people interested in our Nation's history from around the world. These include the 1767 Courthouse, the Barker House, the Roanoke River Lighthouse, Edenton Cotton Mill, the Cupola House, and the second oldest church building in North Carolina, Saint Paul's Episcopal Church.

Because of the community's tireless efforts to preserve its heritage and promote the arts and culture, I doubt anyone visiting Edenton today would be surprised to learn that it received the distinguished Forbes.com award as one of America's Prettiest Towns.

I am proud to join the entire Edenton community in congratulating them on this historic occasion.

ADDITIONAL STATEMENTS

TRIBUTE TO LIEUTENANT GENERAL MICHAEL BARBERO

• Mr. CASEY. Mr. President, I would like to recognize the service of LTG Michael D. Barbero, the director of the Joint Improvised Explosive Device Defeat Organization, JIEDDO, who will retire from service on May 17, 2013.

Lieutenant General Barbero has honorably served his country for more than three decades. Since graduating from the U.S. Military Academy at West Point in 1976 as an infantry officer, LTG Barbero has commanded troops at every level. He is a veteran of Operation Iraqi Freedom, having served 4 years in Iraq over three separate tours. From 2003–2004, he served as the assistant division commander of the 4th Infantry Division. He next served in Iraq as the deputy chief of staff, Strategic Operations at Multi-National Force-Iraq during ''the surge'' in 2007 and 2008. Immediately prior to his time as director of JIEDDO, he was deployed in Iraq for a final time from 2009–2011. During this deployment, Lieutenant General Barbero was responsible for the training, equipping, and development of all Iraqi security forces and building the ministerial capabilities of both the Ministries of Interior and Defense, while serving simultaneously as the commander of Multi-National Security and Transition Command-Iraq and the commander of the NATO Training Mission-Iraq. Among his many decorations, Lieutenant General Barbero has been awarded the Defense Distinguished Service Medal, the Legion of Merit, and the Bronze Star Medal.

As chairman of the Near Eastern and South Central Asian Affairs Subcommittee of the Senate Foreign Relations Committee, I have worked closely with LTG Barbero in an effort to stem the flow of IED precursor materials from Pakistan into Afghanistan. These homemade explosive, HME, materials pose the biggest threat to our service men and women and are responsible for far too many casualties. Under General Barbero's leadership, JIEDDO has made significant strides in working with various departments, the interagency, the intelligence community, and the Government of Pakistan, to

create a whole-of-government approach to combat these dangers by not only reducing the flow of HME, but also by helping to eliminate the enemy networks that seek to use these materials for the nefarious purposes of harming our troops, attacking civilian populations, and furthering instability.

General Barbero has approached his work with a high degree of transparency, integrity, and focus. Few missions are as important as JIEDDO's in working to defeat the IED as a weapon of strategic influence. Lieutenant General Barbero carried out that mission superbly. No one has done more or worked harder to find ways to counter the threat posed by IEDs. I have especially appreciated his efforts to encourage others across government to do all they can in order to maintain a level of preparedness to deal with this asymmetric threat. Under his leadership, JIEDDO further improved its processes and control measures to make for a more effective and efficient organization that will be a model for other leaders to emulate.

I have gotten to know LTG General Michael Barbero well during his tenure at JIEDDO. He is an inspiring leader, a fine example for his fellow servicemembers, and a fellow Pennsylvanian. I am proud to share in the celebration of Lieutenant General Barbero, his extraordinary leadership of JIEDDO, and his distinguished military service.●

RECOGNIZING KELOLAND TV

● Mr. THUNE. Mr. President, today I wish to recognize KELOLAND TV's 60th anniversary. Opening their doors on May 19, 1953, KELOLAND became South Dakota's first television station. Over the past 60 years, KELOLAND has been a source for critical information and programming to countless South Dakotans.

Providing timely news, weather, and sports across the rural and vast South Dakota plains is no simple task, but through hard work and dedication, KELOLAND has served South Dakota with continuous and critical coverage of all the news of the day. Through challenging times in South Dakota, KELOLAND has been a mainstay for viewers in the region to turn to for up-to-date coverage of the events and happenings in their local communities. In October of 1954, KELOLAND offered its first live programming, which led shortly after to KELOLAND offering the first live sporting event in February of 1957. On March 11, 1955, ''Captain 11'' signed on for the first time. Little did they know that ''Captain 11'' would become the longest continuous running children's program in the world. ''Captain 11'' ran for 42 years before signing off for the last time on December 28, 1996.

In September of 1968, KELOLAND added live color cameras. The year 1997 was very busy for KELOLAND due to the September introduction of the Live Doppler Network, which brought live weather radar pictures to South Dakota homes, and the December launch of Keloland.com, which gave South Dakotans the ability for the first time to check their local news online. In 2011, KELOLAND made two more cutting-edge technology advancements by creating their first mobile phone app, in February, followed by offering full high definition broadcasting in October.

KELOLAND has provided critical information for the State of South Dakota for 60 years; however, its impact on the region and the community it serves does not stop there. In the spring of 1998, a violent tornado tore through the town of Spencer, and in an effort to help rebuild the Spencer community, KELOLAND organized a telethon to assist the victims of the tragedy. The telethon was a success and raised more than $1 million.

KELOLAND's commitment to excellence and to its service to the region has not only been recognized by South Dakotans but also on a national stage. Along with winning 10 regional Emmy Awards, KELOLAND, in August of 2000, was awarded an Emmy for its outstanding public service.

KELOLAND's commitment to service to the State of South Dakota makes it an honor to congratulate them on their 60th anniversary of broadcasts and wish them another 60 years of success.●

REMEMBERING AL NEUHARTH

● Mr. THUNE. Mr. President, I wish today to honor the life and accomplishments of Al Neuharth.

Al Neuharth was born in Eureka, SD, on March 22, 1924, where he spent his childhood years. Al's passion for journalism was evident at a very young age when at 11 he began his first job working as a newspaper carrier in his hometown. In high school, Al began writing for his school newspaper and later became editor.

Soon after his graduation, Neuharth enlisted in the Army. Al honorably served his country during World War II in the 86th Infantry Division, under General Patton's 3rd Army. During his time in the service, Neuharth was awarded the Bronze Star and the Combat Infantryman's Badge for his bravery.

After the war, Neuharth moved back to South Dakota, where he enrolled at the University of South Dakota. In 1950, he graduated with a degree in Journalism and upon graduation began working at the Associated Press in Sioux Falls, launching a historic career.

In 1953, Neuharth moved to Florida to work for the Miami Herald. After spending several years at the Herald, in 1960 Neuharth left to work at the Detroit Free Press. In 1966, Neuharth launched a new paper called ''Today,'' which would later become ''Florida Today'' and eventually grow into the USA TODAY which was published for the first time on September 15, 1982. The USA TODAY would grow rapidly throughout the country and in 2001 was the most widely read paper in the country.

Neuharth's career also included becoming the chairman and CEO of Gannett Co., Inc., where he oversaw a drastic expansion of the company's holdings. In 1991, Neuharth founded Freedom Forum, a nonpartisan international foundation dedicated to free press, free speech, and free spirit to all people. Freedom Forum funds and operates the Newseum, a museum dedicated to the history and impact of journalism. In 1999, Neuharth was honored for his lifetime achievements by the National Press Foundation with the Distinguished Contributions to Journalism Award.

Al Neuharth passed away on April 19, 2013, at Cocoa Beach, FL, at the age of 89. He will be forever remembered for his impact on journalism and will always be one of South Dakota's favorite sons.●

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 which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 356. An act to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''.

H.R. 384. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes.

H.R. 573. An act to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

H.R. 701. An act 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. 767. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 356. An act to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes''; to the Committee on Energy and Natural Resources.

H.R. 384. An act to transfer the position of Special Assistant for Veterans Affairs in the Department of Housing and Urban Development to the Office of the Secretary, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 573. An act to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa; to the Committee on Energy and Natural Resources.

H.R. 701. An act to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 767. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1527. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X–Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients'' (Docket No. FDA–2012–F–0178) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1528. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Admiral James G. Stavridis, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC–1529. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; System for Award Management Name Changes, Phase 1 Implementation'' ((RIN0750–AH87) (DFARS Case 2012–D053)) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Armed Services.

EC–1530. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, an annual report relative to recruitment incentives; to the Committee on Armed Services.

EC–1531. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; to the Committee on Banking, Housing, and Urban Affairs.

EC–1532. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Executive Compensation'' (RIN2590–AA12) received in the Office of the President of the Senate on May 13, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1533. A communication from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting, pursuant to law, the Bank's 2012 Management Report and statement of the system of internal control; to the Committee on Banking, Housing, and Urban Affairs.

EC–1534. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting, pursuant to law, the Bank's 2012 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–1535. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Reducing Flight Delays Act of 2013; to the Committee on the Budget.

EC–1536. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-to-Vessel Shell Welds and Nozzle Blend Radii'' received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1537. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio; Canton-Massillon 1997 8-Hour Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets'' (FRL No. 9812–2) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1538. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Sulfur Dioxide and Nitrogen Dioxide Ambient Air Quality Standards'' (FRL No. 9811–6) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1539. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend'' (FRL No. 9811–7) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1540. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Lake and Porter Counties, Indiana, 1997 8-Hour Ozone Maintenance Plan and 1997 Annual Fine Particulate Matter Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets'' (FRL No. 9812–4) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1541. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; State Implementation Plan Miscellaneous Revisions'' (FRL No. 9813–5) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1542. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revocation of TSCA Section 4 Testing Requirements for One High Production Volume Chemical Substance'' (FRL No. 9369–1) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Environment and Public Works.

EC–1543. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–23) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Finance.

EC–1544. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Proportional Method for OID on Pools of Credit Card Receivables'' (Rev. Proc. 2013–26) received during adjournment of the Senate in the Office of the President of the Senate on May 10, 2013; to the Committee on Finance.

EC–1545. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''William D. Ford Federal Direct Loan Program'' (RIN1840–AD13) received in the Office of the President of the Senate on May 14, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1546. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2012 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC–1547. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, reports entitled ''The 2012 National Healthcare Quality Report'' and ''The 2012 National Healthcare Disparities Report''; to the Committee on Health, Education, Labor, and Pensions.

EC–1548. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled ''U.S. Department of Education Fiscal Year 2012 Annual Performance Report and Fiscal Year 2014 Annual Performance Plan''; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 607, a bill to improve the provisions relating to the privacy

of electronic communications (Rept. No. 113–34).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. BOXER for the Committee on Environment and Public Works.

*Regina McCarthy, of Massachusetts, to be Administrator of the Environmental Protection Agency.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Thomas Edward Perez, of Maryland, to be Secretary of Labor.

By Mr. LEAHY for the Committee on the Judiciary.

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.

Jennifer A. Dorsey, of Nevada, to be United States District Judge for the District of Nevada.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND (for herself, Mrs. BOXER, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BEGICH, Ms. MIKULSKI, Mr. FRANKEN, Mr. COONS, Ms. HIRONO, Mr. JOHANNS, Mrs. SHAHEEN, Mr. PRYOR, Mr. SCHATZ, Mr. ROCKEFELLER, Mr. GRASSLEY, and Mrs. FEINSTEIN):

S. 967. A bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself, Mr. PAUL, Ms. COLLINS, Mr. BEGICH, Mrs. BOXER, Mr. BROWN, Mrs. GILLIBRAND, Mr. LEAHY, Mr. NELSON, Mr. REED, Mr. SANDERS, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. KING):

S. 968. A bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN:

S. 969. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 970. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Act; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Mr. CRAPO, Mr. BAUCUS, and Mr. RISCH):

S. 971. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

By Mr. COBURN (for himself, Mr. BARRASSO, Mr. BOOZMAN, and Mr. PAUL):

S. 972. A bill to prohibit the Secretary of Health and Human Services replacing ICD–9 with ICD–10 in implementing the HIPAA code set standards; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico:

S. 973. A bill to improve the integrity and safety of interstate horseracing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself and Mr. HELLER):

S. 974. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. CORNYN):

S. 975. A bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009; to the Committee on the Judiciary.

By Mr. UDALL of Colorado:

S. 976. A bill to provide for education of potential military recruits on healthy body weight and to facilitate and encourage exercise in potential military recruits, and for other purposes; to the Committee on Armed Services.

By Mr. CORKER (for himself and Mr. MANCHIN):

S. 977. A bill to amend the Clean Air Act to provide that a downward adjustment of the volume of cellulosic biofuel results in a pro rata reduction of the volume of renewable fuel and advanced biofuels required under the Renewable Fuel Standard; to the Committee on Environment and Public Works.

By Mr. LEE:

S. 978. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself and Mr. UDALL of New Mexico):

S. 979. A bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CARDIN, Mr. KAINE, Mrs. BOXER, Mr. MURPHY, and Mrs. FEINSTEIN):

S. 980. A bill to provide for enhanced embassy security, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, and Mr. LAUTENBERG):

S. 981. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ALEXANDER (for himself, Mr. MCCONNELL, Mr. PAUL, and Mr. CORKER):

S. 982. A bill to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes; considered and passed.

By Mr. CORNYN:

S. 983. A bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Finance.

By Mr. TOOMEY:

S. 984. A bill to prohibit the use of funds for United States participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Egypt-Israel peace treaty; to the Committee on Armed Services.

By Mr. HARKIN:

S. 985. A bill to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called ''Glass-Steagall Act'', and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin):

S. 986. A bill to prohibit performance awards in the Senior Executive Service during sequestration periods; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself and Mr. GRAHAM):

S. 987. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Mr. RUBIO):

S. Res. 143. A resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. DURBIN, Mr. BOOZMAN, and Mr. ISAKSON):

S. Res. 144. A resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Mr. SCHATZ):

S. Res. 145. A resolution promoting minority health awareness and supporting the goals and ideals of National Minority Health Month in April 2013 to bring attention to the health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SESSIONS, Ms. KLOBUCHAR, Mr. COONS, Ms. HEITKAMP, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. HATCH, Mr. BURR, and Mr. MENENDEZ):

S. Res. 146. A resolution designating the week of May 12 through May 18, 2013, as ''National Police Week''; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mr. BEGICH, Mrs. MURRAY, Mr. KAINE, Mr. LEVIN, Mr. WYDEN, Mr. CARDIN, Mr. JOHNSON of South

Dakota, Mr. BLUNT, Mr. HOEVEN, and Mr. NELSON):

S. Res. 147. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system; considered and agreed to.

By Mr. UDALL of Colorado (for himself, Mr. PORTMAN, and Mr. WYDEN):

S. Res. 148. A resolution designating May 18, 2013, as ''National Kids to Parks Day''; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. DURBIN):

S. Con. Res. 16. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass; considered and agreed to.

ADDITIONAL COSPONSORS

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 204

At the request of Mr. PAUL, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Indiana (Mr. DONNELLY) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 360

At the request of Mr. UDALL of New Mexico, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 381

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) 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. 466

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 466, a bill to assist low-income individuals in obtaining recommended dental care.

