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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Eternal Lord God, Your power keeps us from falling. Today we bring You our praise and thanksgiving because Your mercies endure forever.

Thank You for the gift of freedom and for the opportunities our Senators have today to protect and defend our liberties. Forgive them when they miss the mark. Give them strength when they are weak, as You provide them with vision for the tasks ahead. Engender in them a renewed sense of gratitude for Your call to serve their Nation and Your kingdom.

Lord, we again ask You to strengthen everyone affected by the Oklahoma tornado. Bless the victims, the rescue workers, and their families in the days and weeks to come.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 22, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for 1 hour. Republicans will control the first half, and the majority will control the final half. Following morning business the Senate will resume consideration of S. 954, the farm bill, managed by Senator STABENOW and Senator COCHRAN. We will continue working through amendments to the farm bill today. Progress was made yesterday, and we need to continue working on the amendments. At 4 p.m. today we will proceed to the consideration of S. Res. 65 regarding Iran sanctions, and the vote on that resolution will be at 5 p.m.

MEASURES PLACED ON THE CALENDAR—S. 1003, S. 1004, H.R. 45

Mr. REID. Mr. President, there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1003) to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

A bill (S. 1004) to permit voluntary economic activity.

A bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Mr. REID. I object to any further proceedings to all three of these bills at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

IMMIGRATION AND THE BUDGET

Mr. REID. Mr. President, last night the Senate Judiciary Committee, after some 24 hearings and several weeks of markup, advanced a commonsense, bipartisan proposal to fix our broken immigration system. No one can dispute that it is broken. No one can dispute that it needs to be fixed. I commend the good work of the committee, and I am grateful to everyone who worked those long hours. I will bring this bill, which is a strong bipartisan bill, to the floor in June, sometime soon after we return from the Memorial Day work period.

Although neither Republicans nor Democrats will support each and every aspect of this legislation, it is gratifying to see the momentum behind these reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. I applaud significantly the efforts of the Gang of 8—four Democrats and four Republicans—who showed bravery as they set aside partisanship to address the critical issues facing our Nation.

I am confident that for everyone in that Gang of 8, Democrats and Republicans, there are parts of this bill they do not like. But that is how we move legislation forward for the greater good—compromise. I admire their legislative skills and appreciate very much their ability to set aside these partisan differences and move this extremely important bill to the floor.

There was other courage on display on the Senate floor yesterday when

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

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two Republican Senators bucked the majority of their party for the good of the country. Senators MCCAIN and COLLINS—two Senators I admire deeply—came to the floor to call on their own party to stop blocking bipartisan budget negotiations.

JOHN MCCAIN and I came to Congress together. In 1982 we were elected. We spent two terms in the House together, and we have been in the Senate together since then. Over these many years, more than three decades, JOHN MCCAIN and I have disagreed on several things, but I have never lost my admiration for this patriotic man. He is courageous in battle—not only in the fights that take place in a war but legislative battles. I am so appreciative that he decided the right thing to do was to move forward and see what we could do to get this bipartisan negotiation started.

SUSAN COLLINS and I have served together for a long time in this body. We have worked together on some extremely important measures. I don't need to run through all these, but there are parts of the law of this country that would not be law but for her willingness to move forward and move across the aisle. SUSAN COLLINS and I disagree on quite a few things, but we agree on quite a few things.

The people of Arizona are very fortunate to have JOHN MCCAIN as a Senator, and the people of Maine are fortunate to have SUSAN COLLINS as a Senator. The reason they stepped forward is because it has now been 60 days—2 months—since the Senate passed its commonsense, progrowth budget. The question everyone raises is, Why are Republicans standing in the way? Not only are Democrats asking that question, Republicans are asking that question now.

We passed a budget. Senators MCCAIN and COLLINS do not think our budget is the best. They think they could do a better job. But they also understand the legislative process—that is, you have to work together. Just as the Gang of 8 did to get the bill on immigration to the floor, we need to work together to get a budget. The House has passed one. We have passed one. Let's go to conference and work out our differences.

For 60 days Republican leaders have objected to a conference with the House of Representatives where we could work out our differences between our budget and our priorities. The differences between our budgets are there. We know that, but we need to work together on our priorities. The House Republicans and House Democrats need to come up with what they want, and we will come up with what we want, working with the Republicans here. That is what a conference is all about. In a conference it is not just the Democrats from the Senate on the conference committee, Republicans will be on it also. And just like in the House, it will not be all Republicans, it will be Democrats also.

The only explanation their Republican leaders have given for their endless obstruction is this: They refuse to negotiate unless we agree in advance to let them have their way. Yesterday the senior Senator from Arizona and the Senator from Maine—both Republicans—condemned that. They said it was hypocrisy. That is my word, not theirs; they can define it any way they want. But the point is that they have been calling for regular order for several years, and now they have the chance for regular order and they are walking away from it.

Senator MCCAIN called the obstruction by his fellow Republicans a little bizarre. I used that word also to describe the gridlock here. Senator COLLINS agreed that it was ironic at least. That is what she said. The senior Senator from Maine went on to say:

> We have called repeatedly for a return to the regular order in this body. Regular order is going to conference.

We agree. We have a progrowth budget that we will proudly defend. House Republicans should be ready to do the same with theirs. I don't know why my Republican colleagues in the Senate are so afraid of an open conference. The conference committee report will need both Democratic and Republican votes to pass. Do my Senate Republican colleagues not trust their House Republican colleagues to hold the line on their priorities?

Congress must set sound, long-term fiscal policy through the regular order of the budget process and through compromise, but Democrats and Republicans will never find common ground if we never get to the negotiating table.

STUDENT LOANS

On another subject, Congress has worked hard and compromised often over the last 4 years in order to reduce the deficit and reverse the trend of rising debt that began under President Bush. That work has paid off. We have reduced the deficit by about $2.5 trillion.

But as our Nation has succeeded in setting a course for financial responsibility, students across the country have struggled to do the same. The rising price of higher education puts college out of reach for many promising young people, and it saddles those who do get an education with an unsustainable debt, a debt that causes them to delay buying their first home, put off having children, or give up the goal of starting a business.

Today Americans have more than $1 trillion in student loan debt. There is more student loan debt than credit card debt, and the average graduate owes more than $25,000 when they get out of school. I think a college education should free young people to achieve their dreams, not saddle them with crushing debt for the rest of their lives.

College is already unaffordable for too many young people, but if Congress fails to act soon, that cost will go up again. On July 1, interest rates on student loans are set to double, from 3.4 percent to 6.8 percent, effectively socking 7 million students with $1,000 a year in additional loan costs. In Nevada alone this will cost 26,000 students more than $21 million next year. We should be removing the obstacles keeping young people from getting an education, not raising more barriers. Raising interest rates would put higher education even further out of reach for many promising students.

Last week Senate Democrats introduced a proposal to freeze student loan rates at current levels for 2 years without adding a penny to the deficit. This is paid for by closing wasteful tax loopholes. The legislation being pushed by House Republicans will take a different route, sticking it to students instead of closing loopholes. Rather than investing in the next generation of American workers, the House bill would cost students as much as $6,500 more in interest than the current rates. In fact, passing the House proposal would be worse than doing nothing at all. We would be better off letting the rates go up to 6.8 percent than passing the House bill. Passing the House bill or letting the rates go up to 6.8 percent is not the right thing to do. We need to do what we suggest; that is, keep the interest rates where they are.

Under the House bill, students would pay up to $2,000 more if we allow the rates to double in July. But Democrats know an investment in education is an investment in our economy, so we will keep student rates low and hold back the rising price of education.

Last year, after months of obstruction, the Republicans eventually conceded and helped us achieve that goal. After all, it was great election-year politics for them. This is what Mitt Romney said about the effort to keep loan rates low: ''I fully support the effort to extend the low interest rate on student loans.'' Even my friend the minority leader, MITCH MCCONNELL, said there was not a soul in Washington who thought student loan rates should go up. We agree. But unlike Republicans, we don't abandon our commitment to students just because the election is over. Can my Republican colleagues say the same? I hope they still share our goal of keeping the American dream affordable. If they do, there is an easy way to prove it: work with us to quickly pass the proposal to protect American students.

RECOGNITION OF THE MINORITY LEADER

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

NOMINATIONS

Mr. MCCONNELL. Mr. President, recently we have seen troubling signs. There are some in the executive branch who would use the power of the Federal

Government to intimidate political opponents. For instance, there were reports that the IRS targeted conservative groups for harassment and discriminatory treatment because they sought to exercise their first amendment rights of freedom of association and speech, and during the debate on ObamaCare when the Department of Health and Human Services issued a gag order on insurance plans in an attempt to prevent them from telling their customers about problems with the bill.

Now there are published reports that the same department is trying to shake down some of these same companies for money so it can try to convince Americans to finally like ObamaCare.

Over at the FCC, the President's allies are trying to shut down or make it difficult for people who want to buy advertising to exercise their first amendment rights to criticize the administration. There are similar efforts over at the SEC. It all points to a culture of political intimidation.

Unfortunately, it doesn't seem the culture of intimidation is simply confined to the executive branch. The administration's allies in the Senate are trying to intimidate their political opponents as well. What I am talking about is the persistent threat by the majority to break the rules of the Senate in order to change the rules of the Senate; in other words, to use the nuclear option if they don't get their way.

For example, Senate Democrats were incensed that Republicans had the temerity to exercise their advice and consent responsibility to block a grand total of just one nominee to the DC Circuit. What did our Democratic colleagues do in response? They consulted with the White House and pledged to pack the DC court with appointees ''one way or another''—meaning use the nuclear option.

They are certainly not doing this because the DC Circuit is burdened with cases—far from it. The DC Circuit is one of the least busy courts in the country. They want to use the nuclear option to pack the DC Circuit so it can rubberstamp the President's big government agenda—the same big government we have seen over at the IRS and elsewhere.

That is not the limit of the culture of intimidation in the Senate. Let's look at the NLRB situation. Despite the story that the administration and Senate Democrats want to spin, Senate Republicans did not block the President's nominees to the National Labor Relations Board; rather, it was the President who blocked the nominees to the Republican slots on the NLRB so he could, once again, pack a powerful branch of government, in this case, the NLRB.

The administration sat on one of the two Democratic vacancies at the NLRB for 4 months. Then it waited until the middle of December in 2011 to send up both nominees for the Democratic seats on the NLRB while refusing to send up any of the nominees for the Republican seats. In fact, the administration sat on the Republican nominees to the NLRB for 9 months.

Then, with no Republican nominees to the NLRB before the Senate, the President purported to recess appoint the two Democratic nominees to the Board when their nominations had been before the Senate for less than 3 weeks. It was so fast the majority leader didn't even have time to schedule a hearing. Our Democratic colleagues did not defend the Senate from the President's unprecedented and unconstitutional power grab. Senate Republicans had to do that.

Now that the DC Circuit has found these purported appointments to be unconstitutional—by the way, that was a unanimous three-judge court—and other circuit courts are agreeing with its reasoning, what is the Democratic majority threatening to do now? It is planning to double down and aid the administration with its power grab at the NLRB.

Specifically, as with their effort to pack the DC circuit, the majority is threatening to use the nuclear option so they can push through unlawfully appointed board members over the principled objection of Senate Republicans. It doesn't seem that our Democratic colleagues want to respect the rules of the Senate or that they want to respect the rulings of our Federal courts. It appears they want to enable the President and organized labor to exercise power at a powerful Federal agency without anyone getting in the way.

Let's be clear. These threats to use the nuclear option because of obstruction are just pretext for a power grab.

What are the facts? The Senate has confirmed 19 of the President's judicial nominees so far this year. At this point in President Bush's second term when my party controlled the Senate, President Bush had a grand total of four judicial nominees confirmed. There have been 19 confirmed so far in the second term of President Obama with Democratic control of the Senate and four in the second term of President Bush with a Republican control of the Senate.

Moreover, Republicans on the Judiciary Committee just voted unanimously to support the President's current nomination to the DC Circuit. The Senate Republican conference agreed yesterday to hold an up-or-down vote on his nomination—which has only been on the calendar since Monday of this week—to occur after the Memorial Day recess. That way Members who do not serve on the committee, which is a vast majority of the Senate, could have at least 1 week to evaluate this important nomination.

Instead, the majority leader chose to jam the minority. He rejected our offer for an up-or-down vote, just 10 days or so from now, and filed cloture on the nomination just 1 day after it appeared on the executive calendar. This is just another example of the majority manufacturing a crisis to justify heavy-handed behavior.

As for the NLRB, Republicans are willing to support nominees who are not unlawfully appointed and who have not been unlawfully exercising governmental power. Regarding nominees generally, Senate Republicans have been willing to work with the President to get his team in place. The Secretary of Energy was confirmed 97 to 0, the Secretary of Interior was confirmed 87 to 11, the Secretary of the Treasury was confirmed 71 to 26, the Director of the Office of Management and Budget was confirmed 96 to 0, and the Secretary of State was confirmed 94 to 3, just 7 days after the Senate received his nomination.

These continued threats to use the nuclear option point to the majority's own culture of intimidation in the Senate. Their view is that we had better confirm the people they want when they want them or they will break the rules of the Senate to change the rules so we can't stop them. So much for respecting the rights of the minority and so much for a meaningful application of advice and consent.

Senate Republicans will work with the administration and the Democratic majority, but we will not be intimidated. We have principled objections to some of the President's nominees and constant threats to break the rules are not going to work. Constant threats to break the rules are not going to work. We want to work with the Democrats, but these tactics are not the way to go about getting our cooperation.

The majority leader has twice committed on the Senate floor not to use the nuclear option. The last time was just a few months ago. These were not conditional commitments. They were not commitments not to violate the rules of the Senate unless it became convenient for political purposes to violate the rules of the Senate.

The comments of Senators are supposed to matter. Our words are supposed to mean something around here. The commitments of the Senate majority leader need to matter. We simply cannot start breaking commitments around here, especially on something that goes to the very essence of the Senate. The majority leader needs to keep his commitments.

I indicated to the majority leader I was going to ask unanimous consent—and I assume he has a copy of it—on the DC Circuit Court nomination that the majority leader filed a cloture motion on last night. We have already stated that we agreed to a debate and a vote which came out of the committee unanimously.

We confirmed two judicial nominations Monday of this week, and we have an additional two scheduled for later this week. I have already indicated that confirmations of judges this year are stunningly fair to the majority compared to a time when President Bush was in his second term and my party controlled the Senate.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MCCONNELL. Again, I remind my colleagues that we confirmed 19 judges this year. We will have 21 judges confirmed by the end of this week.

Therefore, bearing that in mind, I ask unanimous consent that the cloture motion filed on Calendar No. 95 be vitiated and the Senate proceed to the consideration of this nomination at a time on Tuesday, June 4, to be determined by the majority leader after consultation with the Republican leader; further, I ask that there be 1 hour of debate on the nomination equally divided in the usual form; that at the expiration or yielding back of that time, the Senate proceed to vote on the confirmation of the nomination with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The majority leader.

Mr. REID. Mr. President, this good man, Sri Srinivasan, was first nominated in June of 2012. He is a brilliant man. He is an honors graduate from Stanford Law School.

Justice Roberts left that court in 2005. We have been trying to fill spots on that court for all of these many years—6 or 7 years. The DC Circuit is the court that some say is more important than the Supreme Court. No judge has been confirmed in the DC Circuit since 2006. It is an 11-member court established by law, so to have a 7-member court is unfair.

We have had one woman, for example, Caitlin Halligan, a highly qualified nominee, who has been filibustered twice by the Republicans. She was nominated to fill the seat of Justice Roberts.

The man we are talking about today has been nominated to a seat that has been vacant for 5 years. The four seats were vacated in 2005, 2008 and have senior status by two other judges in the last year or two. His nomination has pending for 345 days. That is by far the longest wait of any of the judicial nominations currently awaiting confirmation by the full Senate.

My friend the Republican leader talks about Bush's second term and how he didn't get many nominations. He didn't get many nominations at that time because we approved so many in the first term. It is just the opposite with President Obama. Eighteen Bush circuit court nominees were confirmed within 7 days or less after being reported by the committee.

A Republican-controlled Senate filed cloture on three circuit court judges—including some real controversial ones, such as, William Pryor and Janice Rogers Brown. Cloture was filed in less than 1 week.

There has been a stall going on in the Senate for years. It doesn't take a mathematician to figure it out. We are being held up on nominations and legislation.

President Obama has been trying to have the people he wants as part of his team for 4½ years. There are multiple vacancies in this court. It has been reported out unanimously by the committee.

There is all of this stalling and waiting so that maybe they will be able to render another couple of opinions over the next couple weeks and thwart the law which says there should be 11 people on the court. But to pack the court with what has been determined the number of people who should be on that court? Is it right to have a total of six members of the Circuit Court? Is it packing the court because we want to fill the court as it is called for in the Constitution? No. We should vote on the nomination of this young man today so he can go to work and help fill one of the four vacancies that has been long standing in that court for 5 or 6 or 7 years.

Unless there is an agreement, we will have a cloture vote at the end of tomorrow, and if they want to use their 30 hours, which they are entitled to do under the arrangement we made at the beginning of this year, they can use the 30 hours. But we are going to get this young man confirmed. It is the right thing to do and we are going to get him confirmed as soon as possible. Having waited 345 days, I think he deserves it.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, the first time this nominee, who was reported out of committee unanimously, appeared on the Executive Calendar was 2 days ago. President Obama waited years before making any nominations to the DC Circuit. Then he made just one—Caitlin Halligan—and this is his second nominee to that court.

More broadly, the issue is, How has the Senate been treating President Obama? We have confirmed a total of 190 Obama judicial nominations. We have defeated two. That is 190 to 2. There are 70 percent of the Federal judicial seats without any nominees—70 percent of the vacancies without any nominees.

Look, this is a manufactured crisis. The core point here, I would say to my friend the majority leader: We have a good relationship. We work together every day. But the majority leader gave his word to the Senate that we would determine what the rules are for this Congress. A number of my Members felt it was settled. We voted for resolutions and some rules changes at the beginning of the year based upon the majority leader's word. It is important for his word to mean something, not just to his Members but to ours.

Statistically, it is not true. The math can't be denied. It is simply not true that we have been mistreating the President in any way with regard to the confirmation process. With regard to the way the Senate itself is working, the majority leader has been actually quite complimentary, and I give him credit for helping us to get back to normal here, to have a regular process on bills. WRDA is a good example of where we were calling up amendments. Many of them we are getting on without even a motion to proceed, based upon the majority leader's representation we are going to have votes and, by golly, we have been having votes and, amazingly enough, Senators like that. They are not marginalized by a process under which they don't get to participate. So I think we have made an enormous amount of progress. I wish to make sure the majority leader intends to keep his word, so we can continue to have the kind of collegial, constructive atmosphere we have had this year in the Senate throughout the balance of this Congress.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. We have to work together here, but it is mutual work, it is not all on one side. It is not my word versus somebody else's word.

In 2005, we had a knockdown, drag-out battle here. My friend the Republican leader, along with others, gave speeches on the Senate floor that the process regarding judges wasn't moving along quickly enough. As a result of that crisis, in an effort to resolve the matter, we agreed to put some people on the bench we have regretted since then, including Janice Rogers Brown, Thomas Griffith, and Brett Kavanaugh, but we agreed to that and they are on the court now. We need a balance.

My friend has focused on judicial nominations. We have been doing better there. But other nominations, not so. We can talk about all the rights of the minority and all that. The President of the United States, whether it is George Bush or President Obama or Jeb Bush or Hillary Clinton, whoever it might be, deserves the right to have the people they want to work there and not be held up for months and months to fill some of these minor posts. I could run through a list of names that were held up and have been held up for a long time.

My friend the Republican leader said during the squabble we had previously how he agreed with the fact we should change the rules. I am not saying we are going to change the rules, but I am saying we have to do a better job than what is going on around here. This is no threat. We need to look at the facts. Look at the facts.

We are going to continue working to try to work through this morass we have here. But let's not focus only on the judiciary. We have a lot of problems with regular nominations. We haven't talked about legislation. We are doing a little better on that, but a perfect example of that is what is going on with the budget. People begged around here, yelled and screamed and fought, for regular order. They get it and then they don't want it.

I am convinced we need to move forward. I think one of the things we should do with something that has been reported out of the committee 18

to nothing, and there have been vacancies for 6 or 7 years, is we should do that immediately, not wait for a couple of weeks to do it. If somebody cares about this good man, his record is available. They can read it in 10 minutes.

I am sorry I had to object to my friend's unanimous consent request, but it was easy to do because the request is simply wrong.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, let me thank my friend the majority leader for confirming that he intends to keep his word.

With regard to judicial nominations, the facts are not irrelevant. Of the 33 nominations in the Senate we have acted on this year—this calendar year—cloture has been required on three: Brennan, Hagel, and Halligan, and cloture was not invoked on only one. We have confirmed 33 boards—actually judges, agencies—33 nominations confirmed this year. Cloture was required on only three, and cloture was not invoked on only one.

My only point to my friend the majority leader is, the math is hard to dispute. We have made a major effort here to move the Senate back in the direction that I know the majority leader and I agree on, the way the Senate ought to operate. We have made major progress. I think that progress needs to be recognized. My friend the majority leader said it on various occasions this year in connection with bills we have processed in a fair and open way with plenty of amendments and an opportunity for everybody to be involved. So let's tone down the rhetoric.

I want to say again I appreciate the majority leader's commitment to keep his word. It is important around here. It has a lot to do with how we go forward. I think the conversation this morning has been constructive, and I thank him. I am sorry he feels we can't wait 10 days to do this nominee, particularly since there are circuit judges, I believe, and maybe district judges as well, already on the calendar. The way we have been trying to do it around here that I thought the majority leader agreed with is we would take them up in the order they came out and appeared on the calendar. I know, for example, there is a judge from Wyoming that Senators from Wyoming in my party are for, and they are asking me why this particular nominee was jumped over, over their nominee, because we have been sequencing these, I believe, have we not, as they come out.

So here we have a nominee we all agree on for a court that is not overloaded with work—a nomination only recently made and recently confirmed—and the only dispute here seems to be over whether we do it this week or a week from now. Thus, my friend, that is why I call this a manufactured crisis. There is no crisis here. We are not arguing over this nominee. We like him. So the majority leader can make us have a cloture vote this week and we can skip over the judges who have been waiting who came out of committee and are on the calendar if he so chooses; there are some advantages to being the majority leader. But goodness gracious, we have enough arguments here over things we disagree on, and it sounds to me as though we are having an argument over something we agree on.

So I hope we can tone down the rhetoric and continue the good way we have been operating this year. We have big, controversial issues coming our way. Let's don't make being a Senator and functioning in the Senate any more difficult than it is anyway, because we have big differences about the future of the country. But let's have those debates in a collegial way and not manufacture crises that don't exist.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, everyone knows that numbers—we can show anything we want with numbers. The fact is there has been slow-walking done on the President's nominations, and we can look at how they do that. It has been interesting. It is a new way of doing things around here. A nominee comes up and what the committee does is submit hundreds and hundreds of questions. One of our nominees got 1,000 questions in writing the person had to respond to. That has never happened before. We have all of these ways of stalling.

I know the Senators from Wyoming want to vote on and have spoken to me about Gregory Alan Phillips to be a circuit court judge for the 10th Circuit. Let's do it right now. Let's do him today. The Wyoming Senators shouldn't have to wait.

That is why I ask unanimous consent that we do—I am sorry. I like him, but the man on whom we are going to invoke cloture graduated law school with my son. He is a fine man, but I am not the only one who messes up his name. He was a basketball player in Kansas. He said his parents came to all of his games and they cringed every time his name was pronounced because it is a hard name to pronounce.

I ask unanimous consent that at a time to be determined by me, the Senate proceed to executive session to consider Calendar No. 95, Srikanth Srinivasan; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, again, I think what we are witnessing here is a manufactured crisis. We are doing four judges this week—this very week—four judges. There are five others on the calendar before the nominee the majority leader has been trying to get us to process this week. I think it is a better policy to continue to set votes that the facts show are in a timely way.

Why are we doing this? We are not having a problem confirming judges. I don't understand. Why are we doing this? It doesn't make any sense. We have big issues coming our way on immigration, for example, that are going to be very controversial. Members on both sides have been making every effort to tone down the rhetoric, to get us in the proper place to deal with a very difficult and contentious piece of legislation.

Why are we doing this? What is the point? All of these judges are going to be approved in a relatively short period of time in an orderly process we have been working on all year that has produced four times as many judicial confirmations for President Obama in his second term as President Bush had at this point in his first term when we had a Republican Senate.

This is an unprecedented, rapid pace for confirmations. So I would say to my friend, why are we doing this? I am going to object, but I would like to know what the point is. What is the problem?

Mr. REID. Mr. President, I will be happy to respond to what the problem is.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Senator LEAHY said yesterday:

> A recent report by the nonpartisan Congressional Research Service compares the whole of President Obama's first term to the whole of President Bush's first term, and the contrast could not be more clear. The median Senate floor wait time for President Obama's district [court] nominees was 5 times longer than for President Bush's. President Obama's circuit [court] nominees faced even longer delays, and their median wait time was 7.3 times longer than for President Bush's circuit nominees. The comparison is even worse if we look just at nominees who were reported and confirmed unanimously. President Bush's unanimously confirmed circuit nominees had a median wait time of just 14 days. Compare that to the 130.5 days for President Obama's unanimous nominees.

So 14 days compared to 130.5. Things are going along really well? I do not think so.

On with what Senator LEAHY said:

> That is more than 9 times longer. Even the nonpartisan CRS calls this a ''notable change.'' There is no good reason for such unprecedented delays, but those are the facts.

So that is why we are doing this. There is no reason to wait 10 days or 2 weeks for this good man to fill a seat on a court that has been waiting for people to get on the court for 7 years. We have a majority in that court that

is wreaking havoc with the country. For the first time in 230 years, they rule the President cannot make a recess appointment. So, yes, there is a crisis, and we need to do something about it. One way to resolve part of it is to get this good man on the court now.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I gather, listening to the majority leader, the whole purpose is to stack the court. So the real issue, I guess, is he disagrees with the rulings on the DC Circuit.

Look, we have been voting to confirm judges we know we will not prefer the outcome of their decisions. But it sounds to me like the majority leader has finally kind of fessed up to what the real problem is. The reason it needs to be done this week versus next week is because he does not like what the DC Circuit is doing. So it does not have anything to do with caseload or anything else. In fact, what is unprecedented is confirming a DC Circuit court judge 2 days after he has been on the calendar—2 days. Goodness. What is the difference between now and next week? I find it impossible to understand.

In fact, I do not understand why we are having this whole discussion this morning. We have plenty of things to debate around here and plenty of things we disagree upon. We have had an orderly process. This Congress has done well: 19 judges compared to 4 for President Bush at this point.

If there is still a consent request pending, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCONNELL. I think the majority leader and I ought to sit down like we normally do and figure this out and eliminate a manufactured crisis and go forward.

The ACTING PRESIDENT pro tempore. The majority leader

Mr. REID. Mr. President, in school we studied a lot of things. But one of the things I cannot forget is George Orwell's ''1984.'' It was an interesting book because in that book he talked about people coming to a time when whatever they said was factually just the opposite.

Here is where we are now. It has been legislatively determined the DC Circuit should have 11 members. My friend says we are stacking the court? There are four vacancies. Stacking the court by having eight there instead of seven? That math is not very good.

My friend also keeps talking about that the DC Circuit does not have anything to do. The DC Circuit is now more than one-third vacant with four judicial vacancies. Mr. Srinivasan is nominated to the eighth seat on the DC Circuit. Three still remain empty.

And, yes, we are. The country is concerned about the decisions coming out of that court. The DC Circuit Court of Appeals is considered by some the most important court in the land. But by virtually everybody, it is ''the second most important court in the land'' because of the complex nature of the cases they handle. The court reviews complicated decisions and rulemaking of many Federal agencies and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases are very complex in nature, requiring additional time for consideration.

Congress took action to address these concerns about their caseload by decreasing the number of judgeships in 2008 from 12 to 11. Congress has set the number of judgeships needed by the court at 11. The court should not be understaffed by one-third.

In reality, according to the Administrative Office of U.S. Courts, the caseload per active judge has increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the DC Circuit.

So Senate Republicans willingly confirmed President Bush's nominees to the 9th, 10th, and 11th seats on the DC Circuit. We did not think they were stacking it. I did not particularly like some of the people they put on there, but it was not stacking it. That is what the legislation called for.

This good man is President Obama's second nominee to the DC Circuit to fill the eighth seat, and they filibustered Halligan twice.

So this is a situation that needs to be resolved quickly. We cannot have the second, or first, most important court in the land one-third vacant. We are stacking the court with one person? I think not.

So we can stay here longer, but I have made my point. One thing I have to say to my friend, although we have gotten into a few of these little conversations before on the Senate floor, I will wind up getting the last word.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Yes, I know the majority leader will always have the last word. That is the advantage of being in the majority and not the minority. I think it has been actually a good discussion this morning. I think we have demonstrated there is no real problem. We have confirmed the President's nominees both for the judiciary and for the executive branch in a very timely fashion, and we will continue to process these judges in consultation with the majority leader as they come along.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the only thing I would say is, what about the judge from Wyoming? Why don't we do that today? Could there be a more Republican State in the country than Wyoming? Maybe. I do not know. Maybe Idaho is vying for No. 1. But I am willing to approve this judge today. Why don't we vote on him today?

Well, if you want to go ahead and have us invoke cloture on this other guy, we will do that, but I am willing to vote on the Wyoming guy today.

Mr. MCCONNELL. Since the majority leader always reminds me he has the last word, I am hesitant to speak again. But we will continue to process these judges in an orderly fashion, as we have all year long, and, hopefully, he and I can discuss this further off the floor and find a way forward.

Mr. REID. I do not want anyone thinking I am not keeping my word. I was not going to say anything, but I thought I said I would get the last word.

So Senator MCCONNELL can say something now, and I will not get the last word.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half.

The Senator from Arkansas.

IRS SCANDAL

Mr. BOOZMAN. Mr. President, I am very much appreciative of the Senator from Kentucky and the Senator from Nevada having this very important discussion.

Washington tends to operate inside a bubble where one can easily forget just how much Main Street America is hurting economically, how many Americans feel their rights are being threatened, and how many fear we are not going to leave behind a better country for our children.

That is why it is so important we stay connected to our constituents. It is why I travel home almost every weekend, hold telephone and online townhalls from my Washington office, and try to read my mail, which is so very important.

In a recent townhall I answered some difficult questions on the issues we are facing as a nation. However, one of the toughest questions that was posed was not about a specific policy issue. Instead, it was when I was asked: How do we fix the mess in Washington?

I answered, in part, that transparency and accountability would go a long way to restoring faith in Washington. That was before the Benghazi controversy escalated. Then news of the IRS scandal broke. Almost immediately after that we learned the Department of Justice had obtained the private phone records of dozens of Associated Press reporters.

This is the opposite of what we need to do to fix the problems in Washington. These scandals move us in the wrong direction.

It is hard to pick which one of these I find the most troubling, but I want to focus on the IRS scandal because targeting political groups, singling them out for additional scrutiny simply because you disagree with their ideological views is wrong on every level.

Dismissing this massive overreach as if it is just the acts of a few rogue agents in Cincinnati, as some have tried to do since the onset, is not taking leadership nor is it seeking to hold the agency accountable.

We now know the Acting IRS Commissioner knew of these abuses for at least a year, and officials at Treasury and as high up as the Chief of Staff at the White House were briefed before the leak despite the repeated claims that the administration learned about it through news reports.

We know it was not just Cincinnati. IRS officials at the agency's Washington headquarters also sent queries to conservative groups asking about their donors, and progressive groups, who operated the same way, were not subjected to this type of harassment.

On top of all this there is real concern that IRS officials may have lied to Congress in an effort to cover up the agency's misdeeds. Yesterday before the Finance Committee the former head of the agency who was in charge at the time of these abuses claimed this was not ''politically motivated,'' while at the same time he said he did not know how the targeting happened.

Along with this impressive doubletalk, he refused to apologize for the abuses that went on under his watch.

Somebody has to be accountable. This is not a time for excuses; it is a time for leadership. The President needs to fully cooperate with the congressional investigations into the IRS scandal.

Last week, our entire caucus sent a letter to the White House that demands at least this much from the administration. Washington's credibility—what is left of it—is on the line. The American people deserve to know what actions will be taken to ensure those who made these decisions at the IRS will be held accountable.

The good news is people on both sides of the aisle—Republicans and Democrats—are rightfully outraged. We are going to get to the bottom of this. People will be held accountable. At the very least those engaging in these unethical actions need to be fired. If they broke the law, they need to be prosecuted.

This scandal gives the already maligned IRS a black eye. It reinforces people's worst fears about Washington—that those in power will use any means necessary to maintain that power.

Keep in mind this agency will be responsible for implementing and enforcing key provisions of the President's health care law, a law that a majority of Arkansans do not support. If these types of abuses are allowed to go unchecked, what kind of bullying will go on when that implementation begins, especially in light of the fact that the official who was in charge of the unit that targeted conservative groups now runs the IRS office responsible for the health care law?

Everyone needs to be treated fairly under the law. Clearly, there are employees at the IRS who do not subscribe to this principle. There must be zero tolerance for the actions of those individuals.

Until we change the culture in Washington, we will not gain the confidence of the American people. The onus is on us. Washington as a whole—the White House, Congress, and every civil servant—has to remember whom we work for and to whom we are accountable. The actions of the IRS, along with the other scandals plaguing DC, only move us further from the goalpost, not closer.

I yield back.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Nebraska.

ONGOING CONTROVERSIES

Mrs. FISCHER. Madam President, I rise today to discuss a number of ongoing controversies of national importance, including the IRS's unfair treatment of conservative groups applying for tax-exempt status, the secret gathering of journalists' phone records by the Department of Justice, and the administration's response to the attack on the U.S. consulate in Benghazi.

Both the House and the Senate have held hearings with the former and acting IRS Commissioners, as well as the Treasury Department's Inspector General for Tax Administration, who conducted an internal audit and authored the report revealing the pattern of government abuse within the IRS tax exempt division.

While I am pleased that Congress is judiciously exercising its oversight powers, very few questions have been answered. The pattern of inconsistent explanations continues. We still do not know who exactly initiated the practice of wrongfully targeting conservative groups.

Ironically, the Acting IRS Commissioner, Steven Miller, testified under oath that there was absolutely no political motivation behind the practice; however, Mr. Miller could not identify the names of the individuals whose motives he was supposedly vouching for. How is that even possible? Nebraskans know better than to buy that bill of goods.

We still do not know why this abusive policy was implemented in the first place. IRS officials have maintained that the extra scrutiny given to conservative groups was an attempt to deal with an influx of applications. As a number of fact checkers and media outlets have noted, that surge in applications did not happen until well after the targeting began. The reasoning for the practice put forth by the IRS simply does not align with the facts.

We still do not know why the IRS believed it had the right to release confidential data which it had wrongly requested in the first place. They released that to third parties with adversarial interests to those conservative groups in question. The progressive publication ProPublica admitted it obtained from the Internal Revenue Service illegally leaked confidential tax forms from nine organizations.

All of the groups whose records were improperly released were conservative. Why did the IRS leak these records? What was their goal? Why did only conservative organizations have their confidential information leaked? Why did the White House senior staff, including the White House Counsel and the White House Chief of Staff, fail to inform the President of this egregious government overreach by the IRS?

Former Special Counsel to President Clinton, Lanny Davis, recently wrote an opinion piece in the Hill:

> With all due respect to someone who has impeccable legal credentials, if she did have such foreknowledge and didn't inform the President immediately, I respectfully suggest Ms. Ruemmler is in the wrong job and that she should resign.

Politico recently reported—the story keeps changing:

> The White House explanation of what it knew about the IRS story ahead of the first press reports on the controversy shifted once again Thursday.

Let me repeat that, ''shifted once again.''

It seems that some folks from the White House cannot get their facts straight. Why? The White House Press Secretary admitted yesterday that officials in the White House discussed how and when the IRS would tell the public the agency had been targeting conservative groups. The eventual public disclosure was made by IRS Tax Exempt and Government Entities Division Director Lois Lerner, who revealed the pattern of government abuse with an intentionally planted question at an otherwise little-noticed Washington, DC, lawyers conference.

It is outrageous that despite numerous congressional inquiries asking the IRS for answers in both public hearings and formal letters, the IRS would first reveal the truth through a charade of a ''planted'' question. Then Lerner went on to earn herself a ''bushel of Pinocchios'' from the Washington Post fact checker for her series of misstatements and ''weasley wording.''

Whatever happened to the President's worthy goals of promoting the most accountable, the most transparent, the most open administration in history? I do not appreciate being misled, and Nebraskans do not either.

Regarding the secret collection of the Department of Justice of over 100 Associated Press journalist phone records, two key questions remain. Why didn't the Department of Justice ask the Associated Press to voluntarily cooperate before issuing those subpoenas as the law requires? And why did the Department of Justice fail to abide by the law

and inform the Associated Press that the records were subpoenaed, denying them the opportunity to appeal that heavy-handed play?

Washington Post columnist Eugene Robinson put it well:

> The Obama administration has no business rummaging through journalists' phone records, perusing their e-mails and tracking their movements in an attempt to keep them from gathering news. This heavy-handed business isn't chilling, it's just plain cold.

But, once again, the overreach does not stop there. Recent news has surfaced that a Fox News journalist was criminally investigated for doing his job, lawfully soliciting information from a government source. The Post describes the investigation in vivid detail. They used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

This assault on the First Amendment is unacceptable and the intimidation of reporters through unnecessary criminal investigations and excessive surveillance raises serious questions about the freedom of the press. The President and the Department of Justice have yet to come forward with credible answers. The American people are still waiting.

Finally, I would like to briefly touch on the tragic attack on our consulate in Benghazi. Much attention has been paid to the internal White House e-mails and changes to U.N. Ambassador Susan Rice's talking points explaining the source of the attacks.

I believe a key question still remains to be answered: Why for 2 weeks did the administration propagate the tale that it was a YouTube video-inspired attack when officials knew almost immediately it was carried out by affiliates of al-Qaida? That is a pretty simple question.

Why were the American people told an anti-Islam YouTube video prompted the attacks when it was known it was not? No one has answered this very basic question.

Instead of providing answers to these questions, a top White House adviser has impugned the integrity of those seeking the truth by decrying persistent questioning as a ''witch hunt.'' It is time for the President to put politics aside, demand accountability from his staff, and step up and do his job.

Congress is doing its part by conducting serious oversight hearings on both the IRS overreach and the Benghazi attack. Yet critical government witnesses—such as the IRS Tax Exempt and Government Entities Division Director Lois Lerner—refuse to cooperate, insisting on pleading the Fifth Amendment during hearings to set the record straight.