S. 541

At the request of Ms. LANDRIEU, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from California (Mrs. BOXER) 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. 545

At the request of Ms. MURKOWSKI, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 545, a bill to improve hydropower, and for other purposes.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV–00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 603

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 650

At the request of Ms. LANDRIEU, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 669

At the request of Mr. PRYOR, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 695

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 701

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) 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. 789

At the request of Mr. BAUCUS, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Arkansas (Mr. PRYOR) 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. 813

At the request of Mr. LAUTENBERG, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Ms. HIRONO), the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Mr. SCHATZ), the Senator from Vermont (Mr. SANDERS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors 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.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 815, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 850

At the request of Mr. ALEXANDER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 850, a bill to prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment sine die of the first session of the 113th Congress.

S. 854

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 854, a bill to improve student academic achievement in science, technology, engineering, and mathematics subjects.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the names of the Senator from Nebraska (Mr. JOHANNS), the Senator from Maine (Mr. KING), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 892

At the request of Mr. KIRK, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 897

At the request of Ms. WARREN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 931

At the request of Mr. BLUNT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 931, a bill to amend the Public Health Service Act to raise awareness of, and to educate breast cancer patients anticipating surgery, especially patients who are members of racial and ethnic minority groups, regarding the availability and coverage of breast reconstruction, prostheses, and other options.

S. 942

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 953

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 955

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 955, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 959

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 959, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs.

S. 962

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. CON. RES. 15

At the request of Mr. HARKIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 133

At the request of Mr. LEE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Mississippi (Mr. WICKER), the Senator from Arizona (Mr. MCCAIN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Res. 133, a resolution expressing the sense of the Senate that Congress and the States should investigate and correct abusive, unsanitary, and illegal abortion practices.

S. RES. 139

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 139, a resolution celebrating the 20th anniversary of the Family and Medical Leave Act of 1993.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN:

S. 969. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today, in honor of the 20th anniversary of International Migratory Bird Day on May 11, I am introducing the Neotropical Migratory Bird Conservation Act. More than half of the bird species found in the U.S. migrate across our borders

and many of these spend our winter in Central and South America. This bill promotes international cooperation for long-term conservation, education, research, monitoring, and habitat protection for more than 350 species of neotropical migratory birds. Through its successful competitive, matching grant program, the U.S. Fish and Wildlife Service supports public-private partnerships in countries mostly in Latin America and the Caribbean. Up to one quarter of the funds may be awarded for domestic projects.

This legislation aims to sustain healthy populations of migratory birds that are not only beautiful to look at but help our farmers by consuming billions of harmful insect and rodent pests each year, providing pollination services, and dispersing seeds. Migratory birds face threats from pesticide pollution, deforestation, sprawl, and invasive species that degrade their habitats in addition to the natural risks of their extended flights. Birds are excellent indicators of the health of an ecosystem. As such, it is troubling that, according to the National Audubon Society, half of all coastally migrating shorebirds, like the Common Tern and Piping Plover, are experiencing dramatic population declines.

The Baltimore Oriole, the State bird of Maryland and one whose song brightens all of the Northeastern U.S., has steadily declined in population despite being protected by Federal law under the Migratory Bird Treaty Act of 1918 and the state of Maryland's Nongame and Endangered Species Conservation Act. Likewise, the iconic Red Knot bird, whose legendary 9,000 mile migration centers on a stopover in the Mid-Atlantic states, is decreasing in population quickly. Threats to these beloved Maryland birds are mainly due to habitat destruction and deforestation, particularly in the Central and South American countries where the birds winter. In addition, international use of toxic pesticides ingested by insects, which are then eaten by the birds, has significantly contributed to this decline. Conservation efforts in our country are essential, but investment in programs throughout the migratory route of these and countless other migratory birds is critical. This legislation accomplishes this goal.

The Neotropical Migratory Bird Conservation Act has a proven track record of reversing habitat loss and advancing conservation strategies for the broad range of neotropical birds that populate the United States and the rest of the Western hemisphere. To date, the U.S. Fish and Wildlife Service has administered these grants to support 422 projects in more than 35 countries. The $46.5 million that this program has provided in grants has leveraged $178.5 million from partners, almost four additional dollars for every one spent. More than 3.25 million acres of quality bird habitat have benefitted. In addition, birding is among the wildlife watching activities that generate jobs and income, approximately $2.7 billion annually, for the U.S. economy.

This legislation is cost-effective, budget-friendly, and has been a highly successful federal program. This simple reauthorization bill will make sure that this good work continues.

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. 969

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

SECTION 1. REAUTHORIZATION OF NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

"SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act such sums as are necessary for each of fiscal years 2014 through 2019.

''(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.''.

By Mr. CARDIN (for himself and Mr. BOOZMAN):

S. 970. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Act; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am introducing the Water Resources Research Amendments Act. First authorized in 1964, the Water Resources Research Act established 54 Water Resources Research Institutes at top land grant universities in each of the 50 States and the U.S. territories. These institutes created a grant program and provided opportunities for applied water supply research. The bill I introduce today would reauthorize the grant program for the next 5 years and would add a program focused on research and development of green infrastructure.

Water and the availability thereof is a defining characteristic of U.S. landscape, culture, wealth, and security. Clean water is a relatively rare and invaluable resource. Last year's funded projects included research into the impacts of climate change on water supply lakes, the development of better detection methods for pathogens in drinking water, and the impacts of drought on farm supply chains. In my own State, some of the tools we use for restoration of the Chesapeake Bay were products of these same grants in previous years. WRRA Researchers across the Mid-Atlantic States have developed ways to keep the Chesapeake waters cleaner through urban stormwater treatment, improved roadway design, and eco-friendly poultry farming practices. WRRA-funded projects develop innovative and cost-effective solutions for similar water resources issues across the country. Undoubtedly, funding WRRA is an intelligent and necessary investment in the future of our water resources.

WRRA authorizes two types of annual grants. First, it supplies grants to each Water Resources Research Institute for research that fosters improvements in water supply reliability, explores new ways to address water problems, encourages dissemination of research to water managers and the public, and encourages the entry of new scientists, engineers and technicians into the water resources field. Second, WRRA authorizes a national competitive grant program to address regional water issues. All WRRA grants leverage non-federal dollars at a minimum ratio of 2 to 1, but often far beyond that level, as high as 5 to 1.

The Water Resources Research Act was most recently reauthorized in 2006, in PL 109–471. In that period, the program was authorized at $12,000,000 per year, providing $6,000,000 each to state and competitive project grants. Authorization for these grants expired in fiscal year 2011. Today's bill would reauthorize both grant programs for an additional 5 years by providing $7,500,000 for institutional grants and $1,500,000 for national competitive grants. This lower authorization level reflects our efforts to adjust for present fiscal limitations. The proposed authorization maximizes the economic efficiency of the program without compromising its efficacy. An independent review panel has judged that the Water Resources Research Institutes command significant funding leverage for the modest amount of appropriations required to support it. Thus, we can be sure that we are supporting top-notch science while maximizing cost-effectiveness. Moreover, by funding this network of institutes we are investing in our future. The Water Resources Research Institutes are the country's single largest training program for water scientists, technicians, and engineers.

Today, floods, droughts, and water degradation issues pervade the nation. Simultaneously, water resources are increasingly critical for production of resources, economic stability, and the health and well-being of the citizenry. WRRA grants provide us with improved understanding of water-related issues and better technology to address them. Nearly half a century after the Water Resources Research grant program was first put in place, this program is relevant, critical, and deserving of our support.

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. 970

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 ''Water Resources Research Amendments Act of 2013''.

SEC. 2. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

(3) by inserting after paragraph (6) the following:

''(7) additional research is required into increasing the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) water use efficiency; and

''(D) actions to reduce energy consumption or extract energy from wastewater;''.

(b) CLARIFICATION OF RESEARCH ACTIVITIES.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended—

(1) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''.

(c) COMPLIANCE REPORT.—Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended—

(1) by striking ''From the'' and inserting ''(1) IN GENERAL.—From the''; and

(2) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.''.

(d) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2013 through 2018''.

(f) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended by striking ''$6,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2013 through 2018''.

By Mr. WYDEN (for himself, Mr. CRAPO, Mr. BAUCUS, and Mr. RISCH):

S. 971. A bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements; to the Committee on Environment and Public Works.

Mr. WYDEN. Mr. President, today I rise to reintroduce the Silviculture Regulatory Consistency Act with my colleague Senator CRAPO. This legislation would end the legal uncertainty facing the timber industry by enacting legislation to preserve the Environmental Protection Agency's 37-year old policy treating forest roads as nonpoint sources under the Clean Water Act.

For 37 years, the EPA has maintained that forest roads are non-point sources. Furthermore, in March of this year, the U.S. Supreme Court overturned the Ninth Circuit Court of Appeals' ruling on forest roads, upholding EPA's authority to regulate forest roads as nonpoint sources under the Clean Water Act. Various studies show that if the EPA were to change their decades-long position and require Federal, State, county, tribal and private forest road owners to obtain a point source permit, the cost could reach billions of dollars and cost thousands of jobs. The Pacific Northwest needs more jobs in the woods. The way to do that is to get the timber cut up and to stop litigating questions that have already been answered.

In the 112th Congress, Senator CRAPO and I introduced similar legislation on forest roads. The legislation we introduce today is different in only two respects. First, the bill includes new language to prevent forest roads from being otherwise regulated by the EPA. This language is needed because in its March 2013 decision, the U.S. Supreme Court upheld the EPA's authority to regulate forest roads as non-point sources, and therefore not require mandatory point source permits; however, it did not address the Ninth Circuit's previous ruling that forest roads are point sources. As a result, the EPA must respond to the Court's ruling that the EPA use its discretionary authority to determine whether or not to regulate forest roads as point sources. This will inevitably result in further litigation over permits for forest roads.

Second, the bill we introduce today includes the language adopted last year by the House Transportation and Infrastructure Committee to clarify the list of forest activities the EPA will not regulate as point sources. The Committee favorable reported the bill with this addition.

Let me be clear. This legislation upholds an existing EPA regulation. Furthermore, this legislation does not weaken the Clean Water Act. The Clean Water Act remains in the same force as it has since it was enacted in 1972.

The introduction of this bill begins the legislative process. There will be an opportunity for hearings, testimony provided by witnesses and Federal agencies, and public dialogue on this bill. It is my hope that this legislation will provide the certainty that the timber industry needs to increase jobs in the woods, get the timber cut up, and put an end to litigating the question of whether or not EPA has the authority to regulate forest roads as non-point sources.

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. 971

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 ''Silviculture Regulatory Consistency Act''.

SEC. 2. SILVICULTURAL ACTIVITIES.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

''(3) SILVICULTURAL ACTIVITIES.—

''(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES.—The Administrator shall not require a permit or otherwise promulgate regulations under this section or directly or indirectly require any State to require a permit under this section for a discharge of stormwater runoff resulting from the conduct of the following silvicultural activities: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, and road use, construction, and maintenance.

''(B) PERMITS FOR DREDGED OR FILL MATERIAL.—Nothing in this paragraph exempts a silvicultural activity resulting in the discharge of dredged or fill material from any permitting requirement under section 404.''.

By Mr. REID (for himself and Mr. HELLER):

S. 974. A bill to provide for certain land conveyances in the State of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 974

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Las Vegas Valley Public Land and Tule Springs Fossil Beds National Monument Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Tule Springs Fossil Beds National Monument.
Sec. 3. Addition of land to Red Rock Canyon National Conservation Area.
Sec. 4. Conveyance of Bureau of Land Management land to North Las Vegas.
Sec. 5. Conveyance of Bureau of Land Management land to Las Vegas.
Sec. 6. Expansion of conveyance to Las Vegas Metropolitan Police Department.
Sec. 7. Spring Mountains National Recreation Area withdrawal.
Sec. 8. Southern Nevada Public Land Management Act of 1998 amendments.
Sec. 9. Conveyance of land to the Nevada System of Higher Education.
Sec. 10. Land conveyance for Southern Nevada Supplemental Airport.
Sec. 11. Sunrise Mountain Instant Study Area release.
Sec. 12. Nellis Dunes Off-Highway Vehicle Recreation Area.
Sec. 13. Conveyance of land for Nellis Air Force Base.
Sec. 14. Military overflights.

SEC. 2. TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT.

(a) FINDINGS.—Congress finds that—

(1) since 1933, the Upper Las Vegas Wash has been valued by scientists because of the significant paleontological resources demonstrative of the Pleistocene Epoch that are located in the area;

(2) in 2004, during the preparation of the Las Vegas Valley Disposal Boundary Final Environmental Impact Statement, the Bureau of Land Management identified sensitive biological, cultural, and paleontological resources determined to be worthy of more evaluation with respect to the protective status of the resources;

(3) the Upper Las Vegas Wash contains thousands of paleontological resources from the Pleistocene Epoch that are preserved in a unique geological context that are of national importance, including Columbian mammoth, ground sloth, American lion, camels, and horse fossils;

(4) in addition to Joshua trees and several species of cacti, the Las Vegas buckwheat, Merriam's bearpoppy, and the Las Vegas bearpoppy are 3 unique and imperiled plants that are supported in the harsh desert environment of Tule Springs;

(5) the area provides important habitat for threatened desert tortoise, endemic poppy bees, kit foxes, burrowing owls, LeConte's thrasher, phainopepla, and a variety of reptiles;

(6) in studies of the area conducted during the last decade, the Bureau of Land Management and National Park Service determined that the area likely contains the longest continuous section of Pleistocene strata in the desert southwest, which span multiple important global climate cooling and warming episodes;

(7) the Upper Las Vegas Wash is significant to the culture and history of the native and indigenous people of the area, including the Southern Paiute Tribe;

(8) despite the findings of the studies and recommendations for further assessment of the resources for appropriate methods of protection—

(A) the area remains inadequately protected; and

(B) many irreplaceable fossil specimens in the area have been lost to vandalism or theft; and

(9) designation of the Upper Las Vegas Wash site as a National Monument would protect the unique fossil resources of the area and the geological context of those resources for present and future generations while allowing for public education and continued scientific research opportunities.

(b) DEFINITIONS.—In this section:

(1) COUNCIL.—The term ''Council'' means the Tule Springs Fossil Beds National Monument Advisory Council established by subsection (g)(1).

(2) COUNTY.—The term ''County'' means Clark County, Nevada.

(3) LOCAL GOVERNMENT.—The term ''local government'' means the City of Las Vegas, City of North Las Vegas, or the County.

(4) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Monument developed under subsection (d)(5).

(5) MAP.—The term ''Map'' means the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013.

(6) MONUMENT.—The term ''Monument'' means the Tule Springs Fossil Beds National Monument established by subsection (c)(1).

(7) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(8) PUBLIC WATER AGENCY.—The term ''public water agency'' means a regional wholesale water provider that is engaged in the acquisition of water on behalf of, or the delivery of water to, water purveyors who are member agencies of the public water agency.

(9) QUALIFIED ELECTRIC UTILITY.—The term ''qualified electric utility'' means any public or private utility determined by the Secretary to be technically and financially capable of developing the transmission line.

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

(11) STATE.—The term ''State'' means the State of Nevada.

(c) ESTABLISHMENT.—

(1) IN GENERAL.—In order to conserve, protect, interpret, and enhance for the benefit of present and future generations the unique and nationally important paleontological, scientific, educational, and recreational resources and values of the land described in this subsection, there is established in the State, subject to valid existing rights, the Tule Springs Fossil Beds National Monument.

(2) BOUNDARIES.—The Monument shall consist of approximately 22,650 acres of public land in the County within the boundaries generally depicted on the Map.

(3) MAP; LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare an official map and legal description of the boundaries of the Monument.

(B) LEGAL EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical or typographical errors in the legal description or the map.

(C) AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the National Park Service.

(4) ACQUISITION OF LAND.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may acquire land or interests in land within or adjacent to the boundaries of the Monument by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency.

(B) LIMITATION.—Land or interests in land that are owned by the State or a political subdivision of the State may be acquired under subparagraph (A) only by donation or exchange.

(5) WITHDRAWALS.—Subject to valid existing rights and subsections (e) and (f), any land within the Monument or any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this Act is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(6) RELATIONSHIP TO CLARK COUNTY MULTI-SPECIES HABITAT CONSERVATION PLAN.—

(A) AMENDMENT TO PLAN.—The Secretary shall credit, on an acre-for-acre basis, approximately 22,650 acres of the land conserved for the Monument under this Act toward the development of additional non-Federal land within the County through an amendment to the Clark County Multi-Species Habitat Conservation Plan.

(B) EFFECT ON PLAN.—Nothing in this Act otherwise limits, alters, modifies, or amends the Clark County Multi-Species Habitat Conservation Plan.

(d) ADMINISTRATION.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the approximately 22,650 acres of public land depicted on the Map as ''Tule Springs Fossil Bed National Monument'' is transferred from the Bureau of Land Management to the National Park Service.

(2) MANAGEMENT.—The Secretary shall—

(A) allow only such uses of the Monument that—

(i) are consistent with this section;

(ii) the Secretary determines would further the purposes of the Monument; and

(iii) are consistent with existing rights of previously authorized water facility and high voltage transmission facility rights-of-way and any rights-of-way issued under this Act, including the operation, maintenance, replacement, and repair and repair of the facility; and

(B) manage the Monument—

(i) in a manner that conserves, protects, interprets, and enhances the resources and values of the Monument; and

(ii) in accordance with—

(I) this section;

(II) the provisions of laws generally applicable to units of the National Park System (including the National Park Service Organic Act (16 U.S.C. 1 et seq.)); and

(III) any other applicable laws.

(3) BUFFER ZONES.—The establishment of the Monument shall not—

(A) lead to the creation of express or implied protective perimeters or buffer zones around or over the Monument;

(B) preclude disposal or development of public land adjacent to the boundaries of the Monument, if the disposal or development is consistent with other applicable law;

(C) preclude an activity on, or use of, private land adjacent to the boundaries of the Monument, if the activity or use is consistent with other applicable law; or

(D) directly or indirectly subject an activity on, or use of, private land, to additional regulation, if the activity or use is consistent with other applicable law.

(4) AIR AND WATER QUALITY.—Nothing in this Act alters the standards governing air or water quality outside the boundary of the Monument.

(5) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan

that provides for the long-term protection and management of the Monument.

(B) COMPONENTS.—The management plan—

(i) shall, consistent with this section and the purposes of the Monument—

(I) describe the resources at the Monument that are to be protected;

(II) describe the appropriate uses and management of the Monument;

(III) allow for continued scientific research at the Monument; and

(IV) include a travel management plan that may include existing public transit; and

(ii) may—

(I) incorporate any appropriate decisions contained in an existing management or activity plan for the land designated as the Monument under subsection (c)(1); and

(II) use information developed in any study of land within, or adjacent to, the boundary of the Monument that was conducted before the date of enactment of this Act.

(C) PUBLIC PROCESS.—In preparing the management plan, the Secretary shall—

(i) consult with, and take into account the comments and recommendations of, the Council;

(ii) provide an opportunity for public involvement in the preparation and review of the management plan, including holding public meetings;

(iii) consider public comments received as part of the public review and comment process of the management plan; and

(iv) consult with governmental and nongovernmental stakeholders involved in establishing and improving the regional trail system to incorporate, where appropriate, trails in the Monument that link to the regional trail system.

(6) INTERPRETATION, EDUCATION, AND SCIENTIFIC RESEARCH.—

(A) IN GENERAL.—The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument, with priority given to exhibiting and curating the resources.

(B) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the State, political subdivisions of the State, nonprofit organizations, and appropriate public and private entities to carry out subparagraph (A).

(e) RENEWABLE ENERGY TRANSMISSION FACILITIES.—

(1) IN GENERAL.—On receipt of a complete application from a qualified electric utility, the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the qualified electric utility a 400-foot right-of-way for the construction and maintenance of high-voltage transmission facilities depicted on the Map as ''Renewable Energy Transmission Corridor'' if the high-voltage transmission facilities do not conflict with other previously authorized rights-of-way within the corridor.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The high-voltage transmission facilities shall—

(i) be used—

(I) primarily, to the maximum extent practicable, for renewable energy resources; and

(II) to meet reliability standards set by the North American Electric Reliability Corporation, the Western Electricity Coordinating Council, or the public utilities regulator of the State; and

(ii) employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit impacts on the Monument, including impacts to the viewshed.

(B) CAPACITY.—The Secretary shall consult with the qualified electric utility that is issued the right-of-way under paragraph (1) and the public utilities regulator of the State to seek to maximize the capacity of the high-voltage transmission facilities.

(3) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the high-voltage transmission facilities within the right-of-way under paragraph (1) shall be subject to terms and conditions that the Secretary (in consultation with the qualified electric utility), as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(4) EXPIRATION OF RIGHT-OF-WAY.—The right-of-way issued under paragraph (1) shall expire on the date that is 15 years after the date of enactment of this Act if construction of the high-voltage transmission facilities described in paragraph (1) has not been initiated by that date, unless the Secretary determines that it is in the public interest to continue the right-of-way.

(f) WATER CONVEYANCE FACILITIES.—

(1) WATER CONVEYANCE FACILITIES CORRIDOR.—

(A) IN GENERAL.—On receipt of 1 or more complete applications from a public water agency and except as provided in subparagraph (B), the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the public water agency a 100-foot right-of-way for the construction, maintenance, repair, and replacement of a buried water conveyance pipeline and associated facilities within the ''Water Conveyance Facilities Corridor'' and the ''Renewable Energy Transmission Corridor'' depicted on the Map.

(B) LIMITATION.—A public water agency right-of-way shall not be granted under subparagraph (A) within the portion of the Renewable Energy Transmission Corridor that is located along the Moccasin Drive alignment, which is generally between T. 18 S. and T. 19 S., Mount Diablo Baseline and Meridian.

(2) BURIED WATER CONVEYANCE PIPELINE.—On receipt of 1 or more complete applications from a unit of local government or public water agency, the Secretary, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), shall issue to the unit of local government or public water agency a 100-foot right-of-way for the construction, operation, maintenance, repair, and replacement of a buried water conveyance pipeline to access the existing buried water pipeline turnout facility and surge tank located in the NE ¼ sec. 16 of T. 19 S. and R. 61 E.

(3) REQUIREMENTS.—

(A) BEST MANAGEMENT PRACTICES.—The water conveyance facilities shall employ best management practices identified as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to limit the impacts of the water conveyance facilities on the Monument.

(B) CONSULTATIONS.—The water conveyance facilities within the ''Renewable Energy Transmission Corridor'' shall be sited in consultation with the qualified electric utility to limit the impacts of the water conveyance facilities on the high-voltage transmission facilities.

(4) TERMS AND CONDITIONS.—The issuance of a notice to proceed on the construction of the water conveyance facilities within the right-of-way under paragraph (1) shall be subject to any terms and conditions that the Secretary, in consultation with the public water agency, as part of the compliance of the Secretary with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), determines appropriate to protect and conserve the resources for which the Monument is managed.

(g) TULE SPRINGS FOSSIL BEDS NATIONAL MONUMENT ADVISORY COUNCIL.—

(1) ESTABLISHMENT.—To provide guidance for the management of the Monument, there is established the Tule Springs Fossil Beds National Monument Advisory Council.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall consist of 13 members, to be appointed by the Secretary, of whom—

(i) 1 member shall be a member of, or be nominated by, the County Commission;

(ii) 1 member shall be a member of, or be nominated by, the city council of Las Vegas, Nevada;

(iii) 1 member shall be a member of, or be nominated by, the city council of North Las Vegas, Nevada;

(iv) 1 member shall be a member of, or be nominated by, the tribal council of the Las Vegas Paiute Tribe;

(v) 1 member shall be a representative of the conservation community in southern Nevada;

(vi) 1 member shall be a representative of, or be nominated by, the Director of the Bureau of Land Management;

(vii) 1 member shall be a representative of, or be nominated by, the Director of the United States Fish and Wildlife Service;

(viii) 1 member shall be a representative of, or be nominated by, the Director of the National Park Service;

(ix) 1 member shall be a representative of Nellis Air Force Base;

(x) 1 member shall be nominated by the State;

(xi) 1 member shall reside in the County and have a background that reflects the purposes for which the Monument was established; and

(xii) 2 members shall reside in the County or adjacent counties, both of whom shall have experience in the field of paleontology, obtained through higher education, experience, or both.

(B) INITIAL APPOINTMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the initial members of the Council in accordance with subparagraph (A).

(3) DUTIES OF THE COUNCIL.—The Council shall advise the Secretary with respect to—

(A) the preparation and implementation of the management plan; and

(B) other issues related to the management of the Monument (including budgetary matters).

(4) COMPENSATION.—Members of the Council shall receive no compensation for serving on the Council.

(5) CHAIRPERSON.—

(A) IN GENERAL.—Subject to subparagraph (B), the Council shall elect a Chairperson from among the members of the Council.

(B) LIMITATION.—The Chairperson shall not be a member of a Federal or State agency.

(C) TERM.—The term of the Chairperson shall be 3 years.

(6) TERM OF MEMBERS.—

(A) IN GENERAL.—The term of a member of the Council shall be 3 years.

(B) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Council, a member may continue to serve on the Council until—

(i) the member is reappointed by the Secretary; or

(ii) a successor is appointed.

(7) VACANCIES.—

(A) IN GENERAL.—A vacancy on the Council shall be filled in the same manner in which the original appointment was made.

(B) APPOINTMENT FOR REMAINDER OF TERM.—A member appointed to fill a vacancy on the Council—

(i) shall serve for the remainder of the term for which the predecessor was appointed; and

(ii) may be nominated for a subsequent term.

(8) TERMINATION.—Unless an extension is jointly recommended by the Director of the National Park Service and the Director of the Bureau of Land Management, the Council shall terminate on the date that is 6 years after the date of enactment of this Act.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 3. ADDITION OF LAND TO RED ROCK CANYON NATIONAL CONSERVATION AREA.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Red Rock Canyon National Conservation Area established by the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.).

(2) MAP.—The term ''map'' means the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) ADDITION OF LAND TO CONSERVATION AREA.—

(1) IN GENERAL.—The Conservation Area is expanded to include the land depicted on the map as ''Additions to Red Rock NCA''.

(2) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary shall update the management plan for the Conservation Area to reflect the management requirements of the acquired land.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(B) MINOR ERRORS.—The Secretary may correct any minor error in—

(i) the map; or

(ii) the legal description.

(C) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 4. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO NORTH LAS VEGAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term ''map'' means the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013.

(2) NORTH LAS VEGAS.—The term ''North Las Vegas'' means the city of North Las Vegas, Nevada.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act and subject to valid existing rights, the Secretary shall convey to North Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(c) DESCRIPTION OF LAND.—The land referred to in subsection (b) consists of the land managed by the Bureau of Land Management described on the map as the ''North Las Vegas Job Creation Zone'' (including the interests in the land).

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) USE OF LAND FOR NONRESIDENTIAL DEVELOPMENT.—

(1) IN GENERAL.—North Las Vegas may sell, lease, or otherwise convey any portion of the land described in subsection (c) for nonresidential development.

(2) METHOD OF SALE.—The sale, lease, or conveyance of land under paragraph (1) shall be carried out—

(A) through a competitive bidding process; and

(B) for not less than fair market value.

(3) FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practices; and

(C) any other applicable law (including regulations).

(4) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale, lease, or conveyance of land under paragraph (1) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(f) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—

(1) IN GENERAL.—North Las Vegas may retain a portion of the land described in subsection (c) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(2) REVOCATION.—If North Las Vegas retains land for public recreation or other public purposes under paragraph (1), North Las Vegas may—

(A) revoke that election; and

(B) sell, lease, or convey the land in accordance with subsection (e).

(g) ADMINISTRATIVE COSTS.—North Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (c).

(h) REVERSION.—

(1) IN GENERAL.—If any parcel of land described in subsection (c) is not conveyed for nonresidential development under this section or reserved for recreation or other public purposes under subparagraph (f) by the date that is 30 years after the date of enactment of this Act, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) INCONSISTENT USE.—If North Las Vegas uses any parcel of land described in subsection (c) in a manner that is inconsistent with this section—

(A) at the discretion of the Secretary, the parcel shall revert to the United States; or

(B) if the Secretary does not make an election under subparagraph (A), North Las Vegas shall sell the parcel of land in accordance with this section.

SEC. 5. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO LAS VEGAS.

(a) DEFINITIONS.—In this section:

(1) LAS VEGAS.—The term ''Las Vegas'' means the city of Las Vegas, Nevada.

(2) MAP.—The term ''map'' means the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Bureau of Land Management.

(b) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, and notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to Las Vegas, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(c) DESCRIPTION OF LAND.—The land referred to in subsection (b) consists of land managed by the Bureau of Land Management described on the map as ''Las Vegas Job Creation Zone'' (including interests in the land).

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) USE OF LAND.—

(1) IN GENERAL.—Las Vegas may sell, lease, or otherwise convey any portion of the land described in subsection (c) for nonresidential development.

(2) METHOD OF SALE.—The sale, lease, or conveyance of land under paragraph (1) shall be carried out, after consultation with the Las Vegas Paiute Tribe—

(A) through a competitive bidding process; and

(B) for not less than fair market value.

(3) FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the land under paragraph (2)(B) based on an appraisal that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practices; and

(C) any other applicable law (including regulations).