It is up to the President. It is up to the President to transform this culture of arrogance and change the above-the-law attitude that seems to have a grip over his departments and agencies. Ignorance, willful or otherwise, is not going to cut it anymore. We simply cannot afford to have a President on the sidelines. This unraveling saga of government gone wild demonstrates exactly one of two things: either the height of government incompetence or gross abuse of power. Rather than sending surrogates out on the Sunday talk shows to claim ''the law is irrelevant'' with regard to that IRS overreach, I call on the President to work with Congress to build back the people's trust.

This includes taking responsibility for the actions of those working within the executive branch, enforcing the laws, and removing all those responsible for this disturbing pattern of government overreach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

WHITE HOUSE SCANDALS

Mr. CORNYN. Madam President, this last weekend White House adviser Dan Pfeiffer visited all five Sunday morning talk shows. What he tried to do there was to defend the Obama administration's handling of the various scandals we are all too familiar with. Unfortunately for the President, I think he only made things worse.

For example, he said President Obama's whereabouts on the night of the Benghazi terrorist attack were irrelevant. That is a strange use of the word. Where the President is when a terrorist attack kills four American citizens in Libya, to call that irrelevant strikes me as an odd choice of words.

He was also asked whether it is illegal for the IRS to target individuals and organizations for political reasons. Again, he said, ''It is irrelevant.'' Strange choice of words. In other words, if the American people were hoping that this White House would finally provide straight answers to basic questions, they were once again disappointed.

Let's review the facts starting with Benghazi, as the Senator from Nebraska was just talking about.

Eight months, of course, have passed since four brave Americans were killed by terrorists linked to al-Qaida. Eight months have passed since the Obama administration blamed the attack on a spontaneous demonstration incited by some amateur YouTube video.

Is it irrelevant that we don't know where the President of the United States was on the night of the attack or what he did or did not do to come to the aid of these four brave Americans who were at risk of losing their lives and did, in fact, lose their lives? Is it irrelevant that members of the Obama administration deliberately misled, time and time again, the American people about this act of terrorism? Is it irrelevant that Ambassador Susan Rice was blaming the massacre on a YouTube video the very same day Libya's President was calling it a preplanned terrorist attack? Is it irrelevant that the former deputy to the late Ambassador Chris Stevens has said that everybody at the U.S. Embassy believed from the start that it was a terrorist attack? Finally, is it irrelevant that this former deputy, Gregory Hicks, was punished by the State Department for cooperating with congressional investigators so the truth could get out?

That is a strange choice of words—''irrelevant.'' I don't think the American people believe that is irrelevant—any of these facts. In fact, I think what we can only conclude is that the culture the White House, unfortunately, has created is one where coverups, misdirection, prevarication and dissembling are OK, not being straight with the American people.

No wonder the American people doubt their leadership in Washington and particularly in the White House if the White House is going to create a culture in which these sorts of coverups are OK or, in the words of Dan Pfeiffer, simply irrelevant. When the American people can't trust the White House to be honest with them—and refuses to accept responsibility for their mistakes—it is not irrelevant.

As for the IRS scandal, some people have tried to dismiss the targeting of various conservative groups as a rogue operation managed by a few renegade staffers in the Cincinnati office. Yet the more we learn about this scandal, the bigger it seems.

Anybody who has been around a big bureaucracy—and certainly the IRS qualifies as a big bureaucracy—knows that when you ask the bureaucrats something, the easiest answer is no because they don't get in trouble for saying no. They may not be very helpful or responsive, but they don't get in trouble.

What strikes me as so bizarre about this idea that there are a number of free agents in Cincinnati who decided to cook this up on their own is it really goes against the grain of everything we know about bureaucracies. Why in the world would they take the initiative to target political speech unless they thought they either had the explicit or the implicit approval of their higher-ups? It just doesn't make any sense otherwise.

Last week one Cincinnati IRS employee told the Washington Post—and I think this has the ring of truth—that ''everything comes from the top. We don't have any authority to make those decisions without someone signing off on them. There has to be a directive.'' Now, that sounds like the bureaucracy that I know and am familiar with.

So I would like to ask the White House if it is irrelevant that America's tax collection agency was turned into a political attack machine, deciding that they were the ones who could police political speech and activity protected by

the First Amendment to the Constitution? Is it irrelevant that an agency with the power to destroy people's lives adopted the tactics of a dictator? Is it irrelevant that senior IRS officials learned about these abuses at least 2 years ago and lied to Congress and the American people when we asked them about them?

When I got reports from the King Street Patriots and True the Vote in Houston, TX, and the Waco and San Antonio tea parties in 2011 and 2012 about some of the tactics they were being exposed to, I and other Members of the Senate wrote to the Commissioner of the IRS Mr. Shulman, and Mr. Miller, the Acting Commissioner, and they failed to disclose what we now know is the truth. Senator HATCH, the distinguished ranking member of the Finance Committee, yesterday told Mr. Miller that was a lie by omission at the very least. Certainly it was not telling the whole truth to the Members of Congress, whose responsibility is to provide oversight to the American people of the IRS and of the Federal Government. I don't think it is irrelevant when IRS Commissioner Douglas Shulman categorically denied these abuses in sworn testimony before the House Ways and Means Committee in March of 2012.

Furthermore, I don't think it is irrelevant that IRS officials may have committed criminal offenses. I realize that is a serious statement and charge to make, but we know this morning that the director of the Internal Revenue Service division overseeing nonprofit organizations has taken the Fifth Amendment when asked for sworn testimony by a congressional oversight committee.

To refresh everybody's memory, the Fifth Amendment to the U.S. Constitution means that you cannot be compelled to incriminate yourself and possibly expose yourself by virtue of your own testimony to a criminal prosecution. That is what taking the Fifth Amendment is.

While she is within her rights to take the Fifth Amendment, if she has a credible fear of prosecution for violating the criminal laws, I believe this elevates this scandal to a new level.

Finally, I would suggest to our friends at the White House that it is not irrelevant that a Texas businesswoman named Catherine Engelbrecht was targeted not only by the IRS but by the FBI, the ATF, and OSHA after she founded a pair of organizations in Houston, TX, known as the King Street Patriots and True the Vote.

I think most Americans would agree that all of this information is quite relevant, quite reprehensible, and something that Congress ought to, on a bipartisan basis, investigate.

I congratulate the chairman of the Senate Finance Committee, MAX BAUCUS, a Democrat—not a member of my political party—and Senator ORRIN HATCH, the ranking Republican on the Finance Committee, for the bipartisan way they have begun the investigation into this IRS scandal. What we all recognize, Republicans and Democrats alike, is that this is a threat to the public's trust in government institutions and that this culture of intimidation is not something we can stand for, using the extraordinary power of the Federal Government to target American citizens for exercising their constitutional rights. Indeed, if President Obama wants to know why the American people's trust in the Federal Government has plummeted to an alltime low, all he has to do is look at these two scandals and consider how the administration is handling them.

When government officials consistently mislead, stonewall, and abuse their power, people take notice, they don't forget, and the day of reckoning will surely come.

Madam President, 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.

Mrs. SHAHEEN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. It is my understanding that I have 10 minutes to speak. Will you confirm if that is correct?

The PRESIDING OFFICER. The Senator is correct.

SUGAR PROGRAM

Mrs. SHAHEEN. I am here today to speak to the importance of bringing much needed reform to the Federal Sugar Program. I understand that this is not something the Presiding Officer supports and that this is not something the Agriculture Committee addressed in the farm bill. I think it is important to try to address some of the misinformation that is out there.

We have been hearing a lot of talk about the need to protect America's sugar farmers. What we haven't heard is that sugar remains the most tightly controlled commodity market in this country. We currently have what I believe is an outdated program that offers a sweet deal to a small group of sugar growers and processors at the expense of too many other American businesses and at the expense of American consumers.

What the amendment that I have offered with a number of cosponsors will do is reform the Sugar Program to make U.S. manufacturers more competitive and to reduce prices for consumers. It will lower sugar price support levels, and it will reform the excessive restrictions on domestic supply and import quotas for sugars.

These reforms would save taxpayers money. The Congressional Budget Office has estimated that this legislation would save $82 million over the next 10 years.

I think it is important to keep in mind the amendment we have introduced does not eliminate the safety net for sugar producers. It simply makes some moderate commonsense reforms in the program. Sugar growers would still be supported by the Sugar Loan Program and protected by import restrictions and domestic market allotments. In fact, this amendment simply returns us to the same policies that sugar producers themselves supported as recently as 2007.

Since 2008, sugar prices in the United States have soared to record highs and they have consistently reached levels that are about twice the world pricing of sugar. In fact, the Sugar Program has cost consumers and businesses as much as $14 billion over the last 4 years. This amendment would provide a smart, practical, and pragmatic fix to the policies that are currently in place, and it is a bipartisan proposal. There are 18 other Senators from both sides of the aisle who have joined on this amendment.

Again, we have been hearing about jobs that would be lost in the sugar industry if we make these moderate reforms, but the reality is we are already losing and have lost too many valuable manufacturing jobs across this country as businesses close or move overseas in search of lower prices. We can see some of this illustrated on this chart. These are sugar-using jobs in the food industry, and there are more than 30 times as many of these jobs as there are in sugar production and processing. So we can see sugar-using food and beverage jobs, which is the blue, compared to sugar farming, production, and processing, which is the red. That is 590,669 compared to 18,078. And where do these numbers come from? Well, in fact, they are from the U.S. Census and the Department of Commerce.

Unfortunately, between 1997 and 2011, nearly 127,000 of these jobs, the manufacturing jobs, were lost in sugar-using industries. In fact, the U.S. Department of Commerce has estimated that for every one sugar-growing job that is saved through high sugar prices, approximately three manufacturing jobs are lost. So again, let me put the numbers into perspective, as this chart does. There are less than 5,000 sugar growers and processors in the country. U.S. data shows there are about 18,000 total jobs in the sugar industry, compared with almost 600,000 jobs in the sugar-using industry.

We have also been hearing this amendment would allow for an increase in foreign sugar into the U.S. market. This amendment maintains the current import quotas for each country. Let me repeat that: It maintains the current import quotas for each country. It allows the Secretary of Agriculture to modify these quotas if he or she determines it is necessary, just as they were able to do before 2008. The fact is this amendment would have no impact on sugar imports from Mexico because under the North American Free Trade

Agreement or NAFTA, Mexico currently is the only country without a quota for sugar importation, and that is true whether we pass this amendment or not. That is true under the current system.

So even if we don't pass reforms, the argument that Mexico is coming in and bringing sugar into the country is true, there is sugar coming in from Mexico, but the fact is that is the way it is under the current program. Currently, sugar is the only—let me repeat, the only—commodity program that was not reformed in the committee-passed farm bill that is under consideration now.

Let me be clear: I think the Committee on Agriculture, Nutrition, and Forestry—Senator STABENOW and the committee—did a great job on that bill in most areas because they provided savings and they reformed the program. So it is particularly puzzling to me why they totally left the sugar subsidies out of the bill, that they did nothing to reform the Sugar Program.

I don't think any program the Federal Government operates should be immune from updates and improvements. We need to act, and we need to act now, to reform the Sugar Program and to protect those workers who are in the food industry that use sugar, and protect consumers who are spending more money than they should for the cost of sugar.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the Senator from Maine Ms. COLLINS, and I be permitted to engage in a colloquy for up to 10 minutes.

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

SEQUESTRATION

Mr. UDALL of Colorado. Madam President, Senator COLLINS and I are here today to underscore the timeliness of a bipartisan solution we have been pushing since March. While I firmly believe we should replace the sequester with a balanced and comprehensive plan that delivers the same deficit-reducing punch, it appears to me, and to all of us, the sequester is here to stay for at least the remainder of the fiscal year ending September 30 of this year.

We need deficit reduction, but the way in which we are doing it under the sequester is terrible policy and it is time to fix it. Just after the fiscal year 2013 sequester was triggered, with Senator COLLINS' leadership, she and I introduced a commonsense plan that would empower Federal departments and agencies to replace the indiscriminate cuts of sequestration with more strategic cuts.

One only has to look at the way in which sequestration has endangered critical programs for working families, our senior citizens, and the middle class to know we have to do more than we are doing today. Throwing up our hands and doing nothing is poor governing. Senator COLLINS and I believe we have a responsibility here as leaders to inject some measure of common sense into the process.

With that, Madam President, I wish to turn to my colleague Senator COLLINS for her thoughts on the necessity of the Collins-Udall legislative proposal.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, of course my friend and colleague from Colorado is exactly right, and I want to thank him for his leadership on this issue and for working with me to develop a bipartisan, commonsense plan that would help to mitigate the harmful effects of the automatic spending cuts known as sequestration that took effect on March 1.

I want to emphasize that under our proposal, budget targets would still have to be met. We understand the need to confront our enormous Federal debt, which is approaching $17 trillion. But our plan does so in a sensible way. It recognizes that rather than imposing meat-ax cuts, we should be setting priorities. Our bill would give the heads of Federal agencies and departments affected by sequestration the flexibility to implement the required cuts in a much more thoughtful way by preserving vital programs and reducing or eliminating lower priority programs.

Our bill also ensures appropriate congressional oversight of these decisions by requiring the agency heads to submit their spending plans to both the House and Senate appropriations committees 5 days before implementing these decisions. These committees and their subcommittees know the budgets of these agencies inside and out and will be able to effectively monitor their spending decisions, just as the committees now oversee reprogramming requests.

Congress has already demonstrated that providing flexibility to Federal agencies in a commonsense way to address the unprecedented problems caused by sequestration makes a great deal of sense. Recently Congress passed a bill we authored that gave the Department of Transportation the flexibility to end the furloughs of air traffic controllers and to, instead, reduce spending by transferring unused balances from a grant program. That is the kind of decisionmaking flexibility we are talking about. In this case the furloughs were causing terrible flight delays and had the potential to truly harm the economies of Maine, Colorado, and countless other States that count on tourists visiting our amazing scenery, sampling our extraordinary food, and being with our great people. Had we not come together to pass this bill, the impacts could have been devastating to Maine and to Colorado businesses and their employees.

In Maine it would have affected everyone from our wait staff and our innkeepers to our countless tourist attractions. It would have even affected Federal institutions such as the gem of Acadia National Park and our State parks as well. In our States, each season, but particularly during those key peak summer months, we welcome with open arms visitors from around the globe. If those visitors were going to have to sit on a tarmac for 3 hours awaiting a flight, they most likely were going to cancel their trips.

I am proud of the work Senator UDALL and I did to pass this bipartisan bill, but more can and should be done to give other agencies the same kind of flexibility to set wise spending priorities.

I would turn to the Senator from Colorado to ask him if he agrees that isn't a better approach than across-the-board cuts with no flexibility?

Mr. UDALL of Colorado. The Senator from Maine has it exactly right, and I commend her for her leadership.

I want to point out to those who were critical of what we did when it came to the FAA, it is not just elite business travelers or Members of Congress who use our air transportation. It is families, it is seniors, it is businesswomen, and every American possible using our air transportation system. We see the egalitarian nature of our air transportation system when we are in our airports.

Senator COLLINS brokered a sensible compromise that kept our airports running, flights on time, and commerce flowing smoothly. I remember Senator COLLINS standing here on the floor, somewhat late at night, appealing to both of our leaders. So Senator COLLINS led the way.

We also moved in the furloughs for meat inspectors. If we can deal with these small corners of sequestration, we can go all in. We have proven we can find consensus. It is time to finish that job.

I want to turn back to my colleague for any final thoughts she might have to make about our bill and the importance of this effort we have underway.

Ms. COLLINS. I want to thank my good friend and colleague. It wouldn't have happened without his support. We took a bipartisan approach, and that is the kind of approach we are taking today in urging our colleagues to look at our bill and our leaders to move it.

Many agencies face the same challenges that were encountered by the FAA, and many agencies know of better ways to meet the sequestration targets. I have long believed these across-the-board cuts where we don't prioritize simply do not make sense.

Last week, the Department of Defense announced that because the Navy was able to identify cost-effective ways to meet its budget targets, thousands of hardworking men and women at our Nation's naval shipyards, such as the Portsmouth Naval Shipyard in Kittery, ME, would not have to be furloughed. I had long argued the Department of Defense has the flexibility to minimize

the furloughs because we gave them that authority as part of the continuing resolution.

I would be remiss if I did not note, however, my disappointment that some of the workers at the shipyard, and others, such as those in the National Guard and at other facilities, such as the Defense Accounting Services Center in Limestone, ME, still face furloughs.

There are other important programs as well. Biomedical researchers and school superintendents are also in a quandary of having little or no flexibility to implement the sequestration targets.

Instead of enacting piecemeal fixes—whether it is the FAA or it is the meat inspectors—our bill would empower administrators to head off this problem and avoid indiscriminate spending cuts. We can mitigate the harmful effects of sequestration, protect jobs, and avoid mindless spending cuts while tackling the very real problem of excessive and unnecessary spending by simply allowing managers to distinguish between vital programs, to be creative, and to cut those that are of lesser importance.

I know my colleague from Colorado would agree that no business facing the need to cut expenses would ever treat every program and function and service of that business as if they were of equal worth. Instead, the business managers and executives and employees would evaluate all the programs and set priorities. That is all we are asking.

I thank the Senator from Colorado, my good friend Senator UDALL, for his strong partnership on our effort to protect the jobs of hard-working Americans, prevent arbitrary spending cuts, yet deal with an unsustainable $16.8 trillion debt. We know our approach would go a long way toward allowing priorities to be set. After all, if we are not going to set priorities, to make the tough decisions and distinguish among absolutely vital programs and those that could be cut or eliminated, then we might as well go home and just have a computer apply a formula to the budget.

That is not why we are here and that is not what the American people expect. They expect us to exercise judgment and make good decisions.

Mr. UDALL of Colorado. Madam President, I believe our time has expired or is beginning to expire, but I wish to underline what Senator COLLINS has said. We are passionate about this. Some say a passionate problem solver is an oxymoron or a passionate moderate is an oxymoron. That is not the case here. We want to solve this. We both have private sector experience. This is not how you would run a concern in the private sector. We can do this. We have shown we can do this. Let's move forward and provide certainty, not just to the Federal agencies but to the people in this country. At a time of tough economic challenges with a fragile recovery underway, we need to create more certainty and need to budget in a wiser, smarter way.

I thank the Senator from Maine for her leadership. I value our partnership, and I know we are going to see this to a successful conclusion.

Ms. COLLINS. Madam President, could the Presiding Officer inform me of whether there is an order to proceed right now or whether there is some additional time for morning business.

The PRESIDING OFFICER. There is 4 minutes remaining for the majority in morning business.

Mr. UDALL of Colorado. I ask unanimous consent the Senator from Maine be recognized for 4 minutes.

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

IRAN

Ms. COLLINS. Madam President, I understand that Senator BALDWIN is on her way to make her maiden speech, and I promise I will stop talking the moment she enters the Chamber. I thank my colleague from Colorado.

Later today, the Senate will vote on a resolution that has been introduced by Senators MENENDEZ and GRAHAM. I am pleased to join my Senate colleagues in cosponsoring this resolution, which reaffirms our commitment to a strong U.S.-Israeli relationship and to preventing Iran from becoming a nuclear power.

At this time in our history, it is more important than ever that we demonstrate a firm commitment to our allies—even if the neighborhood they are in looks more like a tinderbox than it has in decades. This resolution reaffirms that the United States will be a reliable friend and a determined ally, even in dangerous times—indeed, especially in dangerous times.

We are at a critical juncture in our efforts to prevent Iran from obtaining a nuclear weapons capability. During my time in the Senate, I have repeatedly supported legislation imposes sanctions on Iran and puts pressure on the regime to change course. I worked with my good friend former-Senator Lieberman to pass legislation which ensures that organizations that inspect commercial ships for the U.S. government are not also providing services to governments like Iran that sponsor terrorism.