(4) DISPOSITION OF PROCEEDS.—The gross proceeds from the sale, lease, or conveyance of land under paragraph (1) shall be distributed in accordance with section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2345; 116 Stat. 2007; 117 Stat. 1317; 118 Stat. 2414; 120 Stat. 3045).

(f) USE OF LAND FOR RECREATION OR OTHER PUBLIC PURPOSES.—

(1) IN GENERAL.—Las Vegas may retain a portion of the land described in subsection (c) for public recreation or other public purposes consistent with the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.) by providing written notice of the election to the Secretary.

(2) REVOCATION.—If Las Vegas retains land for public recreation or other public purposes under paragraph (1), Las Vegas may—

(A) revoke that election; and

(B) sell, lease, or convey the land in accordance with subsection (e).

(g) ADMINISTRATIVE COSTS.—Las Vegas shall pay all appraisal costs, survey costs, and other administrative costs necessary for

the preparation and completion of any patents for, and transfers of title to, the land described in subsection (c).

(h) REVERSION.—

(1) IN GENERAL.—If any parcel of land described in subsection (c) is not conveyed for nonresidential development under this section or reserved for recreation or other public purposes under subsection (f) by the date that is 30 years after the date of enactment of this Act, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) INCONSISTENT USE.—If Las Vegas uses any parcel of land described in subsection (c) in a manner that is inconsistent with this section—

(A) at the discretion of the Secretary, the parcel shall revert to the United States; or

(B) if the Secretary does not make an election under subparagraph (A), Las Vegas shall sell the parcel of land in accordance with this section.

SEC. 6. EXPANSION OF CONVEYANCE TO LAS VEGAS METROPOLITAN POLICE DEPARTMENT.

Section 703 of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (Public Law 107–282; 116 Stat. 2013) is amended by inserting before the period at the end the following: ''and the parcel of land identified as 'Conveyance to Las Vegas for Police Shooting Range Access' on the map entitled 'North Las Vegas Valley Overview', and dated April 30, 2013''.

SEC. 7. SPRING MOUNTAINS NATIONAL RECREATION AREA WITHDRAWAL.

Section 8 of the Spring Mountains National Recreation Area Act (16 U.S.C. 460hhh–6) is amended—

(1) in subsection (a), by striking ''for lands described'' and inserting ''as provided''; and

(2) by striking subsection (b) and inserting the following:

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), W½ E ½ and W ½, sec. 27, T. 23 S., R. 58 E., Mt. Diablo Meridian is not subject to withdrawal under that subsection.

''(2) EFFECT OF ENTRY UNDER PUBLIC LAND LAWS.—Notwithstanding paragraph (1) of subsection (a), the following are not subject to withdrawal under that paragraph:

''(A) Any Federal land in the Recreation Area that qualifies for conveyance under Public Law 97–465 (commonly known as the ''Small Tracts Act'') (16 U.S.C. 521c et seq.), which, notwithstanding section 7 of that Act (16 U.S.C. 521i), may be conveyed under that Act.

''(B) Any Federal land in the Recreation Area that the Secretary determines to be appropriate for conveyance by exchange for non-Federal land within the Recreation Area under authorities generally providing for the exchange of National Forest System land.''.

SEC. 8. SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT OF 1998 AMENDMENTS.

Section 4 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2344; 116 Stat. 2007) is amended—

(1) in the first sentence of subsection (a), by striking ''dated October 1, 2002'' and inserting ''dated April 30, 2013''; and

(2) in subsection (g), by adding at the end the following:

''(5) Notwithstanding paragraph (4), subject to paragraphs (1) through (3), Clark County may convey to a unit of local government or regional governmental entity, without consideration, land located within the Airport Environs Overlay District (as of the date of enactment of this paragraph) if the land is used for a water or wastewater treatment facility or any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the 'Recreation and Public Purposes Act') (43 U.S.C. 869 et seq.), provided that if the conveyed land is used for a purpose other than a public purpose, paragraph (4) would apply to the conveyance.''.

SEC. 9. CONVEYANCE OF LAND TO THE NEVADA SYSTEM OF HIGHER EDUCATION.

(a) DEFINITIONS.—In this section:

(1) BOARD OF REGENTS.—The term ''Board of Regents'' means the Board of Regents of the Nevada System of Higher Education.

(2) CAMPUSES.—The term ''Campuses'' means the Great Basin College, College of Southern Nevada, and University of Las Vegas, Nevada, campuses.

(3) FEDERAL LAND.—The term ''Federal land'' means each of the 3 parcels of Bureau of Land Management land identified on the maps as ''Parcel to be Conveyed'', of which—

(A) approximately 40 acres is to be conveyed for the College of Southern Nevada;

(B) approximately 2,085 acres is to be conveyed for the University of Nevada, Las Vegas; and

(C) approximately 285 acres is to be conveyed for the Great Basin College.

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

(5) STATE.—The term ''State'' means the State of Nevada.

(6) SYSTEM.—The term ''System'' means the Nevada System of Higher Education.

(b) CONVEYANCES OF FEDERAL LAND TO THE SYSTEM.—

(1) CONVEYANCES.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and section 1(c) of the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869(c)) and subject to all valid existing rights, the Secretary shall—

(A) not later than 180 days after the date of enactment of this Act, convey to the System, without consideration, all right, title, and interest of the United States in and to—

(i) the Federal land identified on the map entitled ''Great Basin College Land Conveyance'' and dated June 26, 2012, for the Great Basin College; and

(ii) the Federal land identified on the map entitled ''College of Southern Nevada Land Conveyance'' and dated June 26, 2012, for the College of Southern Nevada, subject to the requirement that, as a precondition of the conveyance, the Board of Regents shall, by mutual assent, enter into a binding development agreement with the City of Las Vegas that—

(I) provides for the orderly development of the Federal land to be conveyed under this subclause; and

(II) complies with State law; and

(B) convey to the System, without consideration, all right, title, and interest of the United States in and to the Federal land identified on the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013 for the University of Nevada, Las Vegas, if the area identified as ''Potential Utility Schedule'' on the map is reserved for use for a potential 400-foot utility corridor of certain rights-of-way for transportation and public utilities.

(2) CONDITIONS.—

(A) IN GENERAL.—As a condition of the conveyance under paragraph (1), the Board of Regents shall agree in writing—

(i) to pay any administrative costs associated with the conveyance, including the costs of any environmental, wildlife, cultural, or historical resources studies;

(ii) to use the Federal land conveyed for educational and recreational purposes;

(iii) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the Federal land on or before the date of enactment of this Act by the United States or any person; and

(iv) to assist the Bureau of Land Management in providing information to the students of the System and the citizens of the State on—

(I) public land (including the management of public land) in the Nation; and

(II) the role of the Bureau of Land Management in managing, preserving, and protecting the public land in the State.

(B) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(i) IN GENERAL.—The Federal land conveyed to the System under paragraph (1)(B) shall be used in accordance with the agreement entitled the ''Cooperative Interlocal Agreement between the Board of Regents of the Nevada System of Higher Education, on Behalf of the University of Nevada, Las Vegas, and the 99th Air Base Wing, Nellis Air Force Base, Nevada'' and dated June 19, 2009.

(ii) MODIFICATIONS.—Any modifications to the agreement described in clause (i) or any related master plan shall require the mutual assent of the parties to the agreement.

(iii) LIMITATION.—In no case shall the use of the Federal land conveyed under paragraph (1)(B) compromise the national security mission or avigation rights of Nellis Air Force Base.

(3) USE OF FEDERAL LAND.—The System may use the Federal land conveyed under paragraph (1) for any public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.)).

(4) REVERSION.—

(A) IN GENERAL.—If the Federal land or any portion of the Federal land conveyed under paragraph (1) ceases to be used for the System, the Federal land, or any portion of the Federal land shall, at the discretion of the Secretary, revert to the United States.

(B) UNIVERSITY OF NEVADA, LAS VEGAS.—If the System fails to complete the first building or show progression toward development of the University of Nevada, Las Vegas campus on the applicable parcels of Federal land by the date that is 50 years after the date of receipt of certification of acceptable remediation of environmental conditions, the parcels of the Federal land described in subsection (a)(3)(B) shall, at the discretion of the Secretary, revert to the United States.

(C) COLLEGE OF SOUTHERN NEVADA.—If the System fails to complete the first building or show progression toward development of the College of Southern Nevada campus on the applicable parcels of Federal land by the date that is 12 years after the date of conveyance of the applicable parcels of Federal land to the College of Southern Nevada, the parcels of the Federal land described in subsection (a)(3)(A) shall, at the discretion of the Secretary, revert to the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 10. LAND CONVEYANCE FOR SOUTHERN NEVADA SUPPLEMENTAL AIRPORT.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means Clark County, Nevada.

(2) MAP.—The term ''Map'' means the map entitled ''Land Conveyance for Southern Nevada Supplemental Airport'' and dated June 26, 2012.

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

(b) LAND CONVEYANCE.—

(1) IN GENERAL.—As soon as practicable after the date described in paragraph (2), subject to valid existing rights and paragraph (3), and notwithstanding the land use

planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the land described in subsection (c).

(2) DATE ON WHICH CONVEYANCE MAY BE MADE.—The Secretary shall not make the conveyance described in paragraph (1) until the later of the date on which the Administrator of the Federal Aviation Administration has—

(A) approved an airport layout plan for an airport to be located in the Ivanpah Valley; and

(B) with respect to the construction and operation of an airport on the site conveyed to the County pursuant to section 2(a) of the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106–362; 114 Stat. 1404), issued a record of decision after the preparation of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) RESERVATION OF MINERAL RIGHTS.—In conveying the public land under paragraph (1), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(4) WITHDRAWAL.—Subject to valid existing rights, the public land to be conveyed under paragraph (1) is withdrawn from—

(A) location, entry, and patent under the mining laws; and

(B) operation of the mineral leasing and geothermal leasing laws.

(5) USE.—The public land conveyed under paragraph (1) shall be used for the development of flood mitigation infrastructure for the Southern Nevada Supplemental Airport.

(6) REVERSION AND REENTRY.—

(A) IN GENERAL.—If the land conveyed to the County under the Ivanpah Valley Airport Public Lands Transfer Act (Public Law 106-362; 114 Stat. 1404) reverts to the United States, the land conveyed to the County under this section shall revert, at the option of the Secretary, to the United States.

(B) USE OF LAND.—If the Secretary determines that the County is not using the land conveyed under this section for a purpose described in paragraph (4), all right, title, and interest of the County in and to the land shall revert, at the option of the Secretary, to the United States.

(c) DESCRIPTION OF LAND.—The land referred to in subsection (b) consists of the approximately 2,320 acres of land managed by the Bureau of Land Management and described on the map as the ''Conveyance Area''.

(d) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare an official legal description and map of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 11. SUNRISE MOUNTAIN INSTANT STUDY AREA RELEASE.

(a) FINDING.—Congress finds that for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in Clark County, Nevada, administered by the Bureau of Land Management in the Sunrise Mountain Instant Study Area has been adequately studied for wilderness designation.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S. C. 1782(c)); and

(2) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

(c) POST RELEASE LAND USE APPROVALS.—Recognizing that the area released under subsection (b) presents unique opportunities for the granting of additional rights-of-way, including for high voltage transmission facilities, the Secretary of the Interior may accommodate multiple applicants within a particular right-of-way.

SEC. 12. NELLIS DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the city of North Las Vegas, Nevada.

(2) COUNTY.—The term ''County'' means Clark County, Nevada.

(3) ECONOMIC SUPPORT AREA.—The term ''Economic Support Area'' means the land identified on the map as the ''Economic Support Area''.

(4) FEDERAL LAND.—The term ''Federal land'' means the approximately 1,211 acres of Federal land in the County, as depicted on the map.

(5) MAP.—The term ''map'' means the map entitled ''Nellis Dunes Off-Highway Vehicle Recreation Area'' and dated April 30, 2013.

(6) NELLIS DUNES RECREATION AREA.—The term ''Nellis Dunes Recreation Area'' means the Nellis Dunes Off-Highway Vehicle Recreation Area identified on the map as ''Nellis Dunes OHV Recreation Area''.

(7) NET PROCEEDS.—The term ''net proceeds'' means the amount that is equal to the difference between—

(A) the amount of gross revenues received by the County from any activities at the Economic Support Area; and

(B) the total amount expended by the County (or a designee of the County) for capital improvements to each of the Economic Support Area and the Nellis Dunes Recreation Area, provided that the capital improvements shall not exceed 80 percent of the total gross proceeds.

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

(9) STATE.—The term ''State'' means the State of Nevada.

(b) CONVEYANCE OF FEDERAL LAND TO CLARK COUNTY, NEVADA.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the County, subject to valid existing rights and paragraph (2), without consideration, all right, title, and interest of the United States in and to the parcels of Federal land.

(2) RESERVATION OF MINERAL ESTATE.—In conveying the parcels of Federal land under paragraph (1), the Secretary shall reserve the mineral estate, except for purposes related to flood mitigation (including removal from aggregate flood events).

(3) USE OF FEDERAL LAND.—

(A) IN GENERAL.—The parcels of Federal land conveyed under paragraph (1)—

(i) shall be used by the County—

(I) to provide a suitable location for the establishment of a centralized off-road vehicle recreation park in the County;

(II) to provide the public with opportunities for off-road vehicle recreation, including a location for races, competitive events, training and other commercial services that directly support a centralized off-road vehicle recreation area and County park; and

(III) to provide a designated area and facilities that would discourage unauthorized use of off-highway vehicles in areas that have been identified by the Federal Government, State government, or County government as containing environmentally sensitive land; and

(ii) shall not be disposed of by the County.

(B) REVERSION.—If the County ceases to use any parcel of the Federal land for the purposes described in subparagraph (A)(i) or subparagraph (D)—

(i) title to the parcel shall revert to the United States, at the option of the United States; and

(ii) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(C) RENEWABLE AND SOLAR ENERGY.—

(i) IN GENERAL.—Subject to clauses (ii) and (iii), the parcels of Federal land conveyed to the County under paragraph (1) and the land conveyed to the County under section 1(c) of Public Law 107–350 (116 Stat. 2975), may be used for the incidental purpose of generating renewable energy and solar energy for use by the Clark County Off Highway Vehicle Recreation Park, the shooting park authorized under that Act, and the County.

(ii) LIMITATION.—Any project authorized under clause (i) shall not interfere with the national security mission of Nellis Air Force Base or any other military operation.

(iii) REQUIRED CONSULTATION.—Before the construction of any proposed project under clause (i), the project proponent shall consult with the Secretary of Defense or a designee of the Secretary of Defense.

(D) FUTURE CONVEYANCES.—Any future conveyance of Federal land for addition to the Clark County Off Highway Vehicle Park or the Nellis Dunes Recreation Area shall be subject to—

(i) the binding interlocal agreement under paragraph (4)(B); and

(ii) the aviation easement requirements under paragraph (7).