This resolution reiterates the significance that we place on keeping the full force of sanctions on Iran.

In the face of an existential threat to our country, the American people would expect the U.S. to take action. This resolution says that we will support Israel's right to do the same.

Let me read the powerful language in the resolution. Congress ''declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense.''

Congress ''urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.''

I look forward to continuing to work with my colleagues in the United States Senate as well as with President Obama to close the loopholes in current sanctions legislation and to ensure that the cooperation that has existed between the United States and the State of Israel for over 60 years remains steadfast and unshakeable.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Ms. BALDWIN. Madam President, I ask unanimous consent to speak in morning business for as much time as I may consume.

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

MOVING FORWARD

Ms. BALDWIN. Madam President, as I make my first remarks on the Senate floor, I have the honor of occupying the same Senate seat, and in fact occupying the very Senate desk, once used by Senator Robert M. LaFollette, Sr. ''Fighting Bob LaFollette,'' as he was known, was a Republican Senator from Wisconsin a century ago who is credited as the founder of the Progressive Party and progressive movement in this Nation. I admire Fighting Bob's legacy in many ways. But I wish to assure my colleagues who are present in the Chamber at this moment that I will not emulate his maiden speech, which went on for 3 successive days.

Bob LaFollette ran for this office because he was concerned that while corporate interests were being well served in Washington, ordinary people weren't even being heard. He traveled all around the State of Wisconsin, literally speaking from makeshift stages of soap boxes and hay wagons at county fairs. His message came to define my State's progressive tradition. The things he talked about in that day still ring true.

As I have traveled the State Wisconsinites have told me that the powerful and well-connected seem still to write their own rules while the concerns and struggles of middle-class families go unnoticed in Washington. They believe our economic system is tilted toward those at the top and that our political system exists to protect those unfair advantages instead of making sure everybody gets a fair shot.

They see Washington happy to let Wall Street write their own rules but unable to help students pull themselves out of debt. They see Washington working to protect big tax breaks for powerful corporations but unwilling to protect small manufacturers from getting ripped off by China's cheating.

They see Washington bouncing from one manufactured fiscal crisis to the next but never addressing the real and ongoing crisis of our disappearing middle class.

The truth is, while we hear a lot about the wide distance between Democrats and Republicans, the widest and most important distance in our political system is between the content of the debate in Washington and the concerns of hard-working people in places such as Wisconsin. That distance parallels the large and growing gaps between rich and poor, between rising costs and the stagnant incomes, between our Nation and our competitors when it comes to education and innovation—and it is truly hurting people.

When my grandparents were raising me, I learned that if you worked hard and played by the rules, one can get ahead. The Wisconsinites I talked to grew up learning that very same thing. They are working as hard as ever to get ahead, but many are finding they are hardly getting by. People are still working for that middle-class dream: a job that pays the bills, health coverage they can rely on, a home they can call their own, a chance to save for their kid's college education, and a secure retirement. But, instead, too many are finding that even two jobs are not enough to make ends meet, and those jobs are hard to find and hard to keep. They are finding the homes they worked so hard to own are not even worth what still remains on their mortgage. They are finding that the cost of college is going up, and they are worried they might never be able to retire comfortably.

That is the biggest gap of all, the gap between the economic security Wisconsinites worked so hard to achieve and the economic uncertainty they are asked to settle for.

If we cannot close that gap, we might someday talk about the middle class as something we used to have, not something each generation can aspire to. We all get it. We all see this happening. While Wisconsinites do not agree about what we should do, they want to see us working together to find a solution, even if it takes some spirited debate.

But when they look across that yawning divide to Washington, they see us advancing talking points and playing politics instead of putting our varying experiences and talents to work solving these problems.

But I am optimistic. I did not run for the Senate just because I agree with those complaints. I ran for the Senate because I think we can do better. I know I have a great example to follow in the people of Wisconsin. These are particularly tough times for my State. Even as the National economy is rebounding, businesses in Wisconsin and middle-class families in my State remain stuck in neutral.

The manufacturing sector that sustained our prosperity for generations has taken a lot of hits—some that could have been prevented and others that are simply a factor of our changing economy and our changing world. But we do not see Wisconsin workers and business owners wallowing in crisis or looking for someone to blame. Our State motto is one word, ''Forward.'' That is the only thing we know.

In the short time I have been here, I have made it my mission to fight to make sure Wisconsinites have the tools and skills they need to succeed in a ''Made in Wisconsin'' economy that revitalizes our manufacturing sector and rebuilds our prosperity—and this means respecting our labor.

It means investing in regional hubs of collaborative research and development, supporting the technical colleges that are working to provide a skilled workforce, and encouraging public and private partnerships to revitalize our manufacturing sector. But it all relies on the talent of individuals who are working hard to help our communities move forward.

Years ago John Miller, a disabled Marine Corps veteran who lives near Milwaukee, invented a new kind of motorcycle windshield that uses LED lights embedded in acrylic. For years he has been working hard to find investors to bring his idea to market. He has been testing different acrylics, showing off his work at trade shows, and spending months trying to get approvals from the Department of Transportation. Investors are lining up at John's door. Harley-Davidson even wanted to buy his patent. But he doesn't just want to make a profit, he wants to make a difference. He is holding out until he knows that everything in his product will be made and manufactured in the United States—hopefully by other disabled veterans, who often have a hard time finding work when they come home.

Wisconsin is full of John Millers—ordinary people with ingenuity, determination, and civic spirit to become not just successful but engines of economic opportunity for their whole communities, committed to the common good.

I am so proud of all the remarkable potential I have seen in Wisconsin: the Global Water Center in Milwaukee, which will open this summer as an incubator for water technology businesses; the partnership of Johnson Controls and UW-Milwaukee for the Innovation Campus research park in Wauwatosa; the advances in energy-efficiency technology being realized at Orion Energy Systems in Manitowoc, WI; the work on sustainable biofuels at the Great Lakes Bioenergy Research Center in Madison; and small business incubators at technical colleges across our State helping to build the dreams of entrepreneurs.

These stories of innovation and cooperation and these exciting opportunities to build an economy made to last are happening all over our country.

I am going to let people in on a little secret. We here in the Senate can be innovative too. We can cooperate. We can get excited by these opportunities. It is true of Democrats and Republicans alike because none of us came here just to audition for cable news or to win our next election before the bumper stickers from the last one even come off the cars.

I have already had the great joy of working with colleagues from both parties, and I know neither party has a monopoly on compassion or common sense. There is nothing liberal or conservative about wanting to help our manufacturers compete and win on the world stage. There is not a Senator in this body whose heart has not broken when listening to a constituent who cannot seem to get ahead. We cannot fix all of those gaps in our economy with one bill. Not even ''Fighting Bob'' La Follette could close that divide in our political system with one speech.

I am using this speech, my first here on the Senate floor, to say that I am ready to work hard and work with anyone to make progress on these challenges and help move this great country forward.

I yield the floor.

Ms. STABENOW. Mr. President, before the Senator from Wisconsin leaves the floor, I would like to indicate how thrilled I am to have another Great Lakes Senator with us in the Senate. Senator BALDWIN is an invaluable member of the Budget Committee. She is fighting hard for Wisconsin agriculture. Now that we are in the middle of the efforts on the farm bill, I know she is deeply involved and concerned about our men and women who provide the food we put on our tables every day.

We thank the Senator for her leadership. We are so pleased to have Senator BALDWIN in the Senate.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE REFORM, FOOD, AND JOBS ACT of 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 960

Mr. INHOFE. Madam President, I ask unanimous consent to set aside the pending amendment and call up Senate amendment No. 960 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for himself and Mr. GRAHAM, proposes an amendment numbered 960.

The amendment is as follows:

(Purpose: To repeal the nutrition entitlement programs and establish a nutrition assistance block grant program)

On page 351, between lines 12 and 13, insert the following:

PART I—REAUTHORIZATION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

On page 390, between line 17 and 18, insert the following:

PART II—NUTRITION ASSISTANCE BLOCK GRANT PROGRAM

SEC. 4001A. NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2015 through 2022, the Secretary shall establish a nutrition assistance block grant program under which the Secretary shall make annual grants to each participating State that establishes a nutrition assistance program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State nutrition assistance program includes—

(1) work requirements;

(2) mandatory drug testing;

(3) verification of citizenship or proof of lawful permanent residency of the United States; and

(4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2013.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

(1) the amount made available under section 4002A for the applicable fiscal year; and

(2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the nutrition assistance program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the nutrition assistance program of the State; and

(D) general statistics about participation in the nutrition assistance program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the supplemental nutrition assistance program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide nutrition assistance to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 4002A. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this part—

(1) for fiscal year 2015, $45,500,000,000;

(2) for fiscal year 2016, $46,600,000,000;

(3) for fiscal year 2017, $47,800,000,000;

(4) for fiscal year 2018, $49,000,000,000;

(5) for fiscal year 2019, $50,200,000,000;

(6) for fiscal year 2020, $51,500,000,000;

(7) for fiscal year 2021, $52,800,000,000; and

(8) for fiscal year 2022, $54,100,000,000.

(b) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (5) through (10) and inserting the following:

''(5) with respect to fiscal year 2016, for the discretionary category, $1,131,500,000,000 in new budget authority;

''(6) with respect to fiscal year 2017, for the discretionary category, $1,178,800,000,000 in new budget authority;

''(7) with respect to fiscal year 2018, for the discretionary category, $1,205,000,000,000 in new budget authority;

''(8) with respect to fiscal year 2019, for the discretionary category, $1,232,200,000,000 in new budget authority;

''(9) with respect to fiscal year 2020, for the discretionary category, $1,259,500,000,000 in new budget authority; and

''(10) with respect to fiscal year 2021, for the discretionary category, $1,286,800,000,000 in new budget authority.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901A) is amended—

(A) by striking the matter preceding paragraph (1) and inserting the following: ''Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:'';

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking ''paragraph (3)'' and inserting ''paragraph (1)'';

(E) in paragraph (3), as redesignated, by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (2)'';

(F) in paragraph (4), as redesignated, by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (2)'';

(G) in paragraph (5), as redesignated—

(i) by striking ''paragraph (5)'' each place it appears and inserting ''paragraph (3)''; and

(ii) by striking ''paragraph (6)'' each place it appears and inserting ''paragraph (4)'';

(H) in paragraph (6), as redesignated—

(i) by striking ''paragraph (4)'' and inserting ''paragraph (2)''; and

(ii) by striking ''paragraphs (5) and (6)'' and inserting ''paragraphs (3) and (4)'';

(I) in paragraph (7), as redesignated—

(i) by striking ''paragraph (8)'' and inserting ''paragraph (6)''; and

(ii) by striking ''paragraph (6)'' each place it appears and inserting ''paragraph (4)''; and

(J) in paragraph (9), as redesignated, by striking ''paragraph (4)'' and inserting ''paragraph (2)''.

SEC. 4003A. REPEALS.

(a) IN GENERAL.—Effective September 30, 2014, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2014, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2014, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2014, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking ''means—'' and all that follows through ''the authority to make'' and inserting ''means the authority to make'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (B).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the nutrition assistance block grant program under this part.

SEC. 4004A. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2014, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

Ms. STABENOW. Madam President, I say to my distinguished colleague from Oklahoma, if I might ask, before he proceeds on his amendment, if I could enter a unanimous consent about the vote.

Mr. INHOFE. I have no objection.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that at 12 noon today, the Senate proceed to vote in relation to the Inhofe amendment No.

960; that the time until noon be equally divided between Senators INHOFE and STABENOW or their designees; further, that no second-degree amendment be in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I thank the gentlelady. We will be prepared to vote on the amendment at noon today.

I find it kind of interesting that when I go back to Oklahoma—I know this is offensive to some people—I am back where normal people are. I was giving a speech, I say to the gentlelady who is managing this bill. Ironically, it was Duncan, OK, where they had the first hydraulic fracturing in 1949. I was there talking to them, and this was Democrats and Republicans. When they asked about the farm bill, I said: What farm bill, because 80 percent of the farm bill is not a farm bill, it is a welfare bill. We are talking about the food stamp program.

This is a shocker to people. They don't understand this. Why would they call this a farm bill if 80 percent of it is talking about the food stamp program? It is now at $800 billion over 10 years. In the first 5 years, enrollment in the food stamp program has grown by 70 percent. It has gone from 28 million families to 47 million families, and that is almost doubling in a period of 4 years. I don't say this critically. There are some people who are very liberal and feel government should have a greater involvement in our lives, and certainly that is what this system is all about. We sort of weigh these things and see. I cannot think of anyone who could rationally say that this program of food stamps could justify being increased by 100 percent in a period of 4 years.

It reminds me of a time many years ago when most of us had gone through elementary school. At that time we heard about Alexis De Tocquevile, a guy who came to this country. He looked at the wealth of America, and in the last paragraph of the last chapter of his book, he says: Once the people of this country finally vote themselves money out of the public trust, the system will fail. What he talked about there is that it gets to the point where 50 percent of the people are on the receiving end of government. I know we all remember that, and maybe a lot of people think that times have changed, but we have to stop somewhere.

I think this amendment is the most important amendment on the farm bill because it actually turns this into a farm bill. I would think that people who are as concerned with agriculture as I am—my State of Oklahoma is a big agriculture State, and I am very concerned about agriculture. I cannot find anyone in my State who says this should be part of a program that would be a charity bill and could be voted on on its own merits and not thrown in with the farm bill.

So over the same time period in the last 4 years, this has grown. It has increased by 100 percent. The cost has gone from $37 billion to $75 billion. That is a 100-percent increase in one program.

Enrollment in the program has even increased as the employment rate has declined. In 2010, when the average unemployment rate was 9.6 percent across the country, enrollment was 40.3 million people or families. In 2012, when the unemployment rate was 8 percent, which is 1.5 percent lower than it was in 2010, enrollment had increased to 46 million people. Unfortunately, as the farm bill is written, it only makes a 4-percent cut in the program over 10 years, which is a cut of less than 0.5 percent. I think those who say: Wait a minute, we are cutting that program—when it is cut by 0.5 percent, that is not really a cut.

The amendment is very straightforward and very simple. It converts the program into a block grant so that the States will have all the authority they need to ensure the program prevents the impoverished from going hungry. The funding provided is sufficient to provide benefits to the same number of participants as were enrolled in the mid-2000s. Money would be divided among the States proportionately based on the number of individuals who are living below the Federal poverty line. It would have to be fair. It is not going to go according to population, it is not going to go according to size or wealth, but to those who are living below the poverty line.

The new program would give States the ability to keep the money they received for 5 years so they can build flexibility into their programs which will allow their programs to shrink and grow as the economy changes. After 5 years, any unused money would return to the Treasury for deficit reduction.

While the amendment is careful to give States maximum control over the design and implementation of their own programs—which is what we want to happen—it does require them to include work requirements, mandatory drug testing, and verification of citizenship prior to qualifying anyone to participate in the program.

If we go out in the street in any of the towns of any of the States in this country and ask people if it is unreasonable to require people to have work requirements—certainly the last time when President Clinton was in office, we enacted some major reforms that included work requirements, and most of the Democrats were very supportive of that. Certainly people should not be concerned about mandatory drug testing and verification of citizenship. The citizenship issue is something we hear quite often. Further, States would not be allowed to authorize users to purchase alcohol, tobacco, dog food, and items like that.

In total, I expect this amendment to save some $300 billion over 10 years relative to the current funding baseline.

I feel very strongly about this. This is one of those issues people are talking about all over the country. I know when my wife comes back and she talks about how people who are perfectly capable of working are buying items such as beer, among other things, with their food stamps—this is something that offends Democrats, Republicans, liberals, and conservatives alike throughout America.

That amendment is going to come up at noon, 15 minutes from now, and I encourage my colleagues to vote for this amendment and turn the farm bill into a farm bill instead of a charity bill.

If no one else wants to speak, I would like to make one comment about what happened in Oklahoma.

I came back yesterday from my State of Oklahoma. We have all seen on the media the disaster and the heart-wrenching things happening in Moore, OK. I remember so well that 14 years ago, in 1999, another tornado came through. If we look at it, it was on the same path as this tornado which came through 2 days ago, and it was just about the same devastation. I stood there and recalled what I saw in 1999. It breaks my heart when we see these people. They were trying to match missing parents with missing kids. Think about that.

We had two schools. When we looked at the rubbish, we felt that all the kids could have been killed in there. It was hard to imagine that anyone could have survived. Yet some did survive.

The early reports of the deaths were a lot higher, and the deaths are very important, but that is not the only thing. There are people in the hospitals right now who are trying—one of the hospitals had to evacuate every bed in that hospital when they saw it coming, and it is a miracle that not one person—not one of the people who was in that hospital—was killed. No one can understand how that could have happened.

We watched this going on and we saw parents—I have 20 kids and grandkids and I can't imagine what it would be like to go through something like that. I have to say the Federal Government, the State government, the county government, the city of Oklahoma City, the city of Moore, and all the private sector have joined in together. I have never seen any effort, including the 1999 effort, that drew people together the way this has. We have seen companies represented by people who are builders and developers who have heavy equipment and trucks and things such as that and they are donating them to this cause to help these people.

I want everyone to pray for these people, for the families, and for us to pull together and make this thing survivable. I know Oklahoma is in the tornado belt. Everybody reminds me of that all the time, and it is true. I remember being closely involved, either at the time of or right after, in almost every tornado in the last 25 or 30 years. A little town called Picher, OK, had a

tiny tornado, but it wiped out everything. That is the thing that is characteristic about tornadoes: No one survived, with one exception. They are now talking about accelerating the number of safe rooms and tornado shelters.

This is a program that started in 1999, and I can't tell my colleagues—we are trying to evaluate right now how many more people in Oklahoma are alive today because they were taking advantage of that program and I am sure many more will as well.

I know others wish to speak on this bill, but I want to say that we in Oklahoma appreciate the love and the help on all government levels as well as the private sector levels and ask sincerely for the prayers of everyone within earshot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before speaking on the amendment, I wish to share—and I know everyone in the Senate wishes to share—their thoughts and prayers with the people of Oklahoma.

As the distinguished Senator from Oklahoma knows, I have a strong connection with Oklahoma. My mom grew up on a farm picking cotton in Oklahoma, and we have talked before about my grandparents, until they passed away, being there. It was a wonderful trip for my family to go to Ponca City, OK, in later years to my grandparents to visit every summer. I will never forget that in the backyard my grandparents had a tornado shelter, basically. It was on a little mound of dirt. We opened the door and it was just like Dorothy and the Wizard of Oz, opening the door and going down into the cellar. A couple of times in the middle of the night we had to get up and go use the cellar, and I know how frightening it was for me as a child to experience that.

I know the storms have gotten more and more intense with more and more devastation. We all hope for the very best in the recovery for all the families involved.

Mr. INHOFE. Madam President, if I could quickly respond, I recall the Senator from Michigan speaking about her family background in Oklahoma. The only thing I disagree with is we have always had these. Statistics show they are not any more intense; they are not showing that they are getting more intense, and worse, they are just bad. The storm shelters the Senator from Michigan is speaking about, you drive through Oklahoma in the rural areas, everybody has them. We have dug them, because we have been using them for many years.

The major difference here is in the major cities; they don't have them as we do. I would say 95 percent of people in the rural areas have them, but in the city, maybe half of 1 percent, so that will be getting some attention from us.

I thank the Senator from Michigan for her thoughts.

Ms. STABENOW. I thank the Senator from Oklahoma.

Madam President, I rise in opposition to the amendment. I appreciate the concerns raised by the Senator, but I rise in strong opposition to block granting and cutting the food assistance program called SNAP, the Supplemental Nutrition Assistance Program, for our country.

I have always viewed, as chair of the Agriculture Committee, two programs very similarly. The first is crop insurance, which is there when there is a disaster for a farmer. The second one is SNAP or the Supplemental Food Assistance Program, which is there when there is a disaster for a family. They both go up when the disasters go up, and they go down when things get better. So when we have droughts, when we have what has been happening to our farmers over the last year and before, we see costs go up for crop insurance. We don't cap that arbitrarily saying, We don't like these droughts, we don't like these breezes, we don't like all this stuff, so even though it is real important to the farmers, we are going to cap how much we will help them. The crop insurance is there.

The same thing is true for a family. It wasn't that long ago—in fact, the beginning of 2009—when we in Michigan had the highest unemployment rate in the country. I believe it hit 15.7 percent unemployment at that time. We had an awful lot of people at that time—and many who have continued although things are getting a lot better—who have paid taxes all of their lives; never thought in their wildest dreams they would ever need help putting food on the table for their families, but they did. It was temporary. The average length of time someone needs help is 10 months. But I consider that to be a point of pride for our country, that we have a value system which says we are going to make sure when families are hit with hard times through no fault of their own, they are not going to starve; they are going to be able to put food on the table for their children. I think that is the best about us.

Now that things are getting better and the unemployment rate is coming down, the cost of these programs is coming down. Our farm bill shows a cut in spending not because we have decided we are only going to help some people and not other people—some children, not other children—but because people are going back to work. They didn't need the help anymore, so we are seeing those lines go down. By the way, as crop insurance goes up because disasters and weather events have gone up, we are seeing family disasters going down, which is where we want it to go.

Unfortunately, this amendment would cap the amount of help we would give on supplemental nutrition. It would cap it for 2014 at just over half of the current levels, so we would say we don't care how many families have a problem, we don't care what happens; we don't care what happens because of weather that wipes out a business and suddenly folks who have worked hard all of their lives find they need some help they never thought they would need. This would arbitrarily cap at just over half the current levels needed to maintain the current help. It would mean absolutely devastating results for millions of families who are trying to feed their children.

If we consider the fact that about 47 percent of those who get help right now are children—almost half of the food help in this country is for children—and then we add to that another 17 percent for senior citizens and the disabled, and we put that together, we find this amendment would be insufficient to even cover those individuals, let alone the other 37 percent of men and women who get help right now. Unfortunately, block granting this program would not only—and capping it and cutting it—would not only hurt families who are counting on us for temporary help but it would create a situation where we couldn't respond during an economic recession as we can right now.

Again, crop insurance means we respond. When there is a disaster, costs and spending go up. I support that. But in this area, if we are capping and block granting and sending it back to the States, there would be no ability to be able to do that.

The other thing that I think is absolutely true for many of our States—and certainly, unfortunately, I regret to say, in my own State right now; it is a fact—is that by block granting and not requiring that the dollars be used for food assistance for families, there is no guarantee it will go to food assistance. None. When we look at the pressures on budgets and other areas for critical needs or things people feel are important, we have absolutely no guarantee that this would go to food for families.

We have a very efficient program right now. It has one of the best error rates of any Federal program right now—maybe the lowest—and we are able to efficiently support families and do it in a way that guarantees they actually get the nutritious food they need.

I am deeply concerned about the amendment. I do not support it. I think it takes us in exactly the wrong direction as a country. It leaves a whole lot of families high and dry in an economic disaster, or any kind of disaster that could occur for them. At their most vulnerable point, when they are trying to figure out what to do to get back on their feet, we create a situation where they don't even have enough food for their families to be able to feed them during their economic crisis.

I strongly urge colleagues to vote no on the amendment.

Mr. INHOFE. Madam President, would the Senator yield for a question?

Ms. STABENOW. I would be happy to.

Mr. INHOFE. In listening to the comments of the Senator from Michigan in opposition to this amendment, this occurred to me: Does the Senator from Michigan see that there is anything wrong with the fact that this program has increased by 100 percent in the last 4 years? And, secondly, does the Senator from Michigan see nothing objectionable about projecting this for another 4 years to be another 100-percent increase in costs?

Ms. STABENOW. First, to my friend from Oklahoma, I would say the budget office has indicated it will not only not go up another 100 percent, it is going down. So they have projected about an $11.5 billion reduction which we have put into our farm bill. It is going down because the economy is getting better.

We know that with food assistance, as the unemployment rate goes up, one of the lagging indicators, the things that aren't affected as quickly in coming down, is food assistance for families. So it is now coming down. In my judgment, it is coming down the way it should come down, which is the fact that people are going back to work; that is why it is coming down.

Again, to arbitrarily cap something as basic as food going on the table for a family is something that I, with all due respect, can't support.

Mr. INHOFE. Madam President, if I may ask my colleague one last question. The Senator from Michigan believes it is going to be going down, but it did not go down when the unemployment rate went down between the 2 years of 2010 and 2011. What would be different about this time?

Ms. STABENOW. Here is what we are finding—and it is not my belief, it is the CBO scoring. The Congressional Budget Office, which we rely on, provides objective scoring—not my judgment—and it is telling us it is going down. The Senator is correct that it is slow to go down. As unemployment goes down, it takes a little longer before food help goes down, because we provide some help to people as they are getting back to work even if they are not at full speed back to work. So it does go down more slowly, but they have adjusted it over the next 10 years showing that, in fact, the spending on food assistance is going down because the economy is getting better. That comes from the CBO and is built into the dollars we have in the bill.

Mr. INHOFE. One last question. Even though I disagree with the answer of the Senator from Michigan for the second question, the first question is whether the Senator from Michigan finds it objectionable that it increased by 100 percent over the past 4 years from 2010?

Ms. STABENOW. What I find objectionable is so many people lost their jobs. The reason it went up is because people were out of work. So I find that objectionable because a lot of those folks were in my State.

I have worked very hard to do everything I can to support the private sector, and the good news is that manufacturing is coming back and agriculture is strong and moving forward. So in my judgment, yes, I find it very concerning that more people needed help putting food on their table. The good news is that less of them are going to in the next decade, and that is because people are going to be getting back to work.

I believe our time has expired. I don't know if we have others who wish to speak at this point.

Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

The result was announced—yeas 36, nays 60, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—36

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Rubio
Burr	Heller	Scott
Coats	Inhofe	Sessions
Coburn	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NAYS—60

Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Hagan	Nelson
Bennet	Harkin	Portman
Blumenthal	Heinrich	Pryor
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Hoeven	Roberts
Cardin	Isakson	Sanders
Carper	Johnson (SD)	Schatz
Casey	Kaine	Schumer
Chambliss	King	Shaheen
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NOT VOTING—4

Lautenberg	Murray
Menendez	Rockefeller

The amendment (No. 960) was rejected.

Mr. REID. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. KLOBUCHAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 992 AND 1056

Ms. STABENOW. I ask unanimous consent that the following amendments be considered and agreed to: Franken amendment No. 992 and Vitter amendment No. 1056.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 992

(Purpose: To provide access to grocery delivery for homebound seniors and individuals with disabilities eligible for supplemental nutrition assistance benefits)

On page 351, between lines 12 and 13, insert the following:

SEC. 4001. ACCESS TO GROCERY DELIVERY FOR HOMEBOUND SENIORS AND INDIVIDUALS WITH DISABILITIES ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS.

(a) IN GENERAL.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (4) the following:

''(5) a public or private nonprofit food purchasing and delivery service that—

''(A) purchases food for, and delivers the food to, individuals who are—

''(i) unable to shop for food; and

''(ii)(I) not less than 60 years of age; or

''(II) individuals with disabilities;

''(B) clearly notifies the participating household at the time the household places a food order—

''(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

''(ii) that a delivery fee cannot be paid with benefits provided under the supplemental nutrition assistance program; and

''(C) sells food purchased for the household at the price paid by the service for the food without any additional cost markup.''.

(b) ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that—

(1) establish criteria to identify a food purchasing and delivery service described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)); and

(2) establish procedures to ensure that the service—

(A) does not charge more for a food item than the price paid by the service for the food item;

(B) offers food delivery service at no or low cost to households under that Act;

(C) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of that Act (7 U.S.C. 2012);

(D) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (as added by subsection (a)(3));

(E) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(F) such other requirements as the Secretary considers appropriate.

(c) LIMITATION.—Before the issuance of regulations under subsection (b), the Secretary may not approve more than 20 food purchasing and delivery services described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)) to participate as retail food stores under the supplemental nutrition assistance program.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the date that is 30 days after the date of the enactment of this Act.

AMENDMENT NO. 1056

(Purpose: To end food stamp eligibility for convicted violent rapists, pedophiles, and murderers)

At the end of subtitle A of title IV, insert the following:

SEC. 4019. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4004) is amended by adding at the end the following:

''(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

''(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

''(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

''(B) murder under section 1111 of title 18, United States Code;

''(C) an offense under chapter 110 of title 18, United States Code;

''(D) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

''(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

''(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).''.

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. KAINE. Madam President, I rise to speak briefly about the Senate budget. At the close of my comments, I will make yet another motion to put the Senate budget into conference with the House.

As we all know, we were here until 5 a.m. on March 23 to pass the first Senate budget through regular budgetary order in 4 years. It was a full, open process both in committee, with numerous amendments, and then on the Senate floor, with over 100 amendments voted on and over 70 passed.

It is now past time, many days past time, for us to begin a budget conference process. This will enable the Senate to return to normal budgetary order, and it is what our voters, both Democratic and Republican, in all of our States expect us to do to have a meaningful conference about this budget with the House.

Good news. We are seeing some recent examples of normal compromise in this body that I think is worthy of some attention: the appropriations bill we passed through a regular order process for the remainder of 2013 in March; the marketplace fairness bill we passed, the problem that had been searching for a solution for 15 to 20 years; the WRDA bill we passed last week; and the debates we are having about the farm bill today. All have involved significant open processes in a committee, significant open processes on the Senate floor. The Senate action then moves in a regular order action into discussion with the House.

I think it is up to this body to show the public we don't just embrace regular order and normal processes on these important issues, but that we also embrace them on something as critically important as the Federal budget.

For that reason, I would 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 that the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order: motion to instruct relative to the debt limit and motion to instruct relative to taxes/revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to those motions; further, that no amendments be in order to either of the motions prior to the votes; and all of the above occurring with no intervening action or debate.

I make that motion.

The PRESIDING OFFICER. Is there objection by the Senator from Florida?

Mr. RUBIO. Madam President, reserving the right to object, I would ask the Senator from Virginia if he would consider adding—I would ask consent that the Senator modify his request that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The reason I make that is as follows: First of all, I do respect regular order tremendously. In fact, I want to take this brief opportunity to congratulate the Judiciary Committee on the lengthy process with regard to the immigration bill, which I think will help us in the process of having a better product.

Obviously, also, although we disagree with the outcome because of the way it was constructed, I also disagree with the way this budget is constructed. This issue of the debt limit is an extraordinary measure. That is why I would ask the Senator from Virginia to modify his request.

The PRESIDING OFFICER. Does the Senator still modify his request?

Mr. KAINE. I do not agree to the modification because I think that would be modifying the budget that was passed by this body on March 23.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. RUBIO. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise again in regret. The normal regular order of this body after both sides of the Capitol have agreed on a budget is to meet and that we have a proper process to instruct conferees to have a budget. A motion to appoint conferees to be bound by a requirement, no matter how worthy it is, is not the way the regular order functions in this body, and that is a fact.

For 4 years I sat here and beat up on the majority leader for his failure to bring a budget to the floor of this Senate. We brought a budget to the floor. We spent many hours on all kinds of amendments, and now we can't go to conference unless we agree not to raise the debt limit.

Does my colleague from Florida believe the House of Representatives, dominated by Republicans, is going to raise the debt limit? Does my colleague from Florida believe any conferees who are appointed, where we have to place certain restrictions on those conferees, that would apply to the other body as well? I don't think so.

I don't think that is the way this body is supposed to function. We are in a gridlock. Here we are, 4 years without a budget. We finally get a budget, we stay up all night, and because somebody doesn't want to raise the debt limit we are not going to go to conference. That is not how this body should function.

The American people deserve better. They deserve a budget. Every family in America has to live on a budget. Here we are objecting because there is a concern about raising the debt limit.

All I can say to my friend from Florida is that the American people don't like it, and I don't like it. Most of his colleagues and the Republicans in this Senate don't like it that we are blocking budget conferees from going forward and doing what conferees are supposed to do. I would imagine the majority leader will continue to raise this motion to move forward.

By the way, it is the regular order to have motions to instruct the conferees. A motion to instruct the conferees on the debt limit should be in order. A motion to instruct relative to taxes and revenue should be in order. That is

the regular order to do it. It is not the regular order to demand certain conditions on the conferees. We instruct the conferees.

The conferees are appointed by both the majority and Republican leader, and we place our confidence in those conferees to reflect the will of the majority.

I have to say I am disappointed in the Senator from Florida, in his objection and his demand that we do something that is not in the regular order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, thank you. To the Senator from Arizona, for whom I have great respect, I would point out two things: The first is in his argument when stating the issue of the debt limit is a nonissue. Hence, I don't understand the objection to having language in this motion that says there will not be a raising of the debt limit. There should be a discussion of the debt limit in the context of the broader issues this country is facing. As a result, I don't understand why we can't just put it in that we are not going to raise the debt limit.

I would also further say that I do respect this institution tremendously, and I do believe in regular order to the extent that we are talking about procedure. The problem is that the regular order of Washington has given us a $17 trillion debt. In fact, that is one of the reasons I ran for the Senate. I would submit to you, with all due respect to all of my colleagues who serve here, I don't think we can run up a $17 trillion debt without some bipartisan cooperation.

To some extent what I am concerned about is the regular order of doing things in this city, where the debt limit has been raised consistently without any conversation about the fact that this government borrows 40 cents out of every dollar it spends. Never in the history of this country and of this Republic has a generation of leadership robbed a future generation like this generation of leadership has done.

That is my concern. My concern is that I do not have trust in Washington, DC. I do not have trust—I don't care who is in charge—that we will not recklessly, once again, raise the debt limit of the greatest country on Earth without any consideration for limiting the way we spend money in the future so that we do not bankrupt this extraordinary Nation, and the implications that could have on our children.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I will yield to the Senator from Tennessee in just 1 second.

The Senator from Florida is saying, if he has an issue he feels strongly about, then that has to be included in any conference that is convened over any bill that is passed by the Senate, the House, and goes to conference. That is not a precedent I believe should be established in the Senate.

I think I share the concern of the Senator from Florida about the debt and the deficit. I will match my record against anybody's as far as trying to eliminate the debt and the deficit, including that of the Senator from Florida.

We are about to establish a precedent that if any conferees are appointed on bills that are passed by the House and the Senate, that we are free then to put certain restrictions on those conferees. If the Senator from Florida believes that is the right way this body should function, then I would suggest to him that most people would disagree with this kind of violation of the regular order.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I am reluctant to break up this conversation among my fellow Republican Senators because they seem to be at odds, but I do want to remind all of the Senators—and I think the Senator from Arizona has alluded to this—we were slapped around unmercifully for not passing a Senate budget resolution.

Mr. MCCAIN. And deservedly so.

Mr. DURBIN. I expected that. I would say to the Senator from Arizona there were answers, and I thought good answers, but not good enough. We passed a budget resolution. The Senator was here. It passed by one vote. We stayed until early in the morning hours to get it done.

Senator PATTY MURRAY did a masterful job in putting this together. Of course, our passing the resolution is only half of the story. The way this is supposed to work is the so-called regular order, if it differs between the Senate and the House, is we come together in a conference to work out the differences. How long have we been trying—how many weeks have we been trying?

Mr. REID. Sixty-one days.

Mr. DURBIN. Sixty-one days we have been begging the Republicans—we have been begging the Republicans, not all of them, to give us an opportunity to go to conference and work out our differences, if we can.

That is the regular order. And each time we have asked, as Senator KAINE of Virginia did this morning, there has been a condition to it: No, you can't sit down to try to work out your differences unless you agree ahead of time to take certain things off the table. That is not reasonable. It is not reasonable if you are serious about the deficit, if you are serious about the debt of the United States.

I could dream up a half dozen things. All right, I won't allow us to go to conference if it in any way is going to touch Social Security benefits. All right? I think I would need a lot of support for that, and we wouldn't go to conference. But at the end of the day, if we are serious about the deficit, we are supposed to sit down and work out our differences, House and Senate, Democrats and Republicans. When Senator KAINE makes this unanimous consent request to go to a conference committee, he is asking for the regular order of business around here.

Mr. CRUZ. Will the Senator yield for a question?

Mr. MCCAIN. May I ask my friend from Illinois, isn't that what the regular order is, that makes it perfectly applicable, if we instruct the conferees, which is what we are asking for in this unanimous consent agreement?

Mr. DURBIN. Yes. The Senate majority leader is on the floor, and he has said if there is to be a motion to instruct conferees on the debt ceiling, for example, then we can have a vote on the floor of the Senate. That is the regular order.

Mr. CRUZ. Will the Senator yield for a question?

Mr. DURBIN. But to condition the granting of the unanimous consent request to go to conference on the concern du jour of whichever Senator comes to the floor is unproductive.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. DURBIN. Madam President, I haven't yielded the floor as yet, and I think the Senator from Texas had a question for me.

Mr. CRUZ. I thank my friend from Illinois, and I would ask him, if the position he is championing is the regular order, then why is it the Democrats are asking unanimous consent to set aside the regular order to go to conference?

The only reason unanimous consent is needed is because you are endeavoring to circumvent the regular order, and by doing so opening the door for a procedural trick to raise the debt ceiling with 50 votes rather than 60.

Mr. DURBIN. I just checked with the majority leader to make sure my memory is correct. The Senator from Texas will learn that when we go to a conference committee, we are subjected to a possibility of a filibuster. Does that ring a note of familiarity on your side of the aisle? If we are going to face a filibuster and 60 votes, it is not going to happen.

What we are trying to do is to establish ahead of time we are going to a conference. So if we go through the so-called regular order to go to conference, we will reach the same impasse with the Republicans objecting and the Republicans potentially raising the issue of a filibuster. That is why we are trying for this unanimous consent, which I would think, from the Republican side, we would have bipartisan agreement that we move to a conference committee.

Mr. CRUZ. Would the Senator yield for another question?

Mr. DURBIN. I am sorry, I am mistaken, and, thankfully, have been corrected. It is not a filibuster. It would call for using the House resolution of 50 hours of debate and another vote-arama to go through the regular order of things. It is not a filibuster. I stand corrected on that.

But the net result of it is to drag out as long, if not longer, than the earlier

debate on the Senate budget resolution. That is why the unanimous consent request has been made.

Mr. CRUZ. Will the Senator yield for an additional question?

Mr. DURBIN. I am happy to yield.

Mr. CRUZ. So if I understand correctly, we are agreed now this is not the regular order. The Senate is not following the regular order that would have been taking up the House budget resolution and voting on that. That is not what is being pursued here, which is why the majority is seeking unanimous consent to set aside the rules.

But let me ask the question, if I might——

Mr. DURBIN. I yielded for a question, and I will respond. Then you may ask another, if you wish.

It is the regular order of things to ask for unanimous consent, and it is the usual and customary way the Senate works so that we don't have to repeat all over again the debate on the budget resolution to take up the House version. So it is not unusual. It is the regular order.

Mr. CRUZ. I would suggest that unanimous consent is used to circumvent the regular order——

Mr. DURBIN. No.