(E) MANAGEMENT PLAN.—The Secretary of the Air Force and the County, may develop a special management plan for the Federal land—

(i) to enhance public safety and safe off-highway vehicle recreation use in the Nellis Dunes Recreation Area;

(ii) to ensure compatible development with the mission requirements of the Nellis Air Force Base; and

(iii) to avoid and mitigate known public health risks associated with off-highway vehicle use in the Nellis Dunes Recreation Area.

(4) ECONOMIC SUPPORT AREA.—

(A) DESIGNATION.—There is designated the Economic Support Area.

(B) INTERLOCAL AGREEMENT.—

(i) IN GENERAL.—Before the Economic Support Area may be developed, the City and County shall enter into an interlocal agreement regarding the development of the Economic Support Area.

(ii) LIMITATION OF AGREEMENT.—In no case shall the interlocal agreement under this subparagraph compromise or interfere with the aviation rights provided under paragraph (7) and subsection (c)(3).

(C) USE OF PROCEEDS.—Of the net proceeds from the development of the Economic Support Area, the County shall—

(i) annually deposit 50 percent in a special account in the Treasury, to be used by the Secretary for the development, maintenance, operations, and environmental restoration and mitigation of the Nellis Dunes Recreation Area; and

(ii) retain 50 percent, to be used by the County—

(I) to pay for capital improvements [that are not covered by subsection (a)(7)(B)]; and

(II) to maintain and operate the park established under paragraph (3)(A)(i)(I).

(5) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(A) IN GENERAL.—Before the Federal land may be conveyed to the County under paragraph (1), the Clark County Board of Commissioners and Nellis Air Force Base shall enter into an interlocal agreement for the Federal land and the Nellis Dunes Recreation Area—

(i) to enhance safe off-highway recreation use; and

(ii) to ensure that development of the Federal land is consistent with the long-term mission requirements of Nellis Air Force Base.

(B) LIMITATION.—The use of the Federal land conveyed under paragraph (1) shall not compromise the national security mission or aviation rights of Nellis Air Force Base.

(6) ADDITIONAL TERMS AND CONDITIONS.—With respect to the conveyance of Federal land under paragraph (1), the Secretary may require such additional terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(7) AVIATION EASEMENT.—

(A) IN GENERAL.—Each deed entered into for the conveyance of the Federal land shall contain a perpetual aviation easement reserving to the United States all rights necessary to preserve free and unobstructed overflight in and through the airspace above, over, and across the surface of the Federal land conveyed under subsection (b)(1) for the passage of aircraft owned or operated by any Federal agency or other Federal entity.

(B) REQUIREMENTS.—Each easement described in subparagraph (A) shall include such terms and conditions as the Secretary of the Air Force determines to be necessary to comply with subparagraph (A).

(c) DESIGNATION OF THE NELLIS DUNES NATIONAL OFF-HIGHWAY VEHICLE RECREATION AREA.—

(1) IN GENERAL.—The approximately 10,000 acres of land identified as ''Nellis Dunes'' in the Bureau of Land Management Resource Management Plan shall be known and designated as the ''Nellis Dunes Off-Highway Vehicle Recreation Area''.

(2) MANAGEMENT PLAN.—The Director of the Bureau of Land Management may develop a special management plan for the Nellis Dunes Recreation Area to enhance the safe use of off-highway vehicles for recreational purposes.

(3) AVIATION RIGHTS.—The aviation rights described in subsection (b)(7) shall apply to the Nellis Dunes Recreation Area.

(d) WITHDRAWAL AND RESERVATION OF LAND FOR NELLIS AIR FORCE BASE.—

(1) WITHDRAWAL.—Subject to valid existing rights and except as otherwise provided in this subsection—

(A) the Federal land and interests in the Federal land identified on the map as ''Land to be withdrawn for Nellis Air Force Base'' are withdrawn from all forms of appropriation under the general land laws, including the mining, mineral leasing, and geothermal leasing laws; and

(B) jurisdiction over the land and interest in land withdrawn and reserved by this subsection is transferred to the Secretary of the Air Force.

(2) RESERVATION.—The land withdrawn under paragraph (1) is reserved for use by the Secretary of the Air Force for—

(A) the enlargement and protection of Nellis Air Force Base; or

(B) other defense-related purposes consistent with the purposes of this subsection.

(3) CHANGES IN USE.—The Secretary of the Air Force shall consult with the Secretary before using the land withdrawn and reserved by this subsection for any purpose other than the purposes described in subsection (b)(3)(A)(i).

(4) EASEMENT.—The United States reserves—

(A) a right of flight for the passage of aircraft in the airspace above the surface of the Federal land conveyed to the County; and

(B) the right to cause in the airspace any noise, vibration, smoke, or other effects that may be inherent in the operation of aircraft landing at, or taking off from, Nellis Air Force Base.

SEC. 13. CONVEYANCE OF LAND FOR NELLIS AIR FORCE BASE.

(a) IN GENERAL.—Administrative jurisdiction over the parcel of Federal land described in subsection (b) is transferred from the Bureau of Land Management to the Air Force for inclusion in Nellis Air Force Base.

(b) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subsection (a) is the approximately 410 acres of land administered by the Bureau of Land Management and identified as ''Addition to Nellis Air Force Base'' on the map entitled ''North Las Vegas Valley Overview'' and dated April 30, 2013.

SEC. 14. MILITARY OVERFLIGHTS.

(a) FINDINGS.—Congress finds that—

(1) military aircraft testing and training activities in the State of Nevada—

(A) are an important part of the national defense system of the United States; and

(B) are essential in order to secure an enduring and viable national defense system for the current and future generations of people of the United States;

(2) the units of the National Park System and the additions to the Conservation Area established under this Act are located within a region critical to providing training, research, and development for the Armed Forces of the United States and allies of the Armed Forces;

(3) there is a lack of alternative sites available for the military training, testing, and research activities being conducted in the State of Nevada;

(4) continued use of the airspace in the State of Nevada is essential for military purposes; and

(5) continuation of the military activities in the State of Nevada, under appropriate terms and conditions, is not incompatible with the protection and proper management of the natural, environmental, cultural, and other resources and values of Federal land in the State of Nevada.

(b) OVERFLIGHTS.—Nothing in this Act or any other land management law applicable to a new unit of the National Park System or an addition to the Conservation Area designated by this Act shall restrict or preclude overflights, including—

(1) low-level overflights of military aircraft over the Federal land; and

(2) military overflights that can be seen or heard within the unit or Conservation Area.

(c) SPECIAL AIRSPACE.—Nothing in this Act or any other land management law applicable to a new unit of the National Park or an addition to the Conservation Area designated by this Act shall restrict or preclude the designation of new units of special airspace or the use or establishment of military flight training routes over the unit or Conservation Area.

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CARDIN, Mr. KAINE, Mrs. BOXER, Mr. MURPHY, and Mrs. FEINSTEIN):

S. 980. A bill to provide for enhanced embassy security, and for other purposes; to the Committee on Foreign Relations.

Mr. MENENDEZ. Mr. President, I rise at this moment, as chairman of the Senate Foreign Relations Committee, outraged at the implication that we in the Senate have not done enough to investigate what has happened in Benghazi; that we have not investigated it thoroughly; that we have not looked at the details, have not analyzed the information—classified and unclassified—that has come before us.

The committee has held four hearings—four—on the attack on Special Mission Benghazi. The very first hearing I chaired in January was on this topic with Secretary Clinton. In fact, we postponed the nomination hearing of Senator Kerry so that Secretary Clinton could come before us and explain what happened and why, despite her medical condition at the time.

Let's make that very clear. One of the very first things we did, despite a pending nomination of a new Secretary, and the sitting Secretary's medical concerns, was to hold a hearing on this topic and air the facts. Prior to that, Chairman Kerry held a hearing of the committee on December 20 on the events that transpired in Benghazi with Deputy Secretaries Burns and Nides. There were also two classified briefings in December specifically on the circumstances surrounding the attack. The December 13 briefing included a video of the attack with high level officials from State, the Joint Staff, Defense Department, the FBI, and the intelligence community. They included Patrick Kennedy, Under Secretary of State for Management at State; Matthew Olsen, Director of the National Counterterrorism Center; Maj. Gen. Darryl Roberson, Vice Director of Operations at the Joint Staff; Gary Reid, Principal Deputy Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; Jenny Ley, Deputy Assistant Director at the FBI.

On December 19, there was a high-level classified briefing with the Accountability Review Board with Ambassador Pickering and Admiral Mullen.

At his nomination hearing in January, Secretary Kerry also fully addressed this issue and then again at the committee's annual budget hearing this past April. Last week, the nominee to be our new Ambassador to Libya, Deborah Kay Jones, testified before the full committee—another opportunity for my friends on the other side to ask questions, to get the truth, not create their own truth for political purposes. That hearing was yet another opportunity to ask questions about the security situation on the ground. Yet Republican participation was limited to just a handful of Members.

We have fully vetted this issue. We have held hearing after hearing. We have, on both sides, had the opportunity to have our questions answered. In fact, in total, between the House and the Senate, there have been 11 hearings on Benghazi, 25,000 pages of documents released, and now a full e-mail history of the interagency process.

Our focus now should not be on the work product of the CIA or State on draft talking points we have seen in hundreds of e-mails released by the White House yesterday; it should not be to score political points at the expense of the families of the four victims. It should be on doing all we can to protect our personnel serving overseas and providing the necessary oversight and legislative authority to carry out the Administrative Review Board's recommendations.

I would remind my friends and the American people that nothing has changed. The facts remain the facts. They are the same today as they were in September, in October, in November, in December, and in January. It is the rhetoric and the political calculus that has changed. In fact, the e-mails released by the White House further demonstrate that point.

The original CIA-produced talking points, notably produced as the result of a request by the House Intelligence Committee for media interviews, clearly show that in the days immediately after the attack, the intelligence community was not sure what exactly happened or who was responsible. The points produced by the CIA said the agency's belief the events in Benghazi were spontaneously inspired by the protests at the U.S. Embassy in Cairo and evolved into a direct assault against the U.S. diplomatic post in Benghazi and subsequently its annex. That point stays in the talking points from beginning to end of the interagency process, with no debate, and is conveyed to the House Intelligence Committee.

Throughout the e-mail discussions, the agency makes clear their information is limited and that there is a lot they simply don't know. In fact, the National Counterterrorism Center says in one e-mail:

> At this point we are not aware of any actionable intelligence that this attack was planned or imminent. The intelligence community is combing through reporting from before and after the attack to determine the full extent of who was involved.

It became clear over time that this was, in fact, a calculated terrorist attack, but there was no political calculation involved in the initial assessment.

So let's be honest about what is happening here. It is not about doing all we can to find the truth and making sure it never happens again; it is about political gamesmanship and finding someone to blame.

I remind my friends, and the American people, again, nothing has changed. Some wish to make this a political issue to drive a purely political agenda. I believe our real focus, our honest focus, and what the American people truly care about is the security of our missions and the safety of our personnel. That has been, and will remain, the clear focus of the Foreign Relations Committee going forward, and I hope we will have the support of our Republican colleagues.

In my view the Monday morning quarterbacking on this issue is politically driven—a perspective shared by former Republican Defense Secretary Gates, who said on Sunday: ''Frankly, I think my decisions would have been just as theirs were'' with regard to sending in Special Forces teams or overflights by fighter aircraft based in Italy.

Former Secretary Gates said:

> Without knowing what the environment is, without knowing what the threat is, without having any intelligence in terms of what is actually going on, on the ground, would have been very dangerous.

So I think we have common interests. I have been working hard to ensure full implementation of all 29 recommendations made by the Administrative Review Board—recommendations to ensure that going forward we are providing adequate personnel and resources to meet local conditions at more than 280 facilities in over 180 countries around the world, specifically where host nations are unable to provide adequate protection to our diplomats. I call on our Republican colleagues to join us in that effort.

Today, I am introducing legislation. I hope we will be able to count on the support of all of our colleagues to enact this crucial, time-sensitive legislation without delay, without obstruction, and without political grandstanding.

The bill will provide authority to fund the Capital Security Cost Sharing Program to permit us to move forward with construction at high-risk, high-threat posts. This account was created following the U.S. Embassy bombings in Kenya and in Tanzania, and at that time it would have allowed us to construct 8 to 10 facilities per year. However, the way the Congress is funding it, it presently is funding for construction of just two to three facilities per year, despite the fact that there are at least two dozen posts that fall into that high-risk, high-threat category. At that rate it will take us over 8 years to get around to construction at just the posts with the highest risk of attack.

The bill authorizes funding for Arabic language training and for a Foreign Affairs Security Training Center to train diplomatic security personnel. It provides contract authority to the State Department to allow it to award contracts on a best value basis rather than to the lowest bidder where conditions require enhanced levels of security. At the administration's request, the bill will authorize disciplinary action in cases of unsatisfactory leadership by senior officials related to a security incident, which does not presently exist. This will allow appropriate disciplinary action to be taken against any future officials in a circumstance such as Benghazi.

The bill requires planning to incorporate additional marine security guards at overseas facilities, and it requires extensive reporting on State's implementation of the Accountability Review Board's recommendations on the designation of high-risk, high-threat posts.

I hope we can work together to do what has to be done to protect those who serve this Nation abroad. If we want to address the problem, we have an opportunity to do it. If we want to score political points, fine, but do not do it at the risk of American lives. Let's work together to fix the problem, not use it for political advantage.

By Mr. CORNYN:

S. 983. A bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Finance.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 983

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 ''Keep the IRS Off Your Health Care Act of 2013''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On May 10, 2013, the Internal Revenue Service admitted that it singled out advocacy groups, based on ideology, seeking tax-exempt status.

(2) This action raises pertinent questions about the agency's ability to implement and oversee the Patient Protection and Affordable Care Act (Public Law 111-148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

(3) This action could be an indication of future Internal Revenue Service abuses in relation to the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, given that it is their responsibility to enforce a key provision, the individual mandate.

(4) Americans accept the principle that patients, families, and doctors should be making medical decisions, not the Federal Government.

SEC. 3. PROHIBITING ENFORCEMENT OF PPACA AND HCERA.