Mr. CRUZ. And in particular the debt ceiling was not contained in the budget, it was not debated in the budget, it is not part of the budget, and the only question here—we could have gone to conference 60 days ago if the Democrats had simply agreed not to use reconciliation as a backdoor trick to raise the debt ceiling, which has happened three times in the past. So this is not a hypothetical risk. This is, I believe, the intention of the majority, and it is why we are objecting to raising the debt ceiling—to issuing an unlimited credit card—and digging the hole deeper without actually fixing the problem.

Mr. DURBIN. To respond to the Senator from Texas, we have been through this before. In the House of Representatives they threatened not to extend the debt ceiling of the United States and caused severe damage to our economy. Business leaders, labor leaders, families across America asked: How could the Congress do something so irresponsible as to not extend the debt ceiling of the United States? The President said he is not going to get into a political bargain over the debt ceiling of the United States. He is right. This ought to be something both parties take very seriously, as to whether we would jeopardize the full faith and credit of the United States of America, whether we——

Mr. MCCAIN. Will the Senator yield for a further question?

Mr. DURBIN. I will in one moment, as soon as I finish replying to the Senator from Texas.

So the notion this debt ceiling is something we can casually say whether it is approved and extended makes no difference—it makes a big difference. And whether it is included in this, in terms of the budget resolution, remains to be seen. But we could have a motion to instruct the conferees relative to the debt ceiling. I think that has already been discussed.

What I am saying is: Why in the world aren't we sitting at a table this day, Democrats and Republicans, House and Senate, trying to work out our differences? I think most American people would ask: Isn't that why we sent you to Washington? Yet we run into these objections to unanimous consent requests.

I yield to the Senator from Arizona for a question.

Mr. MCCAIN. Isn't it a little bizarre, this whole exercise we are going through, when some of us are asking to go to conference with a body that is dominated by the Members of our own party? We don't have, apparently, enough confidence the majority of the conference appointed by the other side of the Capitol will be a majority of Republicans and not Democrats? Isn't that a little bizarre?

And really, what we are talking about here, I will be very honest with my colleague from Illinois, is a minority within a minority. Because the majority of my colleagues in the Senate on this side of the aisle, with motions to instruct the conferees, want to move forward and appoint these conferees and do what every American family has to do in America and that is to have a budget.

Mr. DURBIN. I will yield the floor, because others wish to speak, but I will say that at this point in time we have passed a Senate budget resolution. We were challenged by the Republicans to do it, and we did it. It wasn't easy. It was a close vote, but we did it. Now we want to move to the next logical step and sit down with the House, resolve our differences and move on so we can reduce the debt of this United States in a responsible and orderly way.

The objection on the other side of the aisle for 61 days should come to an end. I salute my friend from Arizona.

Mr. MCCAIN. I would ask my friend again, basically what we are saying here on this side of the aisle is that we don't trust our colleagues on the other side of the Capitol who are, in the majority, Republicans. I guess that is the lesson that can be learned here.

But far more importantly than that—far more importantly than that—in a recent poll I saw, 16 percent of the American people approve of Congress. When I go home and have townhall meetings and I say: You know what, my friends, we don't even have a budget. We can't even agree, Republicans and Democrats—Republicans and Republicans in this case—to have a budget, the same as every American family does. Does that contribute to the approval and the respect the people of this country have for us? The answer is obviously no.

So I urge my colleagues again, let's put some confidence in, if not the conferees appointed here, the conferees who will be appointed on the other side of the Capitol who are from our party, who are fiscal conservatives just as we are, instead of this blocking by what I assure my colleagues—all three of them here—is a minority of the minority of Republicans in the Senate who do not want to move forward with a budget that we spent so many hours and so much effort in achieving. Do not block it from going forward.

Mr. DURBIN. Madam President, I salute the Senator from Arizona for his intuitive, wise analysis of this situation. I am sorry we still have an objection from the Republican side of the aisle to go to a conference committee with Republican House Members dominating that conference on their side. Apparently, they do not have confidence those House Members can speak for them, but I think it is important we do move to this conference committee as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I rise to associate myself briefly with the comments of both Senators MCCAIN and DURBIN. This is not primarily about the budget. This is not primarily about Senate rules. This is about compromise. In Congress, a bicameral body, the Framers established compromise was necessary to take action. Will we allow processes to go forward so we can listen to each other, dialog, and find compromise, or will we use procedural mechanisms to block processes of dialog and compromise even from starting?

The Senate budget is a very different budget than the House budget. We are all free to have our preferred option. But the way we get to a final budget is to have Senate and House conferees sit down together, in what no doubt will be a difficult discussion, and to compare budgets and debate and dialog and find compromise.

The Senate acted on the 23rd of March by a majority vote in accord with the rules of this body to pass a Senate budget after 4 years. The effort to object to the beginning of a conference, make no mistake about it, is fundamentally an effort to block processes of compromise. In the living organism of government that was established by our Framers, compromise is the blood that keeps the organism alive. Efforts to block compromise are fundamentally efforts that are destructive of this institution.

So I stand by the motion I have made. I ask my colleagues to allow processes of compromise to go forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, the senior Senator from Arizona urged this body to trust the Republicans. Let me be clear: I don't trust the Republicans and I don't trust the Democrats. I think a whole lot of Americans likewise don't trust Republicans and the Democrats because it is leadership in

both parties that has gotten us in this mess.

My wife and I have two little girls at home. They are 5 and 2. When Caroline was born, our national debt was $10 trillion. Today it is nearly $17 trillion. In her short 5 years of life, the national debt has grown by over 60 percent. What we are doing to our kids and grandkids is immoral.

I commend the Democrats in this body for their candor. The Democrats and President Obama have been very explicit. It is their intention to raise the debt ceiling, and to do so with no conditions whatsoever—to keep borrowing and borrowing and borrowing money without any structural reforms to fix the problems. That is an intellectually consistent position. I think it is a dangerous position but it is at least candid. That is the reason why every day, for 60 days, the Democrats have opposed taking the debt ceiling off the table in this discussion.

Unfortunately, one of the reasons we got into this mess is because a lot of Republicans were complicit in this spending spree. That is why so many Americans are disgusted with both sides of this body, because we need leaders on both sides to do as my friend from Virginia said, to roll up our sleeves, to compromise and to work together and fix the problem—fix the enormous fiscal and economic problems and stop bankrupting our country.

What this issue is all about is very simple: Will we allow the debt ceiling to be raised in an unlimited amount with a 50-vote threshold? And if the answer to that is yes, we have, in effect, just voted to raise the debt ceiling because the Democrats hold a majority of this body—55 seats—and the Democrats are explicit that they want to raise the debt ceiling. If we go to conference without the debt ceiling being taken off the plate, it is a 100-percent certainty the debt ceiling will be raised. It has been done three times in recent history. Every Republican who stands against holding the line here is saying: Let's give the Democrats a blank check to borrow any money they want, with no reforms, no leadership to fix the problem. I don't think that is consistent with any of our responsibilities.

A final point. Much has been said about the budget was debated, the budget was considered, and that is surely true. But the budget contains nothing about the debt ceiling. The budget did not consider the debt ceiling. When all of us were here all night debating the budget, we didn't debate the debt ceiling. The question here is whether the majority of the Senate will be able to bootstrap the debt ceiling—a totally different issue—onto the budget. And the reason for doing it is to use a political trick. It would allow the majority to pass a debt ceiling increase on just 50 votes.

I think it would be profoundly irresponsible for this body to raise the debt ceiling without fixing the problem—without getting the economy going, without getting jobs back, and without stopping the path we are on of bankrupting this country. That is what this fight is about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I want to follow up on some of the comments made by my friend and colleague, the junior Senator from Virginia. I agree wholeheartedly that we need to have this debate. We need a budget. The American people want it, they deserve it, they have been without it for 4 years.

It is because we want this debate and it is because we want this issue debated in public that we have this concern. In other words, as the Senator from Texas pointed out a moment ago, there are a lot of issues that were discussed and debated and voted on when we were addressing the budget resolution a couple of months ago. We were here until 5 in the morning making sure we could get through all the amendments.

At no point during that very lengthy discussion in connection with the budget resolution did we discuss or address or have a vote on or in any way make a decision regarding the debt ceiling. That is a separate debate, one that did not come up in connection with the budget resolution. It is a debate that needs to happen. Just as the discussion of the budget resolution needs to move forward, we do need to have a public debate and ultimately a vote with regard to the debt ceiling. The American people expect us to have this debate. They expect us to have it in the light of day and not under cover of darkness behind closed doors, resulting in one of those infamous backroom deals that have given Washington its often much-deserved bad name.

The debt ceiling was not in the bill. It was not in the budget resolution. We have not debated it. All we are asking for is that the other side agree that they will not use budget reconciliation as a mechanism for working a backroom deal to raise the debt limit. The American people expect us to debate this, not in secret but in public. That is what we are trying to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, since I raised the objection today, I wanted to close my comments by accurately describing to the people at home or in the gallery or elsewhere what is happening here. Maybe some folks are wondering what this is all about. It is pretty straightforward. In fact, for over 1,000 days the Senate did not pass a budget under the leadership of the current majority, and we did complain about that because that was problematic. Ultimately, this year, they finally passed a budget—one which, quite frankly, doesn't deal with our debt and doesn't help grow our economy, but they passed a budget.

The House has passed its budget. The Senate has passed a budget. The way it works is that now both sides are supposed to sit down and negotiate. What is happening is that a motion is being made to start these negotiations. Nobody here is objecting to these negotiations. That can begin today. This process they want can happen right this very moment. The only thing we are asking is that it be clear that as part of that negotiation—an increase in the debt limit not be part of it. Here is why it is so important that it not be part of it: because we have not discussed it. As the Senator from Texas pointed out, when we debated the budget we did not debate the debt limit.

Let me tell you what the debt limit is. It is the credit line of the United States. It is how much money the government is allowed to borrow. This is not a trivial matter. I heard people stand here today, my fellow Senators, and say: You can raise any objection to any issue you want to stop the whole process. This is not a trivial objection. I am not asking that key lime pie be made the official pie of the United States or some ridiculous thing. This is the debt limit, something that has been called the single greatest national security problem facing the United States of America by a national security official.

All we are saying is that you cannot come back from that conference with an increase in the debt limit because if that happens, it will be a 51-vote majority here to do it as a matter of routine.

Frankly, the problem is that the debt limit increases have become a matter of routine, and that is how we get from $10 trillion to $16.5 trillion in such a short period of time.

Ultimately, you are right. We should not treat the debt limit casually. That means we should not just casually and cavalierly say we will never raise it no matter what, no matter you do, but we also should not just casually raise it as a matter of routine, and that is the fundamental problem. The impact this is having on our economy is serious.

I deeply respect this institution. One of the reasons I ran for the Senate is I thought I could make a difference because in this Senate even a minority within the minority can make a difference.

Let me tell you, one day in the future I will not serve here anymore, and someday in the future my children, who today are very young, will have to deal with the consequences of the decisions we make or fail to make in my time in the Senate. If what they inherit is an economy crippled by the horrifying decisions that have been made here now and in the past, I am going to have to answer for that. I am going to have to explain to them.

What did you do or what did you not do when you were in the Senate? How could you have allowed this debt to go forward? What did you do to do something about this debt issue?

My answer to them cannot be, well, I followed the regular order. I played along to get along. I went ahead and acquiesced to what my colleagues wanted.

That cannot be my answer. That will not be my answer.

The bottom line is that we can move to conference right now, we can begin negotiating with the House this very day. All we are asking—all we are asking is that as part of that negotiation, they cannot come back here with a debt limit as part of it. The debt limit is an important issue. It should be discussed on its own as it relates to the entire economy, not simply the 1-year budget of the United States of America. That is the basis of our objection.

If the majority would reconsider their position and come to the floor and offer the same motion but with language that clearly says it cannot include reconciliation instructions to raise the debt limit, we will be in conference with the House this very day. But if they fail to do that, we cannot move forward because what we cannot do is continue to routinely raise the debt limit of this country without any serious conversation about how we are going to begin to put our fiscal House in order because the impact it is having on our economy is disastrous.

Our economy is not growing. There are people in America right now who are unemployed or underemployed because the debt is scaring people away from investing in our economy and in our future. If we do nothing about that, then, my colleagues, we will be the first generation of Americans to leave the next generation worse off. That has never happened in our history.

I hope we can come together to prevent that from happening because I think that if we do some simple but important things for our country, including bringing our debt under control, I believe that if we do that, this new century, this 21st century, can also be an American century.

My hope is that at some point today or tomorrow or the next few days we come to this floor and make a motion to go to conference with very simple and straightforward language that says the conference report cannot include reconciliation instructions to raise the debt limit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I would like to speak as in morning business.

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

TRAGEDY IN OKLAHOMA

Mr. BLUNT. Madam President, I want to talk about the tragedy this week in Oklahoma. This is the 2-year anniversary of the Joplin tornado we had 90 miles from my home, a district that I represented for a long time before I came to the Senate and still get to represent now as part of our State. But I want to be sure we take time yet again today to let people in Oklahoma know that our thoughts are with them, our prayers are with them.

First responders are continuing to search and rescue. Their recovery efforts are happening. Words clearly cannot describe the loss these communities and the community particularly of Moore, OK, have had in the last few days. I know the Nation is praying for them. I am too—for the people who lost children at the local elementary schools. The thought of sending somebody to school in the morning and them not coming home that day is a tragedy that will affect people's lives forever. The friends who are lost, the family members who are lost will always be part of the ongoing impact that they have on that family and that community.

In Joplin, MO, 2 years ago we had 161 people die. The community has come back in incredible ways, but you never want to minimize in any way the loss of those 161 lives. Every one of them had a story to tell, just as every one of the people lost in Moore, OK, and in other places in Oklahoma in recent days has a story to tell.

It was a big storm. It affected people. Pretty quickly you figure out that while you regret the property you lost, the property you lost is not really all that important, but the lives that were lost are. In addition to the 161 people killed in Joplin, MO, on May 22, 2011, 7,000 homes were gone. I was there the next day or the day after. They were gone. It was like a nuclear blast. The pictures from Moore, OK, remind me of that. Five hundred businesses were gone.

I will say for the people in Joplin, they immediately began to think about Joplin tomorrow instead of Joplin yesterday. Two years later it is still a community dealing with loss, but it is a community that is building new schools and new businesses, and houses are under construction. I talked to someone just yesterday. Their family member was about to get into a house that Habitat helped them build.

One of the things I found out that I had never really thought about even though I had a lot of experience with storm loss—never anything like 7,000 homes at one time—the people who are the least likely to have insurance are the people who have their house paid for. In that group, they are the least likely, or the people who may have inherited the house from their parents, because there is no banker to tell them they have to have an insurance policy. Maybe it was just kind of a seamless moving back home or staying home and suddenly that house is gone.

By the way, this is something the Federal Government—really probably rightly—does not have a role in. If you do not have insurance, you made that choice not to have insurance. When we talk about Federal aid, we are almost always talking about cleaning up the streets, the water systems, the power facilities, getting the community back in order. There are some programs for public buildings that are available. It is not that we are going to go in and help you rebuild your house if you chose not to have insurance. That is not what happens.

But volunteers immediately show up. The first volunteers are your neighbors. The first responders are your neighbors. It happened this week in Oklahoma. It happened 2 years ago in Joplin. As soon as people had brushed themselves off and found their own family members, they began to look up and down the street to see whom they could help, whom they could help dig out of rubble or whom they could help secure something they were concerned about. Those are the first responders.

Then your neighbors from not too far away—in fact, Oklahoma is right on the edge of our State. They are our neighbors. There were people from—public officials, fire and water and police from Joplin who were there within 12 hours, and they will be back when they are needed.

There is a lot to be done. The one thing I would advise people who want to know what they can personally do to help—there are places to send money, there are charities to help. They are helping. All those things are important and good. My personal advice if you want to help, if you can at all, find out before you go what it is you are going to be doing. The last thing communities in this kind of situation need is a lot of people wandering around, wondering what they can do to help. There are plenty of people wandering around already. But if you come through your church, your civic club, through some organization you have helped in the past, through Habitat for Humanity, through a group you have worked with before that does this—link up with them and go. That is probably the better thing to do.

There is a lot to be done. First responders, as I said, are your neighbors. By the way, they are also the last responders. The people still there 2 years later helping build a Habitat for Humanity house are probably at that point your neighbors. They are probably not Habitat for Humanity from 1,000 miles away. They are local people who have finally found another family who needs help, and they are helping them.

This disaster, by all recent standards, deserves Federal assistance. FEMA is there, but beyond that, the Federal assistance that we give when a disaster is too big for a community to handle on its own and too big for the community and the State they are in to handle on their own, that is where the Federal Government should step in and does and will.

There are people all over the country who want to help, but they also are going to be helping as taxpayers. It appears that the resources to do that are in the current pipeline. As I said, FEMA is there. We are going to be there, I am sure, working in this body with our colleagues, Senator COBURN

and Senator INHOFE, to do our best to reach out to our fellow Americans who have a real tragedy, and that is a tragedy where all the American people can step up and help by doing what we do when these disasters strike.

Mr. FRANKEN. Mr. President, I would like to associate myself with the wise words of my colleague from Missouri, whose State has experienced so much tragedy last year much like the devastation in Oklahoma. On behalf of the State of Minnesota, our hearts and thoughts are with the people of Oklahoma.

I would also like to thank Senator BLUNT for cosponsoring an amendment in the farm bill which will make it easier for seniors and those with disabilities to receive groceries in their homes that is delivered by volunteers. They pay for it with their SNAP dollars.

I am grateful to the whole Senate for adopting the farm bill package by unanimous consent. I am very grateful for that.

I am very pleased the Senate has taken up the farm bill, and I hope we can pass this in the Senate and the House so our Nation's farmers have the certainty they need to provide food for the rest of us.

There are so many important pieces to this bill which will be great for Minnesota and Wisconsin. For example, it contains provisions to support beginning and young farmers to help them start farming operations. I think the average age of a farmer in Minnesota is about 58. We need young and beginning farmers.

The farm bill also contains important conservation measures so farmers can better protect their land. It also contains a comprehensive energy title—that I helped to write—in order to make our agriculture sector and our Nation more energy independent.

Above all, the farm bill provides a safety net for farmers, and that safety net is the centerpiece of this bill. The reason it is there is because agriculture is inherently risky. Just last year we witnessed a historic drought which devastated the Nation's corn and soybean crops and forced ranchers to cull their livestock. Agriculture is prone to weather disruption such as drought, flood, hail, pests, disease, and global market forces which can drastically disrupt prices, and that is why the farm bill safety net is so essential and important.

The farm bill safety net provides disaster assurance for livestock producers, and it contains crop insurance so farmers have certainty over their planting decisions. It also contains a dairy program to make sure we have a healthy dairy economy in Wisconsin, Minnesota, Vermont, New York, and other States.

That is why we have the Sugar Program, to help protect our sugar growers. The program is important to Minnesota's sugar growers and to growers across the Nation. In addition to protecting farmers, these programs enhance the domestic supply of food that is so important to our Nation. Unfortunately, some of my colleagues don't support a strong farm safety net, and they have decided to go after the Sugar Program in the farm bill this year.

Let's be clear about one thing: By attacking the Sugar Program, or any other farm safety net, they are helping to send jobs overseas. Ironically, this attack comes just a week after 60 Senators supported a provision to make sure some of the funds used in water infrastructure projects are used to purchase U.S. iron and U.S. steel. Some of the very same Senators who are fighting for a domestic steel industry are now turning their backs on our farmers by pulling the plug on our Sugar Program. I also heard some argue that we should just let the free market work.