The Secretary of the Treasury, or any delegate of the Secretary, shall not implement or enforce any provisions of or amendments made by the Patient Protection and Affordable Care Act (Public Law 111-148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 143—RECOGNIZING THE THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD AND REAFFIRMING FREEDOM OF THE PRESS AS A PRIORITY IN THE EFFORTS OF THE UNITED STATES GOVERNMENT TO PROMOTE DEMOCRACY AND GOOD GOVERNANCE ON THE OCCASION OF WORLD PRESS FREEDOM DAY ON MAY 3, 2013

Mr. MENENDEZ (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 143

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted at Paris December 10, 1948, states that ''everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers'';

Whereas, in 1993, the United Nations General Assembly proclaimed May 3 of each year as World Press Freedom Day to celebrate the fundamental principles of freedom of the press, to evaluate freedom of the press around the world, to defend the media from attacks on its independence, and to pay tribute to journalists who have lost their lives in the exercise of their profession;

Whereas 2013 is the 20th anniversary of World Press Freedom Day, which focuses on the theme ''Safe to Speak: Securing Freedom of Expression in All Media'';

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (22 U.S.C. 2151 note; Public Law 111–166), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of freedom of the press around the world in the annual human rights report of the Department of State;

Whereas, according to Freedom House, the percentage of people in the world who live in countries with a free media environment fell to 14 percent in 2012, the lowest percentage in more than a decade;

Whereas, according to Reporters Without Borders, 88 journalists and 47 citizen journalists were killed in 2012 in connection with their collection and dissemination of news and information, an increase of 33 percent and 840 percent, respectively, compared to 2011;

Whereas, according to Reporters Without Borders, the five deadliest countries for journalists in 2012 were Syria, Somalia, Pakistan, Mexico, and Brazil;

Whereas, according to the Committee to Protect Journalists, 593 journalists have been murdered since 1992 without the perpetrators of those crimes facing punishment;

Whereas, according to the Committee to Protect Journalists, the five countries with the highest number of unsolved journalist murders since 2003 as a percentage of the population of that country are Iraq, Somalia, Philippines, Sri Lanka, and Colombia;

Whereas, according to Reporters Without Borders, 879 journalists and 144 citizen journalists were arrested in 2012;

Whereas, according to the Committee to Protect Journalists, there were a record 232 journalists in prison worldwide on December 1, 2012;

Whereas, according to Reporters Without Borders, the five countries in which the most journalists are imprisoned are Turkey, China, Eritrea, Iran, and Syria;

Whereas the abuse of anti-terrorism and cybercrime laws to incarcerate journalists and suppress freedom of the press occurred on numerous occasions abroad in 2012;

Whereas freedom of the press is a key component of democratic governance, the activism of civil society, and socio-economic development;

Whereas, in the ongoing political transition of Burma, notable progress was made in advancing freedom of the press in 2012, although certain problems remain; and

Whereas freedom of the press enhances public accountability, transparency, and participation: Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern about the threats to freedom of the press and expression around the world on the occasion of World Press Freedom Day on May 3, 2013;

(2) commends journalists around the world for the essential role they play in promoting government accountability, defending democratic activity, and strengthening civil society, despite threats to their safety;

(3) pays tribute to the journalists who have lost their lives carrying out their work and calls on governments abroad to thoroughly investigate and seek to resolve all cases while ensuring the protection of witnesses;

(4) condemns all actions around the world that suppress freedom of the press;

(5) reaffirms the centrality of freedom of the press to efforts by the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(6) calls on the President and the Secretary of State—

(A) to improve the means by which the United States Government rapidly identifies, publicizes, and responds to threats against freedom of the press around the world; and

(B) to highlight the issue of threats against freedom of the press year-round.

SENATE RESOLUTION 144—CONCERNING THE ONGOING CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE NEED FOR INTERNATIONAL EFFORTS SUPPORTING LONG-TERM PEACE, STABILITY, AND OBSERVANCE OF HUMAN RIGHTS

Mr. COONS (for himself, Mr. DURBIN, Mr. BOOZMAN, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 144

Whereas, since the 1990s, an estimated 5,000,000 people have died due to repeated cycles of conflict, lack of governance, and atrocities in the Democratic Republic of the Congo, particularly those in North and South Kivu provinces, and, since the beginning of 2012, more than 2,000,000 people have been displaced;

Whereas the United Nations and humanitarian groups have reported staggering rates of sexual violence indicating tens of thousands of cases perpetrated by security forces of the Government of the Democratic Republic of the Congo and non-state armed groups, which continue to operate with nearly total impunity;

Whereas human rights defenders in the Democratic Republic of the Congo have been subject to intimidation and attack;

Whereas the Democratic Republic of the Congo's wealth of natural resources, including minerals, have been a key driver of instability and violence;

Whereas the deeply flawed November 2011 presidential election in the Democratic Republic of the Congo presented significant political, economic, and social challenges, and provincial and local elections still have not been conducted despite plans to hold such elections in 2012;

Whereas the Democratic Republic of the Congo remains subject to recurring conflict despite one of the world's longest-running, largest, and most expensive international peacekeeping operations and extensive bilateral and multilateral efforts to address longstanding humanitarian crises, forge lasting peace, and pursue security sector reform and accountability;

Whereas members of civil society and political parties from both the majority and the opposition in the Democratic Republic of the Congo created the National Preparatory Committee (Comité National Préparatoire or CNP) to lay the groundwork for convening a national forum and dialogue with the goal of putting an end to the multifaceted crisis that afflicts the Democratic Republic of the Congo;

Whereas, on November 15, 2012, the United Nations Group of Experts provided compelling evidence that the crisis in eastern Congo had been fueled and exacerbated by regional actors, including through provision of significant military and logistical assistance and of operational and political support to the armed group known as the M23;

Whereas the United Nations and United States Government have imposed sanctions on the M23 and its leaders for human rights atrocities including rape, massacres, and the recruitment and physical and psychological torture of child soldiers;

Whereas, on March 18, 2013, International Criminal Court (ICC) indictee and leader of a faction of the M23 rebel group, Bosco Ntaganda, turned himself in to the United States Embassy in Kigali, asking to be transferred to the ICC in The Hague, where he voluntary surrendered on March 22, 2013;

Whereas the Lord's Resistance Army continues to perpetrate attacks against civilian populations in affected areas of northeastern Congo, creating widespread insecurity and displacement;

Whereas the Democratic Republic of the Congo, Rwanda, and 9 other countries on February 24, 2013, signed the Peace, Security and Cooperation Framework that provides for a comprehensive approach to the ongoing conflict;

Whereas the United Nations Security Council adopted Resolution 2098 on March 28, 2013, extending the mandate of the United Nations Organization Stabilization Mission (MONUSCO) and authorizing the creation of an intervention brigade tasked with neutralizing armed groups; and

Whereas, on March 18, 2013, United Nations Secretary-General Ban Ki-Moon appointed former President of Ireland and High Commissioner for Human Rights, Mary Robinson, to serve as Special Envoy for the Great Lakes region: Now, therefore, be it

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-Moon's commitment and leadership to resolving the crisis in the Democratic Republic of the Congo and his appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes;

(2) supports the commitments agreed to by the signatories of the Peace, Security and Cooperation (in this resolution, the ''Framework''), and encourages them to work closely with the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, as guarantors of

the Framework, and the United Nations Special Envoy, MONUSCO, and relevant international bodies and governments to develop, implement, and enforce a comprehensive peace process for the region;

(3) notes that the adoption of the Framework, the appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes, and the expanded MONUSCO mandate provide an opportunity to make meaningful and sustained progress toward ending the recurrent cycles of violence in the Democratic Republic of the Congo, especially in eastern Congo;

(4) urges the signatories of the Framework and the international community to engage and consult with representatives of the Government of the Democratic Republic of the Congo and civil society representatives engaged in the ongoing effort to convene an inclusive national forum and dialogue;

(5) urges the President to appoint a Special Envoy to the Great Lakes in the near-term in order to represent the United States in international and regional efforts to end the conflict and secure sustainable peace, stability, and safety for the people of the Democratic Republic of the Congo by—

(A) working with United Nations Special Envoy Mary Robinson and the broader international community to promote a transparent and inclusive process to implement the regional and national commitments under the Framework, including the development of clear benchmarks for progress and appropriate follow-on measures;

(B) strengthening international efforts to mobilize and support justice for victims and accountability for perpetrators of sexual and gender based violence and other human rights abuses in the Democratic Republic of the Congo;

(C) expanding efforts to develop conflict-free and responsible mining and supply chains for the region's vast mineral resources, in coordination with other government, private industry, and international and local organizations;

(D) coordinating with international and regional partners to expand unhindered access to life-saving humanitarian assistance to populations in need, particularly displaced persons and conflict-affected communities;

(E) pressing for fulfillment of the commitment of the Government of the Democratic Republic of the Congo, as well as other regional actors, to ending the threat posed by the M23, the Lord's Resistance Army (LRA), the Democratic Forces for the Liberation of Rwanda (FDLR), and other armed groups in the Great Lakes region, and to facilitate enhanced coordination of regional efforts to counter these groups; and

(F) mobilizing and facilitating United States and international support for electoral reforms in the Democratic Republic of the Congo, with the goal of encouraging free, fair, and credible provincial and local elections in the near-term, and presidential elections in 2016;

(6) calls on the President to support the creation of a World Bank Fund for the Great Lakes Region, as part of a coordinated international investment and development strategy aimed at deepening regional economic integration and stability and leveraging reform;

(7) calls on the President, in close coordination with international and regional partners, to work with the Government of the Democratic Republic of the Congo to develop and implement recommendations to improve accountability for serious violations of international humanitarian law and human rights abuses in the Democratic Republic of the Congo, including by considering imposition of sanctions authorized under section 1284 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 50 U.S.C. 1701 note);

(8) calls on governments of the Great Lakes region of Africa to immediately halt and prevent any and all forms of support to non-state armed groups, including support provided by individuals independent of government policy;

(9) calls on all relevant nations, including destination and transit countries, to increase cooperation on ending the illicit trade in conflict minerals, wildlife, and wildlife parts, which continues to fuel and fund violence and to deprive citizens of economic opportunity in the Democratic Republic of the Congo and the broader region;

(10) calls on the signatories of the Framework to cooperate in the arrest and prosecution of those responsible for violating international humanitarian law and for serious human rights violations, including gender-based violence;

(11) calls on the Government of the Democratic Republic of the Congo to engage in meaningful and inclusive electoral reforms, prepare and hold impartially administered local and provincial elections as soon as technically possible, continue to participate in ongoing efforts to provide a platform for inclusive dialogue within the Democratic Republic of the Congo to address critical internal political issues, and strengthen processes of state institution building;

(12) calls on the Government of the Democratic Republic of the Congo, in coordination with the international community, to undertake significant security sector reform, which is a necessary component for lasting stability, and renewed disarmament, demobilization, and reintegration (DDR) efforts that ensure that any rebel troops, especially commanders, responsible for human rights violations are held accountable and not reintegrated into the Armed Forces of the Democratic Republic of the Congo (FARDC); and

(13) urges the Government of the Democratic Republic of the Congo to improve efforts to protect civilians from armed groups, in cooperation with MONUSCO and the African Union's Regional Cooperation Initiative on the LRA.

SENATE RESOLUTION 145—PROMOTING MINORITY HEALTH AWARENESS AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL MINORITY HEALTH MONTH IN APRIL 2013 TO BRING ATTENTION TO THE HEALTH DISPARITIES FACED BY MINORITY POPULATIONS SUCH AS AMERICAN INDIANS AND ALASKA NATIVES, ASIANS, BLACKS OR AFRICAN AMERICANS, HISPANICS OR LATINOS, AND NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS

Mr. CARDIN (for himself and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 145

Whereas in 2011, the Department of Health and Human Services released the ''National Stakeholder Strategy for Achieving Health Equity'' and the ''Disparities action Plan'' to reduce health care disparities in the United States;

Whereas a recent analysis estimates that the economy of the United States loses an estimated $309,000,000,000 a year due to the direct and indirect costs of health disparities;

Whereas the Department of Health and Human Services has identified 6 main categories in which racial and ethnic minorities experience the most disparate access to health care and health outcomes, including infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV and AIDS infection, and immunizations;

Whereas African-American women are more than twice as likely to die of cervical cancer than White women and are more likely to die of breast cancer than women of any other racial or ethnic group;

Whereas the rate of death from coronary heart disease is 30 percent higher among African Americans than among Whites;

Whereas the death rate from stroke is 50 percent higher among African Americans than among Whites;

Whereas in 2012, as compared to non-Hispanic Whites living in Hawaii, Native Hawaiians had more than twice the rate of medically-diagnosed diabetes and were 5.7 times more likely to die of diabetes;

Whereas compared to non-Hispanic White men, African American men are 9.5 times more likely to die of AIDS and Hispanic men are 2.5 times more likely to die of AIDS;

Whereas in 2010, 84 percent of children born with HIV infection belonged to minority groups;

Whereas the Department of Health and Human Services has identified diseases of the heart, malignant neoplasm, unintentional injuries, diabetes, and cerebrovascular disease as some of the leading causes of death among American Indians and Alaska Natives;

Whereas American Indians and Alaska Natives die at higher rates than other people in the United States from tuberculosis, diabetes, unintentional injuries, and suicide; and

Whereas American Indians and Alaska Natives have a life expectancy that is 5.2 years shorter than the life expectancy of the overall population of the United States: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Minority Health Month in April 2013 to bring attention to the severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders.

SENATE RESOLUTION 146—DESIGNATING THE WEEK OF MAY 12 THROUGH MAY 18, 2013, AS ''NATIONAL POLICE WEEK''

Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SESSIONS, Ms. KLOBUCHAR, Mr. COONS, Ms. HEITKAMP, Mr. MERKLEY, Mr. DURBIN, Mr. LAUTENBERG, Mr. HATCH, Mr. BURR, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 146

Whereas, in 1962, John Fitzgerald Kennedy proclaimed May 15 to be ''Peace Officers Memorial Day'', and designated the calendar week in which May 15 falls as ''National Police Week'';

Whereas law enforcement officers are charged with pursuing justice and protecting communities in the United States;

Whereas State and local police officers, sheriffs, and other law enforcement officers across the United States serve with dignity and integrity;

Whereas law enforcement officers serve as first responders to natural disasters such as Hurricane Isaac and Hurricane Sandy;

Whereas law enforcement officers serve as first responders to terrorist attacks such as

the bombings at the Boston Marathon in Boston, Massachusetts, and to accidents such as the fertilizer plant explosion in West, Texas;

Whereas law enforcement officers selflessly risk their personal safety in the interest of public safety;

Whereas Peace Officers Memorial Day honors law enforcement officers killed in the line of duty;

Whereas Peace Officers Memorial Day this year honors 143 law enforcement officers recently killed in the line of duty, including Randall L. Benoit, Brandon Joseph Nielson, Jeremy Michael Triche, Ricky Ray Issac, Jr., Howard Evans Jr., Raymundo Dominguez, Steven C. D. Green Sr., David W. Ridlesperger, Scott J. Ward, William H. Coleman, James D. Lister, David W. Wargo Jr., Barbara A. Ester, Robert L. Paris Jr., Kenyon M. Youngstrom, Jeremy S. Bitner, James J. Davies, Leide W. DeFusco, Celena C. Hollis, Mary K. Ricard, Matthew R. Tyner, William H. Dyer III, Michael K. Erickson, Barbara A. Pill, Christopher A. Schaub, Bruce E. St. Laurent, Ruben H. Thomas III, David A. White, Sean L. Callahan, Robert W. Crapse Sr., Elgin L. Daniel, Richard J. Halford, Shawn A. Smiley, Larry L. Stell, Gail D. Thomas, Garret C. Davis, Eric C. Fontes, Chad M. Morimoto, Nikkii Bostic-Jones, Kyle W. Deatherage, Lamont C. Reid, Timothy A. Betts, Britney R. Meux, Robert L. Atherly, Davis S. Gogian, Herbert D. Proffitt, Carl A. Rakes, Mark A. Taulbee, Charles B. Licato, Adrian A. Morris, William D. Talbert, Forrest E. Taylor, Teresa L. Testerman, Kevin E. Ambrose, Peter J. Kneeland, Jose Torres, Ryan Tvelia, Joseph T. Candie, Patrick J. O'Rourke, Thomas E. Decker, Michael J. Walter, William M. Mudd, Christopher R. Parsons, George F. Ross Sr., Tracy A. Hardin, Denny Lawrence, Michael P. Maloney, James G. Hoopes III, Christopher W. Reeves, Robert A. Potter, Amanda D. Anna, Fermin S. Archer Jr., Michael J. Chiapperini, Arthur Lopez, Joseph P. Olivieri Jr., Christopher M. Pupo, Bobby G. DeMuth Jr., Jeremiah M. Goodson Jr., Dewayne C. Hester, William R. Mast Jr., Edward A. Pounds, Randall S. Thomas, William L. Wright, Jason E. Gresko, Frank D. Mancini, William C. Coen, Brian E. Hayden, Jeffrey M. McCoy, Blake T. Coble, Bradley M. Fox, Avery E. Freeman, Brian J. Lorenzo, Moses Walker Jr., Maxwell R. Dorley, Sandra E. Rogers, David C. Gann, Martoiya V. Lang, Justin D. Maples, Javier Arana Jr., Brian D. Bachmann, Angel Garcia, Paul Hernandez, Joshua S. Mitchell, Jonathan K. Molina, Edrees Mukhtar, Jimmie D. Norman, Jamie D. Padron, Michael R. Smith, Joshua S. Williams, Aaron R. Beesley, Jard D. Francom, Morton M. Ford III, Andrew D. Fox, Michael C. Walzier, Chris Yung, Tony V. Radulescu, Marshall L. Bailey, Michael T. May, Eric M. Workman, Sergio Aleman, Jennifer L. Sebena, Margaret A. Anderson, Merrill A. Bruguier, Leopoldo Cavazos Jr., David R. Delaney, James R. Dominiguez, Terrell Horne III, Nicholas J. Ivie, Julio D. La Rosa, Preston B. Parnell, Jeffrey Ramirez, Abimael Castro-Berrocales, Pedro R. Cora-Rivera, Noel D. Cordero-Guzman, Francis A. Crespo-Mandry, Carlos R. Lozada Vergara, Isaac J. Pizarro-Piazarro, Wilfredo Ramos-Nieves, Ivan G. Romas-Matos, Victor M. Soto-Velez, and Colvin T. Georges; and

Whereas more than 35 law enforcement officers across the United States have made the ultimate sacrifice during the first 4 months of 2013, including Officer Sean Collier of the Massachusetts Institute of Technology Police Department: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 12 through May 18, 2013 as ''National Police Week'';

(2) expresses strong support for law enforcement officers across the United States for their efforts to build safer and more secure communities;

(3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources necessary to protect their health and safety while they are protecting the public;

(4) recognizes the members of the law enforcement community for their selfless acts of bravery;

(5) acknowledges that police officers and other law enforcement officers who have made the ultimate sacrifice should be remembered and honored; and

(6) encourages the people of the United States to observe National Police Week with appropriate ceremonies and activities that promote awareness of the vital role of law enforcement officers in building safer and more secure communities across the United States.

SENATE RESOLUTION 147—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER CARE SYSTEM, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICY TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER CARE SYSTEM

Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mr. BEGICH, Mrs. MURRAY, Mr. KAINE, Mr. LEVIN, Mr. WYDEN, Mr. CARDIN, Mr. JOHNSON of South Dakota, Mr. BLUNT, Mr. HOEVEN, and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 147

Whereas National Foster Care Month was established more than 20 years ago to—

(1) bring foster care issues to the forefront of public consciousness;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas approximately 400,000 children are living in foster care;

Whereas approximately 252,000 youth entered the foster care system in 2011, while more than 104,000 youth were eligible for and awaiting adoption at the end of 2011;

Whereas children of minority races and ethnicities are more likely to stay in the foster care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents—

(1) are the front-line caregivers for children who cannot safely remain with their biological parents;

(2) provide physical care, emotional support, and education advocacy to the children in their care; and

(3) are the largest single source of families providing permanent homes for children transitioning from foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than foster caregivers;

Whereas recent studies show foster children enrolled in Medicaid were prescribed antipsychotic medications at nearly 9 times the rate of other children receiving Medicaid;

Whereas youth in foster care are much more likely to face educational instability, with 65 percent of former foster children experiencing at least 7 school changes while in foster care;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children who are forced to remain in the foster care system;

Whereas more than 26,200 youth ''age out'' of foster care annually without a legal permanent connection to an adult or family;

Whereas the number of youth who age out of foster care has increased during the past decade;

Whereas foster care is intended to be a temporary placement, but children remain in the foster care system for an average of 2 years;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly, and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas children who age out of foster care lack the security and support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation during the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96–272), the Adoption and Safe Families Act of 1997 (Public Law 105–89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351), and the Child and Family Services Improvement and Innovation Act (Public Law 112–34) provided new investments and services to improve the outcomes of children in the foster care system;

Whereas May 2013 is an appropriate month to designate as ''National Foster Care Month'' to provide an opportunity to acknowledge the accomplishments of the child-welfare workforce, foster parents, the advocacy community, and mentors for their dedication, accomplishments, and positive impact on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 2013 as ''National Foster Care Month'';

(2) recognizes National Foster Care Month as an opportunity to raise awareness about

the challenges that children face in the foster care system;

(3) encourages Congress to implement policies to improve the lives of children in the foster care system;

(4) acknowledges the special needs of children in the foster care system;

(5) recognizes youth in foster care throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve children brought into the foster care system; and

(E) facilitate the successful transition into adulthood for children who ''age out'' of the foster care system.

SENATE RESOLUTION 148—DESIGNATING MAY 18, 2013, AS ''NATIONAL KIDS TO PARKS DAY''

Mr. UDALL of Colorado (for himself, Mr. PORTMAN, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 148

Whereas the third annual National Kids to Parks Day will be celebrated on May 18, 2013;

Whereas the goal of National Kids to Parks Day is to empower young people and encourage families to get outdoors and visit the parks of the United States;

Whereas, on National Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid National Parks and State and neighborhood parks that are located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States should encourage young people to lead a more active lifestyle, as too many young people in the United States are overweight or obese;

Whereas National Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of wholesome fun; and

Whereas National Kids to Parks Day aims to broaden the appreciation of young people for nature and the outdoors: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 18, 2013, as ''National Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health of the young people of the United States; and

(3) calls on the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE CONCURRENT RESOLUTION 16—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR THE UNVEILING OF A STATUE OF FREDERICK DOUGLASS

Mr. SCHUMER (for himself and Mr. DURBIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 16

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

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF FREDERICK DOUGLASS STATUE.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 19, 2013, to unveil a statue of Frederick Douglass.

(b) PREPARATIONS.—Physical preparations for the conduct of the event described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

NOTICE OF HEARING

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 meeting of the Senate Committee on Energy and Natural Resources has been scheduled to discuss natural gas issues. The meeting will be held on Thursday, May 23, 2013, at 10 a.m., in room 216 of the Hart Senate Office Building.

The purpose of this meeting is to provide a forum to explore what the next applications are for natural gas and how this new demand will be met. The environmental impacts of shale gas development and best practices will be specific points of interest.

Because of the limited time available for the forum, witnesses may testify by invitation only. However, those wishing to submit written testimony for the 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 e-mail to lauren_goldschmidt@energy.senate.gov.

For further information, please contact Todd Wooten at (202) 224–4971 or Lauren Goldschmidt at (202) 224–5488.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on May 16, 2013, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 16, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 16, 2013, at 12 p.m., in room 406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 16, 2013, at 9:30 a.m., in SD–G50 of the Dirksen Senate Office Building, to continue its executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 16, 2013, at 10:30 a.m. in room 428A Russel Senate Office building to conduct a roundtable entitled ''The Impact of Mandatory E-Verify on America's Small Businesses.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 16, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 16, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREEDOM TO FISH ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 982, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 982) to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 982) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 982

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 ''Freedom to Fish Act''.

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term ''restricted area'' means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled ''Project Operations: Navigation and Dredging Operations and Maintenance Policies'', published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXISTING RESTRICTED AREA.—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall—

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) ESTABLISHING NEW RESTRICTED AREA.—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area;

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled ''An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes'', approved December 22, 1944 (16 U.S.C. 460d).

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. COWAN. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 20, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 11 and 12; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that following the votes on Calendar No. 12 and Calendar No. 46, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: The Honorable SAXBY CHAMBLISS of Georgia.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 145, S. Res. 146, S. Res. 147, and S. Res. 148.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

AUTHORIZING THE USE OF THE CAPITOL VISITOR CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Con. Res. 16, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 16) was agreed to.

(The concurrent resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, MAY 20, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, May 20, 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 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to Calendar No. 73, S. 954, the farm bill; and, finally, that at 5 p.m., the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, then on Monday there will be two rollcall votes on the confirmation of Chappell and McShane at 5:30 p.m. We will, as indicated, move to the farm bill.

ADJOURNMENT UNTIL MONDAY, MAY 20, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask

unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Monday, May 20, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

CAROLYN B. MCHUGH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE MICHAEL R. MURPHY, RETIRED.

DEBRA M. BROWN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI, VICE W. ALLEN PEPPER, JR., DECEASED.

PAMELA L. REEVES, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE THOMAS W. PHILLIPS, RETIRING.

ELIZABETH A. WOLFORD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK, VICE CHARLES J. SIRAGUSA, RETIRED.

NATIONAL CREDIT UNION ADMINISTRATION

RICHARD T. METSGER, OF OREGON, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2017, VICE GIGI HYLAND, RESIGNED.

DEPARTMENT OF STATE

DANIEL R. RUSSEL, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE KURT M. CAMPBELL, RESIGNED.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (REAPPOINTMENT)

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. ROBERT L. THOMAS, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

BRADLY A. CARLSON

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MICHAEL LUCAS AHMANN
DARRIN KENT ANDERSON
ROBERT AVON ATOR II
VANCE CHRISTIAN BATEMAN
KIMBERLY A. BAUMANN
CHRISTOPHER JOHN BELLI
THOMAS ALAN BIEDIGER
BARRY A. BLANCHARD
MICHAEL A. BORKOWSKI
ROBERT DARIN BOWIE
DENISE W. BOYER
ROBERT MICHAEL BRAWLEY
BRIAN S. BUHLER
MICHAEL O. CADLE
LAWRENCE L. CHRISTENSEN
JAMES DAVID CLEET
JENNIFER ANN CONWELL
MICHAEL D. CROGHAN
BRYAN A. DAVIS
HAROLD D. DAVIS II
BRYAN SCOTT DELAGE
STEVEN JOHN DEMILLIANO
KEVIN CHRISTOPHER DERICKSON
MONIQUE J. DESPAIN
MATTHEW D. DINMORE
JAMES NORRIS DIXON
BARBARA G. DONCASTER
DENISE M. DONNELL
BOBBI J. DOORENBOS
SCOTT ALAN DUMFORD
DAVID M. DZIOBKOWSKI
STEVEN J. EARLY
TERESA S. EDWARDS
RANDAL KEITH EFFERSON
DONALD L. FARMER
BRETT VINCENT FEHRLE
THOMAS EDWARD FENNELL
EMIL JOSEPH FILKORN
ROBERT A. FRANKOSKY, JR.
LANCE TAYLOR FRYE
STEVEN MINORU FUKINO
BRIAN L. FULKERSON
DANIEL E. GABRIELLI
ROBERT L. GARVIN
MICHAEL T. GEROCK
BLAKE A. GETTYS
KERRY S. GILL
ERIC ROLAND GOOD
BRENT W. GUGLIELMINO
ALEXANDER G. HALDOPOULOS
CHRISTOPHER PAUL HAMILTON
CHRISTOPHER HARDGRAVE
ROBERT KENNETH HENDERSON
RICKY LEE HERN
JAMES M. HEURING
PENNY C. HODGES–GOETZ
SCOTT P. HOYLE
ROY M. INGRAM
BRANDON G. ISAACS
THOMAS S. JESS
ANTHONY L. JOHNSON
GREGORY G. JOHNSON
KENNETH HOUSTON JONES
DAVID M. KASHIWAMURA
ANDREW PATRICK KEANE
DAVID M. KENNARD
STEPHEN P. KENSICK
JOHN F. KNABEL
KRIS KOLLAR
DALLAS F. KRATZER II
RODRICK W. LEKEY
LORETTA JEAN LOMBARD
ANDREW W. LOVE
MARK ANTHONY MALDONADO
ROLF EBERHARD MAMMEN
MATT MCFARLAND MATHIS
THOMAS P. MCATEE
LANCE P. MCCUISTON
DANIEL RICHARD MCDONOUGH
BRIAN T. MCHENRY
RANDALL GLENN MCNARY
NATHAN R. MELLMAN
CHAD D. MILNE
TIMOTHY SCOTT MOSES
ROBERT J. NIESEN
STEVEN S. NORRIS
WILLIAM ELLIS ORTON
DOUGLAS K. PENNINGTON
SCOTT D. PLAMBECK
DONNA M. PRIGMORE
MICHAEL E. PYBURN
DERON BRANT REYNOLDS
MARTIN JOSEPH RICHARD
JACK J. RICHMOND
FRANK W. ROY
ROBERT THROCKMORT SANDFORD
ROBERT A. SCHULTE
KURT S. SHIGETA
ROBIN WAYNE SKAAR
SHANNON D. SMITH
GARY R. STEFANICH
JAMES S. STUART
THOMAS M. SUELZER
TODD K. THOMAS
LANE ALVIN THURGOOD
THORNE S. TIBBITTS
EDWARD C. TRIEBEL
MICHAEL ANTHONY VALLE
EDWIN ARLYN VANDERWOLDE
MARK AARON VAVRA
JOHN M. VERHAGE
GREGORY J. WALTERS
RITA J. WHITMIRE
MARSHALL LEIGHTON WILDE
CHRISTOPHER J. WILL
ERIK C. WONG
SHANNA MARCIENE WOYAK
KYLE T. YANAGISAWA
BERNARD JOHN YOSTEN

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SHERCODA G. SMAW

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

CARL N. SOFFLER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNITED STATE ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

OWEN B. MOHN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CARMELO N. OTEROSANTIAGO
JOHN H. SEOK

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRENT E. HARVEY
JOOHYUN A. KIM