Madam President, did you know that the government of Mexico is Mexico's biggest producer and exporter of sugar? That is not much of a free market.

Brazil, the world's largest sugarcane producer, spends billions of dollars to subsidize its Sugar Program. Let's be clear: Removing the protections we have for our domestic sugar producers will do nothing but kill an American industry and outsource jobs to our competitors.

Some have depicted the amendment of Senator SHAHEEN and TOOMEY as nothing more than a rollback of U.S. policy to the pre-2008 policy.

Let's be clear: The reason Congress modified the U.S. sugar policy in the 2008 farm bill was primarily because the provision in NAFTA, which allows subsidized Mexican sugar unfettered access to U.S. markets, kicked in in 2008. The reason the bill changed in 2008 is because the Sugar Program changed. Let's be clear: Eliminating or weakening the Sugar Program is going to kill rural jobs in America.

I urge my colleagues to stand for agriculture and American jobs. I ask that my colleagues oppose the amendment of Senator SHAHEEN and Senator TOOMEY.

I see the Senator from Illinois is here and about to join us on the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. The tragedy that hit Oklahoma earlier this week—killing innocent people and children and destroying homes, businesses, and schools—just reminds us of how vulnerable we are to the forces of nature. It wasn't the first time the wind blew in Oklahoma. In fact, that same community had been victimized by a tornado years ago.

If we go back in history to the 1920s, the State of Oklahoma faced what we have now characterized as the Dust Bowl. I didn't know much about that, but I read about it. I kind of knew it destroyed lives, farms, and many people had to pick up and leave. They moved to California and other places.

I ran across an excellent book written by a man named Tim Egan. Tim is from Seattle, WA. I don't know him personally, but Senator MURRAY and Senator CANTWELL know him. He writes for the New York Times and also writes excellent books. He wrote a book called ''The Worst Hard Time,'' which tells the story about the Dust Bowl.

What happened, as I understand it, was there was speculation on wheat during World War I. There was a scarcity of wheat because of the war in Europe. People in the United States saw the prices of wheat going high, so they started planting. They planted on fragile ground. As a consequence, they were churning up the ground to plant the wheat and were not mindful of some serious possibilities that the topsoil would blow away.

One thing led to another and it became a natural disaster—the Dust Bowl. As a consequence, many people left Oklahoma and many people saw their lives change forever. Tim Egan's book, ''The Worst Hard Time,'' tells about that in detail.

As a result of that experience in the 1920s, a couple of things happened. First, we started taking conservation seriously; for example, how to conserve the topsoil of our land so it doesn't blow away. Ultimately, this gift from God is what gives us such fertile soil.

Secondly, because we know a farmer is at the mercy of nature, we started to think of ways—under President Franklin Roosevelt—to make sure the farmers could get through hard times, such as a bad year, a bad crop, or low prices.

Starting in the 1930s with the New Deal, we started dreaming up farm programs, and there were many of them. I can recall when I was elected to Congress in 1982, I represented an agricultural district. At the time I knew little or nothing about farming. I was trying to learn as fast as I could as to the options and history of these programs. I learned some things, but I am certainly not an expert.

Over the years we have tried a lot of different ways of protecting farmers from the vagaries of nature and the market. Not that long ago—10 or 15 years—we had a situation where we were seeing these natural disasters—such as floods, droughts, and disease—that claimed crops. Many of the farmers affected by those came to Congress and asked for help. We were giving them disaster payments, we called them, to get them through another year.

Well, the decision was made about 10 years ago that it would be better for us to deal with that unpredictability of nature and move away from disaster payments to a program which is known as the Crop Insurance Program. It speaks for itself. It is a program where a farmer can buy insurance and with that insurance protect that farm from a bad productive season or low prices in the market.

More and more farmers started looking for that protection, but they were not that happy with crop insurance as

it was too expensive. So what we did was make a calculation that if we subsidized the crop insurance premiums and if the Federal taxpayers kept them low, more farmers would buy it and we would pay less in natural disaster payments since the insurance program would take care of that exposure.

That is basically what we decided 10 years ago, and since then there has been a decrease in the cost of premiums and an increase in farmer participation and crop insurance, which is a good thing.

I might also say that during the same period of time we had some income protection for farmers in what was known as direct support payments. Unfortunately, those payments were guaranteed even in good times, and they became indefensible. We had some farmers with record profits on their farms and still getting a direct Federal support payment check.

We have the farm bill pending on the floor. Senator STABENOW of Michigan has done a remarkable job—again, for the second time—in writing a farm bill. She wrote a farm bill last year, which we sent to the House of Representatives after we passed it with a strong bipartisan vote, and they basically ignored it. They didn't want to call it so it could be considered on the floor of the House, but they could not come up with their own farm bill.

We are hoping for a better outcome this time. Once again, Senator STABENOW sat down with the agriculture committee in the Senate and produced this farm bill which is before us.

I am here today to describe an amendment which Senator TOM COBURN of Oklahoma and I are offering. Senator COBURN, a very fiscally conservative Republican, and I have come to an agreement on an amendment which we are offering to the Senate—a Republican and a Democrat.

Here is what it comes down to: Our amendment would reduce the level of premium subsidy for crop insurance policies by 15 percentage points for farmers with an adjusted gross income of over $750,000.

Let me explain what is behind this. Crop insurance is not a real insurance program by private sector standards. In other words, the premiums being paid by the farmers do not create a reserve large enough to cover the amounts that are paid off or paid out for losses each year, so the Federal Government makes up the difference.

Currently, on average, when it comes to crop insurance policies, the Federal taxpayers—not the farmers—pay 62 percent of the premiums and the farmers pay 38 percent, so it is a heavily subsidized program. That is understandable because we want to keep the premium costs low so there is more participation, but it is also the reality. So we are dealing with a program that is important to our farmers and important to our Nation with a heavy Federal subsidy.

Last year farmers put in $4 billion in the purchase of crop insurance across America. The Federal taxpayers put in $7.1 billion in subsidies to the same Crop Insurance Program. So this is not a traditional insurance program, it is one that is heavily subsidized and heavily leveraged by the Federal Treasury.

I might also add the taxpayers are on the line for the cost of administering the program, which recently was $1.3 billion in a year, so $7.1 billion in premium subsidies and $1.3 billion in administrative expenses. We are basically saying the taxpayers, by a margin of 2 to 1, are putting more money in the crop insurance program than the farmers who are protected.

Going back to the Dust Bowl story, remember that one of the things we decided to do was to protect fragile lands from wind and water and the type of erosion that reduces their value. Over the years we had these conservation programs saying to farmers, if you have a wetland or a land that is particularly fragile or vulnerable, set it aside; don't plant on it. This bill Senator STABENOW brings to the floor makes this conservation practice a condition for buying crop insurance. I think that is a good thing, and I totally support that. And, from the viewpoint of the Federal taxpayers, I don't think it is too much to ask that the farmers participating in the crop insurance program also participate in conservation practices to protect farmland across this country. That is included.

Four percent of the most profitable farmers in America account for nearly 33 percent of all the premium support by the Federal Government. In other words, there are a lot of small farmers with crop insurance who don't have much exposure, don't pay much in premiums, but there are a lot of large operations that are quite different.

This is a GAO study that was put out in March of 2012. They analyzed the crop insurance program. Interesting reading. ''Savings would result from program changes and greater use of data mining.'' That was their conclusion, after investigating this program last year.

What they are talking about when they say ''data mining'' is taking a look at the farmers who are buying crop insurance. Who are these people? Well, they came up with some interesting examples, if I can find them. In the year 2010, according to the GAO, the average value of the premium subsidy received by participating farmers was $5,339. Thirty-seven participating farmers each received more than $500,000 in premium subsidies—that is subsidies from taxpayers—37. The participating farmer receiving the most in premium subsidies, a total of $1.8 million in Federal subsidies for one farmer—was a farming operation organized as a corporation that insured cotton, tomatoes, and wheat across two counties in one State.

There is another one here. Another of the 37 participating farmers was an individual who insured corn, forage, potatoes, soybeans, sugar beets, and wheat across 23 counties in 6 States for a total of $1.6 million in taxpayer subsidies for his crop insurance. In addition, the cost of the administrative expense subsidies the government spent on behalf of this farmer—one farmer—administrative expenses: $443,000. This is a farmer farming in 23 counties across 6 States.

The point I am trying to get to is this: When we think of farmers and the struggles they face, we shouldn't ignore the obvious. For the wealthiest 1 percent of the farmers in America, they are doing quite well. I think—and Senator COBURN agrees—the Federal subsidy in crop insurance to those farmers should be diminished some to save money for the program and to reduce the deficit. That is what our amendment is all about.

What we are suggesting, as I said at the outset, is that instead of 62 percent of the premium being paid by taxpayers for the richest farmers in America, it be 47 percent of the premium. That is still pretty generous, is it not, for someone who is getting $1.8 million in subsidies already and $400,000 plus in administrative expenses? We are helping that farmer in 23 counties over 6 States with over $2 million in Federal subsidies. I think he can afford to pay a little more. That is what this amendment says.

This farm bill is a good bill. It eliminates direct payments. I salute Senator STABENOW for doing that. Eliminating direct payments made regardless of need saves about $4.5 billion a year, $40.8 billion over 10 years. Hats off to Senator STABENOW. She is reducing the deficit with this farm bill.

I think crop insurance is a much better safety net than direct support payments and much more defensible. But Senators who are concerned about the growth of government and its costs ignore the fact that this heavily subsidized crop insurance program cost the Federal Government more than $14 billion last year. While this growth is mostly due to costs associated with drought, we have to find commonsense ways for savings in the program. That is why we have suggested that farmers with an adjusted gross income of over $750,000 pay 15 percent more when it comes to their premiums for crop insurance.

Let me add something which is not a very well-kept secret: Many of these very large farming operations divide up their farms and their income between husband and wife. So when we are saying $750,000 adjusted gross income, it is actually from a couple that is making over $1.5 million in adjusted gross income in many instances. Our amendment says if the adjusted gross income; that is, after deducting business expenses, health care costs, and other deductions, is at $750,000, premium support is reduced by 15 percentage points. The amendment is roughly estimated to impact the wealthiest 1 percent of farmers. Who is going to pay this? Who

is going to pay the extra premium? Twenty thousand farmers across America will pay the extra premium. I just described a couple of them. Twenty thousand out of two million. Twenty thousand. Well, what is it worth to those 20,000 farmers to pay 15 percent more? It is worth $1 billion over ten years; $1 billion coming into our Treasury.

When I think of the ways we are cutting spending to reduce our deficit, which include taking 70,000 children out of Head Start as an example, how can we possibly justify, for the wealthiest multimillionaire farmers in America, not asking them to pay a little more when it comes to their crop insurance premium? How can we excuse them and say, No, no, no, these very rich farmers absolutely deserve the maximum when it comes to the Federal taxpayer subsidy? I don't think that is acceptable.

The amendment may sound familiar to some of my colleagues. It was adopted before by a vote of 66 to 33 in the Senate. Of the 33 who voted against the amendment, 29 voted for a nearly identical amendment that only varied in the scope of the study. This is a study associated with our amendment.

Some may come to the floor and say that following last year's drought, we shouldn't change crop insurance at all. Last year was the worst drought in over a decade. Eighty percent of agricultural production felt it and my State of Illinois certainly did. The USDA declared 2,245 counties in 39 States disaster areas. Crop insurance worked for those covered and has allowed those producers to plant again this year without missing a beat. Our change in the law would not change that circumstance at all.

I recognize the importance of crop insurance. It is far preferable to disaster payments. But for goodness sake, if we can't say to 1 percent of farmers—the wealthiest in this country—that they are going to take a slightly diminished Federal tax subsidy for their crop insurance, then we aren't very good as budget cutters. We say to a lot of people who have a lot less to work with in life, You are going to have to face up to the reality of the deficit. Can't we say it to 1 percent of the farmers, that they are going to have to face up to the same basic reality? That is what this amendment is all about.

I asked my staff to come up with a couple of examples of farmers and the premiums they pay for the RECORD. One example: An Illinois corn and soybean grower received $740,000 in premium subsidies to cover the crops he planted in 18 counties in Illinois. This is no small mom-and-pop farmer; this is a big operator. And while I love my Illinois farmers, I can't justify this kind of a subsidy of $740,000 to one farmer in my State. While his exact additional costs are impossible to calculate without knowing all the circumstances, even if he is caught by this amendment and purchased the same policy, instead of a $740,000 taxpayer subsidy he would have a $639,000 Federal taxpayer subsidy.

Another example: A South Dakota corn and soybean farmer received $1.4 million in premium subsidies to cover crops in eight different counties; $1.4 million Federal taxpayer subsidy for his crop insurance. This producer would only receive $1.19 million in premium support under this amendment. Would he stop participating in the program? Of course not. If he is that large a producer he needs this program and the subsidy is still very generous.

This is an issue which I know is a little complex, but when I listen to the speeches on the floor about the deficit—and we have heard plenty of them today and we will hear plenty of them tomorrow—I have to ask myself, Will Senators on both sides of the aisle stand with Senator COBURN and myself and say the wealthiest 1 percent of farmers in America should have their Federal subsidy for crop insurance reduced by 15 percent? Not unreasonable. They will still make a lot of money and the taxpayers will see $1 billion more coming into the Treasury.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

The Senator from Georgia.

Mr. CHAMBLISS. Madam President, would the Senator allow me to propound a unanimous consent to be allowed to speak for 10 minutes as in morning business following the Senator from Connecticut?

Mr. BLUMENTHAL. I have absolutely no objection.

Mr. CHAMBLISS. I make that unanimous consent request.

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

The Senator from Connecticut.

SEXUAL ASSAULT IN THE MILITARY

Mr. BLUMENTHAL. Madam President, in the past couple of weeks we have seen some major encouraging efforts in the Senate to rid our military of sexual assault, to punish it more aggressively and effectively, to deter it, and to aid victims who may suffer from sexual assault—victims of both sexes who may be survivors of this spreading scourge. Last year alone, an estimated 26,000 cases of unwanted sexual contact; only about 3,300 of them reported. So the key to more effective prosecution and deterrence is more reporting as well as swifter, surer punishment and a better program within the military to deal with it.

I will be proposing over the next few weeks additional measures. I have already cosponsored the Military Justice Improvement Act, a very important measure sponsored by our colleagues Senators GILLIBRAND and COLLINS that would transfer prosecuting and charging authority from military commanders to a separate, trained, experienced cadre of prosecutors in the military.

I have also cosponsored the Combating Sexual Assault in the Military Act proposed by my colleagues Senator MURRAY and Senator AYOTTE; again, very important legislation providing special victims counseling to survivors or victims of sexual assault, and the Ruth Moore Act sponsored by my colleague Senator TESTER, that provides aid for disabled veterans who suffer from this problem.

Today I rise to praise Secretary of Defense Hagel for his decision and his leadership in avoiding furloughs of any of the civilian sexual assault prevention personnel as a result of the sequester. As we know, the sequester has caused furloughs of many civilian employees at the Department of Defense as well as some similar personnel decisions across the Federal Government. I wish to say that all of us who are advocating this cause did express appreciation to our Secretary of Defense for his leadership as well as to the military leadership at all levels for their focus on this issue. These measures are good, their intention is commendable, but it is not yet enough, as many of them would acknowledge very candidly and have done so to all of us in the Senate who are interested in this issue.

We need to hire more civilians trained and qualified to help victims, not just avoid the furloughs of the advocates and sexual assault response coordinators we have in place right now, but to hire more of them.

I raise this issue because—and here is the statistic everyone should keep in mind—the U.S. Army has hired only 80 out of the 446 whom it should have in place right now among the sexual assault prevention personnel—80 out of 446.

Let me give a little bit of the history. At the end of 2011, Congress set in Public Law 112–81 that new requirements should be expanded in the provision of victims advocates and that they either be in uniform or civilian employees who have the proper training and qualifications to perform this important service. The Army announced in June of last year—almost a year ago—that it would have 829 victims advocates. Of those, 446 would be civilians. As a result, each brigade and equivalent-sized unit would be covered by a full-time victims advocate and below that level have the role of victims advocate performed as a collateral duty.

So I was troubled to hear in April of this year, just a couple months ago, when Secretary McHugh testified before the Senate Armed Services Committee, that the Army's Sexual Harassment/Assault Response and Prevention Program—known as SHARP—had hired only 63 of that number; in other words, 63 out of 446. I understand the most updated number is 80 out of 446.

These civilian sexual assault prevention personnel, very simply, are needed

today. The military and our leadership know that this problem is a scourge that is a direct threat to the good order and discipline of our military personnel. It has confronted this problem in many commendable ways. But hiring victims advocates and sexual assault response coordinators is vital to the effort. It is vital to encouraging both men and women victims to come forward and have the courage and strength to report these incidents when they occur.

These incidents are more than just disciplinary infractions. They are vicious, predatory criminal acts. They should be punished as vicious, predatory criminal acts. Victims of them need advocates and counselors to have that strength and courage to come forward and participate in the grueling and often painful process of supporting a successful prosecution. Without successful prosecutions, there can be no punishment, and successful prosecutions require witnesses and cooperation and support from the victim.

My hope is that the Army will swiftly stand up this force, that it will do more than just avoid furloughs, that it will, in fact, recruit actively and successfully. Other branches of our military service should also be asked: How are you doing in this process? And if you are doing better, what are the keys to your success?

All across the military there must be a robust SHARP program, Sexual Harassment/Assault Response and Prevention Program. It is a mouthful. It is a long term, but it stands for a program that must be successfully and carefully built and sustained.

I will be introducing legislation tomorrow focusing on victims' rights and what can be done to bolster not only the substance of those rights but the remedies to make those rights real.

For today, I say thank you to the Secretary of Defense for the step he has taken and hope we can count on additional steps to make these rights real, to guarantee successful prosecution, to make sure our military rules and remedies against sexual assault and abuse are worthy of the greatest, strongest, best military in the world, staffed by men and women second to none in their training and dedication. The system of military justice must be worthy of their service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to speak on S. 954, the legislation to reauthorize agricultural programs.

As a former chairman and ranking member of the Agriculture Committee, I recognize how difficult it is to combine all the diverse interests into a single piece of legislation that meets the needs of all crops, all regions, and all rural and urban communities the farm bill impacts.

I thank Chairwoman STABENOW and Ranking Member COCHRAN for the work they have done to craft a reform-minded bill that not only saves $24 billion with sequestration cuts included but also provides an effective safety net for farmers and ranchers all across the country to rely on in times of need.

This bill embodies reforms, streamlining, and consolidation, and with the biggest issue facing our country today being our growing debt and deficit, I commend the members of the Agriculture Committee for stepping up and doing the work necessary to find savings. While we take these essential steps, we must also do it in an equitable and a fair manner.

Agricultural producers face a combination of challenges such as unpredictable weather, variable input costs, and market volatility that all combine to determine profit or loss in any given year. The 2008 farm bill provided a strong safety net for producers, and successor legislation must adhere to and honor the same commitment we made 5 years ago. It is also important to note that this bill must not only work to protect producers in times of need, but it must responsibly serve as the Nation's safety net for the nutritional well-being of low-income Americans.

Last year, when we went through this process, I was unable to support the bill. However, I appreciate the chairwoman and ranking member for making improvements to last year's bill. While the bill before us is not perfect, I believe everyone who is involved in agriculture understands that it addresses the needs of U.S. agriculture, which is what the policy coming out of this body should address.

While I understand there are different ideas about what safety net is best, I urge my colleagues to recognize that one program does not work for all crops. The bill before us attempts to provide producers with options to find what works best for them, and that is a step in the right direction.