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JERRY M. ANDERSON
JOSEPH M. BARTEL
DARYL P. BRACH
EDWARD W. LOCKWOOD
ROY J. MACARAEG
WILLIAM M. MYER
SHAWN C. REGER
NEIL W. SALKOWSKI
MAUREEN H. WEIGL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DENNIS R. BELL
MICHAEL BERECZ
RONALD L. BURKE
TAYLOR B. CHANCE
MARK G. CHAPPELL
MATTHEW J. ENROTH
CHAD D. FOSTER
CARY HONNOLD
NORMAN KREISELMEIER
ERIC D. LOMBARDINI
ANDREW L. MCGRAW
WENDY E. MEY
STEPHANIE L. MONT
BRETT J. TAYLOR
MICHELLE THOMPSON
KENT J. VINCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DAVID W. ADMIRE
TRACY H. BROWN
BRIAN E. BURK
PETER J. CONTOS
THEODORE W. CROY III
JOHN F. DETRO
GAIL A. EVANS
SARAH B. GOLDMAN
FLORIE GONZALES
KEVIN M. HOUCK
KENNETH E. HYDE
KEARY J. JOHNSTON
IAN E. LEE
LARRY T. LINDSAY
ROBERTO E. MARIN
STEPHANIE A. MEYER
ROBERT D. MONTZ
DAWN L. ORTA
JAMES L. PULLIAM
BILL A. SOLIZ
CAMERON C. STOKES
KERRYN L. STORY
MARK D. THELEN
KATHLEEN E. YANCOSEK
ARTHUR F. YEAGER
D006281

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

CHRISTOPHER G. ARCHER
BRADFORD A. BAUMANN
RALPH L. BIEGANEK
EARL T. BOWERS
ROBERT S. BROWN
SCOTT M. BULLOCK
JEFFREY A. BURBANK
STEVEN E. CANTRELL
JEFFREY D. DILLARD
PETER O. DISSMORE
SHMUEL L. FELZENBERG
GARY T. FISHER
BARTON T. HERNDON
TAYLOR G. R. HOLLIS
DAVID K. JACOB
PAUL R. JAEDICKE
WILLIAM B. KILLOUGH
MARK R. LEVINE
THOMAS J. MCCORT
RODERICK R. MILLS
CHRISTOPHER G. MORRIS
DAMON P. ONELLION
ALAN T. SAVAGE
PHILIP T. SMILEY
THOMAS B. VAUGHN
DENNIS R. VILLARREAL
ARLEIGH F. VONSEGGERN
WILLIAM J. WEHLAGE
TYSON J. WOOD
PAUL H. YOON
D011470
D011779

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

JAMES A. ADAMEC

ELIZABETH E. ADAMS
JEFFREY M. ALLERDING
LARRY B. ARAMANDA
KIMBERLY L. BELL
STACEY E. BERRY
ANNABEL J. BIGLEY
WILLIAM J. BROWN
KARI A. BRULEY
ANISSA J. BUCKLEY
JESS A. CALOHAN
ROMICO D. CAUGHMAN
MONIQUE R. COURTS
CHERYL A. CREAMER
PAUL M. CRUM
JENISE L. DAVIS
PATRICIA L. DAVIS
FRANCISCO C. DOMINICCI
CARABALLO D. ESTRADA
DARRELL B. EVANS
BRETT W. EVERS
STACEY L. FERREIRA
CHARLES M. FISHER, JR.
KENNETH A. FORD
TAMARA S. FUNARI
KRISTEN J. GOODWIN
KENNETH R. GORE
KEVIN GORMLEY
AMY J. HADSALL
ROBIN R. HARROLD
DANIELLE T. HOCKEY
TODDY F. INGRAM
JACK M. JENKINSON
JAROLD T. JOHNSTON, JR.
JOHN D. KEENER
MARK C. KILLEBREW
JOHNNY KING III
JULIE E. LEE
JENNIFER D. LORILLA
CHRISTINE M. LUDWIG
THERESA C. MACK
BRUCE MATHEWS
DENISE A. MCFARLAND
WILLIAM J. MEEK II
ELBRIDGE A. MERRITT
MICHAEL K. MOHAMMADI
ANNE M. MORGAN
TINA M. MORGAN
LELAND B. MORGANS
ROBERT M. MORRIS II
LISA K. MUTZIG
JAMES R. NOLIN
KELLIE J. NORRIS
DORENE A. OWEN
CLAUSYL J. PLUMMER
BRIGITTE Y. POLK
PRENTICE R. PRICE
RIKKINA G. PULLIAM
THOMAS O. RAWLINGS
LAURA E. RICARDO
CHERYL C. RIVERA
CATHERINE A. ROBERTS
AMY K. ROY
PERRY C. RUIZ
JEFFREY D. RUMFIELD
SCOTT D. RUSH
RANDALL M. SCHAEFER
JODELLE M. SCHROEDER
BENJAMIN E. SEELEY
DAWN M. SEELEY
GREGORY V. SHUMATE
LEILANI A. C. L. SIAKI
JERREMIE V. SIEGFRIED
KEVIN E. SNYDER
WARREN A. STEWART
TINA M. STREKER
BING TANWINTERS
MEEMIE J. THA
NORMA TORRES
ELBA M. VILLACORTA
DAVID A. VOLLBRECHT
PAUL R. WARE
KEITH A. WARHURST
EUNOTCHOL WHITE
CONREAU L. WILLIAMS
VANESSA WORSHAM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

EDWARD P. C. AGER
CAROL A. ANDERSON
RONALD J. AQUINO
EDGAR G. ARROYOORTIZ
ROBERT T. ASHBURN
PRINCESS L. ATUNRASE
SEREKA L. BARLOW
MICHAEL F. BELENKY
MICHAEL W. BOYE
DANIEL D. BRIDON
BURKE L. BRISTOW
SEAN A. CASPERSON
PHILLIP W. CHRISTY
GARY S. COOPER
JASON B. CORLEY
JAMES E. CRAIG
GARRICK L. CRAMER
MISHAW T. CUYLER
CLARISSA DEJESUSMORALES
DAVID A. DERRICK
MICHAEL DESENA
THOMAS D. EYER
SEAN P. FARLEY
GLEN J. FIORENZA
SHELLEY N. FRANCO
LEE C. FREEMAN
KATHLEEN M. GIBSON
JACOB H. GIN
CARL J. GORKOS II
ANTHONY D. GRAY
NIZAMETTIN GUL
MICHAEL HAEDT
VERONICA L. HAGER
DARIN L. HARPER
ANDREW J. HARTMAN
BERNARD HARVEY
CORY L. HEINEKEN
RAYMOND J. JABLONKA
FREDERICK C. JACKSON
ROBERT W. JENKINS
TAMMIE M. JONES
STEVIE T. JORDAN
ERIC J. KELLY
AMY S. KING
ANTHONY M. KING
JOHN W. LEE
SEAN C. LESTER
THOMAS J. LONGO
PETER B. MARKOT
WINICO M. MARTINEZ
JAMES N. MASTERSON
CHRISTOPHER D. MAYHUGH
YVETTE M. MCCREA
DARRYL A. MCGUIRE, JR.
DAVID S. MCILWAIN
SEAN A. MCMURRY
STEVEN A. MEADOW
MARK D. MELLOTT
JAMES A. MORRISON
TROY MORTON
GREGORY J. OBRIEN
MARY A. PETERS
LAWRENCE N. PETZ
MARK C. PLOOSTER
MARK A. POTTER
JOSE F. QUESADA
MCKINLEY RAINEY
PETER A. RAMOS
LYLE D. RASMUSSEN, JR.
DEVON O. REED
JEFFREY L. REIBESTEIN
EVELYN REYESCABRERA
DANIEL E. REYNOLDS
RANDALL W. RHEES
SHANE A. ROACH
JASON L. ROBERTS
ADMINDA L. RODRIGUEZ
DAVID L. ROLLINS
KURT E. SCHAECHER
TIMOTHY A. SHARPE
BRADLEY T. SHIELDS
MICHAEL S. SMITH
NELSON S. SO
STEPHEN T. SPEER
RAYMOND D. SPIAK, JR.
ERIC SPOTTS
SCOTT J. STOKOE
ROBERT J. STROB
JOSEPHINE E. L. THOMPSON
BARBARA T. TRAENKNER
WILLIAM N. UPTERGROVE
ARISTOTLE A. VASELIADES
RICHARD VELAZQUEZ
CARYN R. VERNON
KENNETH L. WALTERS
LAWANDA D. WARTHEN
DOUGLAS L. WEEKS
DOUGLAS P. WEKELL
MITCHELL W. WOODBERRY
DANIEL M. WOODLOCK
HASSAN ZAHWA
DAVID J. ZAJAC
PATRICK A. ZENK
REBECCA A. ZINNANTE
JOHN P. ZOLL

IN THE NAVY

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

TANYA WONG

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KAREN R. DALLAS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

RONALD G. OSWALD

To be lieutenant commander

NIKITA TIHONOV

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MASOUD EGHTEDARI
BRUCE G. GREEN
ISTVAN HARGITAI
THOMAS M. JACKS
LOREN K. MASUOKA
STEVEN A. MATIS
CHRISTOPHER A. STEWART

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

RICHARD A. BONNETTE
CAMERON H. FISH
RUSSELL P. GRAEF
DWIGHT A. HORN
KEVIN J. SWEENEY
LOFTEN C. THORNTON
ANDREW A. WADE
THOMAS J. WALCOTT
DARRELL J. WESLEY
GLEN WOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOSEPH J. ELDRED
DAMIAN D. FLATT
PETER D. GALINDEZ
PATRICK J. GIBBONS
KEITH S. GIBEL
MICHAEL C. HOLIFIELD
MARK C. HOLLEY
DONALD C. KING
JAMES M. LUCCI
BETHANY L. PAYTONOBRIEN
TREVOR A. RUSH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

TIM J. DEWITT
WENDY M. HALSEY
ANDREW M. HASCALL
ERIC J. HAWN
RICHARD D. HAYES III
SCOTT D. LOESCHKE
PETER J. MACULAN
JAMES G. MEYER
JAYSON D. MITCHELL
JAY A. MURPHY
LATANYA E. SIMMS
DANIEL P. TURNER
GREGORY G. VINCI, JR.
WILLIAM L. WHITMIRE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JANINE D. ALLEN
PAUL B. ARP
CINDY M. BAGGOTT
AMY H. BRANSTETTER
NEWTON J. CHALKER
MAX C. CORMIER
MARTHA A. CUTSHALL
GEORGE L. DYER III
CHRISTINE B. GRUSCHKUSWRIGHT
DEBBIE R. JENKINS
CYNTHIA L. JUDY
WENDY M. MCCRAW
VALERIE A. MORRISON
GREGORY G. NEZAT
ROSEMARY PERDUE
TODD M. STEIN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CRAIG S. COLEMAN
JOSEPH S. GONDUSKY
HELEN S. HAGAN
JARED H. HEIMBIGNER
HASAN A. HOBBS
PATRICK W. JOYNER
JAIME H. KAPUR
SHELLIE M. KENDALL
GRANT A. KIDD
RICHARD D. MCCORMICK
CHARLES J. OSIER, JR.
ROBERT F. RENDER
ALBERT J. SCHUETTE, JR.
JEFFREY S. SCOW
JESSICA J. SHANK
LISA M. THIEL
DIANA TOROK
BRIAN R. VINCENT
WILLIAM R. VOLK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BARRY D. ADAMS
PAUL A. ANDRE
ARTHUR C. ANTHONY
WILLIAM C. ASHBY
FELIX A. BIGBY
TRUPTI N. BRAHMBHATT
MICHAEL F. CRIQUI
WILLIAM M. DENISTON
ROLAND L. FAHIE, SR.
DAVID F. HOEL
DENISE N. HOLDRIDGE
LISA K. KENNEMUR

JAMIE M. LINDLY
RALPH J. MARRO
PAUL C. MILLER
TIMOTHY R. RICHARDSON
GEORGE STEFFIAN
BRIAN G. TOLBERT
JUDITH M. WALKER
GERARD J. WOELKERS
DEBRA L. YNIGUEZ
KIMBERLY A. ZUZELSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ERIC J. BACH
DOUGLAS M. BRIDGES
PATRICK A. BURSON
JEFFERY P. DAVIS
ROBERT K. DEGUZMAN, JR.
SEAN M. EGGE
PRESTON L. GILL
MARK K. HARRIS
JONATHAN B. HAYNES
ELIZABETH L. JACKSON
DAVID M. LOCKNEY
JAMES R. MACARANAS
DARRELL L. MATHIS
RICHARD K. MCCARTHY
MICHELLE D. MORSE
FRANK E. NEVAREZ
KARL E. OETTL
MATTHEW N. OTT III
ERIC OXENDINE
JOSEPH W. PARRAN
DAVID J. RHONE
MARK J. RUNSTROM
ERIC J. SCHOCH
WILLIAM B. STEVENS
ERIC S. STUMP
LORENZO E. WILLIAMS
RICARDO WILSON
JOHN H. WINDOM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DANIEL J. ACKERSON
ELIZABETH M. ADRIANO
SEAN P. BARBABELLA
CHARMAGNE G. BECKETT
WILLIAM A. BECKMAN
RICHARD L. BIGGS
ROBERT F. BROWNING
SARA L. BURGER
ILIN CHUANG
TERESA M. COX
DONALD S. CRAIN
MICHAEL S. DANFORTH
KIMBERLY D. DAVIS
JAMES A. ELLZY
STEVEN J. ESCOBAR
JOSEPH C. FINLEY
JULIE GREEN
HAROLD L. GROFF
NEAL A. HEIMER
VIVIANA V. JOHNSON
STEPHANIE A. KAPFER
DAVID C. KRULAK
CHRISTOPHER B. LANDES
GRAINGER S. LANNEAU, JR.
GABRIEL LEE
WILLIAM T. LENNARD
KEVAN E. MANN
TODD J. MAY
NICOLE K. MCINTYRE
JAMES P. OBERMAN
JOSEPH G. OBRIEN
LISA A. PEARSE
EMERICH D. PIEDAD
BRYN J. H. REINA
NANETTE L. ROLLENE
BRIAN R. SCHNELL
WILLIAM T. SCOUTEN
JOSEPH J. SPOSATO
ALEXANDER E. STEWART
MICHAEL S. SULLIVAN
SEAN D. SULLIVAN
MICHAEL G. SWANSON
AARON M. TAYLOR
GREGORY T. THIER
JEFFREY M. TOMLIN
HARVEY B. WILDS
DIANA B. WISEMAN
FREDERICK E. YEO
SCOT A. YOUNGBLOOD

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RANDOLPH T. PAGE

CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2013:

DEPARTMENT OF ENERGY

ERNEST J. MONIZ, OF MASSACHUSETTS, TO BE SECRETARY OF ENERGY.