A new program known as Adverse Market Protection seeks to serve the needs of those who are not protected by the Agriculture Risk Coverage—ARC—and Crop Insurance Programs. It is imperative that the farm safety net provide protection for multiyear declines, especially for southern crops such as rice and peanuts, since the protection provided by ARC and crop insurance is not sufficient.

Also, I would like to recognize that the upland cotton policies contained in the chairwoman's mark represent fundamental reform in the support provided to cotton farmers—reforms that contribute $2.8 billion toward savings in the committee's budget target. The legislation eliminates or changes all title I programs providing direct support to those involved in cotton production and puts us down the path to resolving our WTO dispute with Brazil.

Further, I would like to express my support for a provision in this bill that ties conservation compliance to crop insurance. My amendment last year on the floor relinked the two, and since then 32 leading agricultural, conservation, and crop insurance groups have come to support this provision and have come together with ideas to form a compromise on details of this linkage. The compromise will provide a strong safety net for our farmers and natural resources, while allowing them to be wise stewards of the taxpayer resources.

For those of us who enjoy hunting and fishing and the outdoors, this provision will provide for future generations of Americans the same opportunity we have to hunt and fish today.

There is another provision that did not come up in the discussion in the Agriculture Committee that I would like to briefly comment on, and that is the dairy program. The dairy program is always an integral part of every farm bill, and I am not anywhere near an expert on the dairy program. In fact, I kind of leave that to States where it has a more significant impact. But in my State, when I came to Congress almost 20 years ago, we had in excess of 700 dairies in Georgia. Today we have less than 300. In fact, it is closer to 250.

I do not know what the problem is, but I do think, as we move this bill off the floor and into conference—particularly with what has been going on in the House relative to dairy and the discussion over there—we need to be mindful of the fact that we need to address this program long term. If the way it is designed now is the best we can do, so be it. But I do think it is going to merit a significant discussion on dairy once we get to conference and have our ideas shared with the House and the House ideas shared with us.

This will be my fourth and final farm bill as a Member of Congress. As a member of the Agriculture Committee and as a strong supporter of Georgia agriculture for my nearly 20 years in Congress, I have witnessed several disputes, especially regional disputes. However, I am confident we can balance the needs and interests between commodities and regions to reach our common goal of getting a farm bill across the line.

Ultimately, the reason we are here is to represent those who work the land each and every day to provide the highest quality agricultural products and the safest agricultural products of any country in the world. We have the opportunity to write a bill that is equal to their commitment to provide the food, feed, and fiber that allow America to be the greatest Nation on Earth.

Madam President, I thank you, and I look forward to the forthcoming debate on the remaining amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I came here today first of all to talk about the farm bill. I am a member of the Agriculture Committee. We are very proud of this bill. It is a strong bill. As Senator CHAMBLISS just pointed

out, it enjoys broad bipartisan support. Of particular importance to the State of Minnesota is the safety net that is in the bill; the focus on ag research, which the Presiding Officer from the State of Wisconsin, with her great universities, knows is very important; and the work we have done with dairy in trying to improve the dairy program.

The dairy farmers have been the hardest hit in our State of any of the agricultural groups. I have done some new things for new and beginning farmers.

Then, of course, there is the Sugar Program—something that has been a topic today, as some of our colleagues are trying to strip the Sugar Program out of the bill. I would argue that this is 30,000 jobs in the Red River Valley of Minnesota and North Dakota. American sugar is actually much less expensive than you see in the price on the global marketplace. The Sugar Program works. It works for workers, it works for America, and we need to continue it.

THE BUDGET

I would like to turn to the focus of my remarks today, which is, first of all, on the budget. I thank Senator MURRAY for her leadership on the Budget Committee and for all her hard work in advancing a smart, balanced budget to meet our country's fiscal challenges.

This is not the first time I have come to the Senate floor in the last year or in the last several years to stress the critical need for Democrats and Republicans to come together and focus on smart solutions to reducing our debt. I think it is a good sign that both the House and the Senate have passed budgets and that the President introduced his budget last month.

I see this time as a real opportunity to come together to work through this budget process and get a deal done. That is why we must take the next step in the process, which is to move forward under regular order and have the House and Senate conference on a budget deal.

For years we have been hearing from our colleagues across the aisle about how the Senate did not have a budget. Well, the Senate passed a budget, and all we want to do is to move this into conference committee so that the House and the Senate can work together so that we can get a budget for this country.

There is growing bipartisan support for going to conference and starting the conversation so that we can come to an agreement on a long-term budget. Last night Senators MCCAIN and COLLINS came to the floor and talked about how we need to return to regular order in the Senate, and regular order means going to conference to come to a budget deal.

Doing so will allow us to stop lurching from crisis to crisis and address our fiscal challenges in an open, bipartisan way. I believe this is what folks outside of Washington, especially the people I talk to in Minnesota, want; for us to put politics aside for the good of the country and come together on a budget deal that reduces our deficit in a balanced way but also lays a foundation for sustained economic growth.

In the past 2 years Congress has made some progress in reducing the deficit. We have already achieved $2.4 trillion in deficit reduction, with a goal of a $4 trillion reduction in 10 years within our grasp. Last week the Congressional Budget Office reported that deficit will fall to $642 billion this year, $200 billion less than what the CBO projected just 3 months ago. The better numbers reflect good news in housing and larger than expected increases in tax revenue.

But I believe that resting on those numbers would be a mistake. If we are to get closer to reaching a new deficit agreement, it is only going to happen if we work in a bipartisan way through regular order to get a deal done. Along with addressing our fiscal challenges, working through the budget process and coming to agreement will create a stronger, more resilient framework for economic renewal.

We certainly see how we got a major bill done through the Judiciary Committee last night when we were able to get the immigration bill done. There is no reason a conference committee should not be at work right now taking the Senate budget that we have heard for years needs to be done and paring it up with the House budget and coming together. In the bigger picture, this presents an opportunity for us to reinforce our role as a world leader in innovation, entrepreneurship, exporting, education; in other words, that which we have always taken pride in. We want to be a nation that produces, that invents, that exports to the world. Part of that is showing the world we have our fiscal house in order.

I believe the Senate proposal is the right blueprint for moving us forward. On the most immediate front, it will allow us to build on the progress we are already seeing in the economy. Last month, the national unemployment rate dropped to 7.5 percent, the lowest level in 4 years. Our housing market is turning around. Consumer spending has picked up in the first months of the year as has private business investment. The unemployment rate in my State of Minnesota is at 5.4 percent.

But even with this progress, our economy remains vulnerable to headwinds. We should keep this good economic momentum going but only if we are willing to find common ground on a budget plan that also moves our economy forward.

We need to take a balanced approach to deficit reduction. You do not have to take my word for it. Nearly every commission that has offered ideas for reducing our debt has stressed the importance of balance. This includes the original Bowles-Simpson plan, the Rivlin-Domenici plan, and even the revised Bowles-Simpson plan, which calls for another $2.4 trillion in deficit reduction, one-quarter of which would come from new revenue totaling $600 billion.

We do not just need a balanced budget; we need a budget that is in balance. I believe the Senate's budget achieves that goal. It includes an equal mix of responsible spending cuts and new revenue from closing loopholes and ending wasteful spending in the Tax Code. Our budget builds on the $2.4 trillion in deficit reduction we have already achieved in the last 2 years, with an additional $975 billion in targeted cuts and $975 billion in new revenue, surpassing the bipartisan goal of $4 trillion.

Just this morning I was at the Joint Economic Committee—I am the Senate chair of that committee—where Chairman Bernanke testified. He warned us about the negative impact—that cuts solely focused in the short term can negatively impact economic growth. He noted that policies such as sequestration are creating headwinds against short-term economic growth and that Congress needs to take a broader, long-term view toward our debt and deficit.

That is what this conference committee is about. That is what regular order is about. We have a Senate budget. We have a House budget. We have that opportunity to bring those budgets together in a conference committee. Some of the most important points in the Senate budget include the fact that it replaces the sequester with smart targeted cuts while also making critical investment in areas such as education, workforce training, and infrastructure.

It produces savings in Medicare and Medicaid by eliminating waste and fraud, promoting efficiency, and emphasizing cost alignment. Our budget also recognizes there is a massive amount of spending that takes place through the Tax Code, to the tune of over $1 trillion per year in tax expenditures. The Senate budget eliminates wasteful tax loopholes and subsidies.

All told, the Senate budget cuts the deficit by approximately $2 trillion. This continues us on a downward path where our debt-to-GDP ratio will be about 70 percent by 2023. Getting the Federal budget on a sustainable path will only promote growth and stability. The American people want us to get this done. They want us to compromise. They want us to work together to get the economy on the right track.

I urge my colleagues to support moving to conference so we can begin the work of finding solutions to a very important matter.

GAS PRICES

I wish to speak briefly on one other topic that is an important economic issue for families and businesses in Minnesota; that is, the recent spike in gas prices. We do have some good things in the farm bill that will help us, including the promotion of energy and biofuels, but I came to discuss the recent spike in gas prices in Minnesota,

a problem that is disrupting commerce and hurting consumers, small businesses, and farmers across the State and throughout our region.

In Minnesota, the average gas price is $4.25, 40 cents higher than 1 week ago and over 80 cents more than only 1 month ago. In fact, a few days ago it was the highest in the country, higher than Honolulu. It happened all of a sudden, in literally a 2-week period. That is a significant increase which puts family budgets under severe pressure.

I am focused on immediate relief. I am taking actions now so we can avoid similar gas price spikes in the future. With Memorial Day around the corner and the start of the summer driving season upon us, this kind of price spike is simply outrageous. To cut back on costs, some families are already putting off family trips and scaling back vacations. I have already heard from families who have canceled or scaled back their plans.

But there are some things people cannot put off, such as driving to work, such as going to the doctor's office. More money to fill the tank means less money for food, housing, and everything else families need. Families in Minnesota cannot afford an 80-cent spike in the price of a gallon of gas, neither can business owners who need to ship their goods to market or farmers who rely on diesel fuel to keep their equipment running.

We know what is causing the price increase—supply shortages resulting from the simultaneous closing of several oil refineries in the Midwest. We also know what is not causing the price increase. The price of crude oil has not moved. We are about $96 a barrel, similar to where prices were 1 month ago. In fact, the national trend in gas prices, which tracks the price of crude, has not moved much either. OPEC has not been jacking up their prices. We did not have a hurricane or even a blizzard that would affect supplies or prices. The increase has not been caused by a pipeline rupture or geopolitical threats.

Rather, the price spike has resulted largely from the combination of a number of refineries going offline for scheduled and unscheduled maintenance which serve the upper Midwest to prepare for the summer fuel blend. I understand that refineries need to adjust their blends and occasionally perform upgrades to protect worker safety and repair equipment.

But scheduled routine maintenance should not be an excuse for major gasoline shortages and price spikes. Three refineries in Indiana, Illinois, and Flint Hills, MN, currently are shut down for maintenance or upgrade. A fourth refinery in Wisconsin is currently offline as they turn their productions over to summer fuel blend. A fifth refinery in St. Paul Park, MN, remained down longer than expected, but I understand that refinery is again operational.

The result of all these closures is Minnesota and other parts of the Upper Midwest simply did not have enough refined gasoline to make it to the market right now. In this day when we have a surplus of fuel, when we are drilling record amounts in North Dakota, when we do not see a huge increase in the price of oil, this just should not be happening. That is why last Thursday I called on the Department of Energy to thoroughly review the timing of scheduled maintenance operations and to take action to address future supply problems that are preventable. I have also spoken with the Department of Energy about ways to resolve the issue quickly and prevent disruptions down the road. I am working with DOE and industry partners on legislation that addresses known scheduled closures of refineries for maintenance.

Having improved information could serve as an early warning system to protect consumers from production problems within the refinery industry. With more transparency and more lead time, fuel retailers will have the opportunity to purchase fuel at prices that better reflect the underlying cost of crude oil and better reflect supply and demand across the country.

I also believe refineries should give immediate notification of any unplanned outages. I am working to address this as well. I am also working with the Secretary of Energy to look at the potential for additional refined fuel storage capacity in our region. Minnesota has less storage capacity for refined products than other parts of the country, making us more vulnerable to the kinds of refinery outages we have experienced this year, both planned and unplanned.

If we had additional storage in place, we could better ensure fair and consistent prices for our consumers. This week I talked to all of the major oil companies that own these refineries. It looks as though additional shipments from another pipeline are helping to increase supplies. This should provide some relief.

Petroleum markets in Minnesota have reported the spot prices in the wholesale markets were down by 30 cents, but that drop has not yet reached our consumers. I believe we need an all-of-the-above plan to get serious about building a new energy agenda for America. This, of course, means less dependence on foreign oil, more domestic production of oil as we are seeing in North Dakota, natural gas, and, of course, biofuels. It also means tougher vehicle efficiency standards that help cars to go farther on a tank of gas.

But my focus is on our immediate problem. We need to get refineries up and running and get gas prices down so we can all we begin to enjoy this summer. I look forward to continuing to work with the Department of Energy and my colleagues on both sides of the aisle to address the recent and unnecessary spike in gas prices and prevent this from happening again.

I yield the floor.

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

AMENDMENT NO. 925

Ms. STABENOW. Mr. President, on behalf of Senator SHAHEEN, I called up her amendment No. 925.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Mrs. SHAHEEN, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER, proposes an amendment numbered 925.

Ms. STABENOW. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reform the Federal sugar program, and for other purposes)

In title I, strike subtitle C and insert the following:

Subtitle C—Sugar Reform

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

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

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

(3) by adding at the end the following:

''(6) 18 cents per pound for raw cane sugar for each of the 2014 through 2018 crop years.''.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking ''2012'' and inserting ''2018''.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking ''2012'' and inserting ''2018''; and

(B) in subparagraph (B), by inserting ''at reasonable prices'' after ''stocks''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''; and

(B) in paragraph (2)(B), by inserting ''at reasonable prices'' after ''market''; and

(2) in subsection (g)(1)—

(A) by striking ''ADJUSTMENTS.—'' and all that follows through ''Subject to subparagraph (B), the'' and inserting ''ADJUSTMENTS.—The''; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

''(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

''(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

''(2) the relative competitiveness of domestically produced and imported foods containing sugar.''.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

''SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

''(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

''(b) ADJUSTMENT.—

''(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

''(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

''(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

''(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

''(i) unreasonably high prices; or

''(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

''(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

''(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

''(c) TEMPORARY TRANSFER OF QUOTAS.—

''(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

''(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

''(3) TRANSFERS TEMPORARY.—

''(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

''(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.''.

(e) EFFECTIVE PERIOD.—Section 3591(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking ''2012'' and inserting ''2018''.

Strike section 9008 and insert the following:

SEC. 9008. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting ''and'' after the semicolon at the end;

(B) in clause (ii), by striking ''; and'' at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking '', except for'' and all that follows through '' of 2002''.

Ms. STABENOW. Mr. President, for the information of Members, we are working to set up a vote later this afternoon on this particular amendment. I am working with Senator COCHRAN and his Republican colleagues in order to set up that vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

IMMIGRATION REFORM

Mr. VITTER. Mr. President, I come to the floor to discuss a very important topic and one that itself is coming to the Senate floor soon. That is the problem of illegal immigration and proposals for so-called comprehensive immigration reform. Specifically, of course, the Gang of 8 bill, as it has been dubbed, is being reported out of the Judiciary Committee. We will be debating that bill, and hopefully a lot of important amendments to it soon, in June, on the floor.

Let me say at the outset, I think there are at least a couple of things we can all agree on. No. 1, I think we can all agree that the United States is an immigrant nation with a proud history of immigration—legal immigration. It is absolutely one of the core features of our Nation that makes us unique and that makes us strong. So I wish to say that upfront, very proudly, very strongly. I support that tradition, that history of being an immigrant nation. All of us are the children of immigrants—not a question of if, it is just a question of when, because that is the nature of America. That goes to the core of our strength.

No. 2, the other thing I think we can all agree with is our present immigration system is broken. In fact, it is badly broken, and we need to fix the system.

As I said a minute ago, we have a proud history of immigration, legal immigration. That is the tradition, the history we need to get back to. Unfortunately, right now we have a system of wide open illegal immigration, almost open borders in some cases and some areas, and that desperately needs to be fixed.

Having said that, I have real and fundamental concerns with the so-called Gang of 8 bill, and they fall into five or six big categories. I want to talk about each of those important categories in turn.

First and foremost, my biggest and my most fundamental concern, I think the so-called Gang of 8 bill repeats mistakes of the past because, at its core, it is amnesty now, enforcement later, and maybe never. We have tried that model before. We have tried it several times before, and it has never worked.

The most clear example is the 1986 immigration overhaul. That bill, at its core, was the same model, amnesty now and enforcement later, and maybe never. In fact, much of that enforcement was never. That is why it didn't work. The amnesty kicked in immediately, the millisecond the bill was signed into law. That was a powerful message to invite more and more illegal crossings across the border, more and more illegal immigrants into the country. That part of the bill, that part of the message, was heard loudly and clearly. The promises of enforcement never fully materialized. Many of them never materialized at all.

What happened when you had that combination of immediate amnesty with promises of enforcement that never materialized? Again, you attracted more illegal crossings, and you had no capability or will to do anything about them.

The promise then was we are going to have to do this once; the system will be fixed; we will never have to look back. We will never have to look in the rearview mirror. The problem will be solved.

What happened? Well, we all know the problem wasn't solved. In fact, the problem simply wasn't continued, the problem was quadrupled. What were 3 million illegal immigrants then were mostly made legal. But that number 3 million quadrupled, and now today we have 11, 12 million illegal immigrants, some think more.

That, at its core, is the Gang of 8 bill, and immediate amnesty, promises of enforcement. That is not good enough, particularly when we have decades—decades—the Federal Government, Republicans and Democrats, who have promised us before and have never ever delivered. The American people say we will trust but we want to verify. Trust but verify. We need to see this enforcement in action before we move on to anything else.

In fact, in some ways this Gang of 8 bill is worse in terms of that basic

model than previous versions such as 1986. If you look at page 70 of the bill, it actually has a period of an enforcement holiday, so 2½ years of a pure enforcement holiday. Not only is this amnesty now and enforcement later, it may never apply to folks who are in the country illegally now. They can keep coming. The message will be sent out, and they can come the day after the bill passes, the week after the bill passes, the year after the bill passes, 2 years after the bill passes, and it is part of the same amnesty. They would get the benefits of that amnesty as well. That enforcement holiday, 2½ years, makes that combination of a big amnesty now, with promises of an enforcement later, even more potentially disastrous.

The second big problem I have with the bill as it is currently put together is it doesn't enforce the law, and it doesn't enforce the border, particularly the troublesome southern border with Mexico. It doesn't enforce other enforcement provisions. It doesn't actually guarantee that those are put into place and executed in an effective way.

The proponents of the bill talk about so-called triggers in the bill before the amnesty, before the new legal status is granted. When you look hard at what the triggers are, they are triggers on a toy plastic gun, not real triggers in any meaningful sense of the term. The triggers basically narrow down to two things. First of all, the Secretary has to submit two reports, two plans. The Secretary of Homeland Security has to submit plans or reports, a so-called comprehensive ''southern border security strategy,'' so she has to submit a strategy. Great. This was promised for three decades but now she has to submit a strategy, a piece of paper and a southern border fencing strategy, so that is one trigger.

The other triggers are certification that the border strategy is ''substantially deployed'' and ''substantially operational.''

What is the problem with that? Two things. Who the heck knows what ''substantially deployed'' means and, No. 2, even more troublesome, do you know who has to certify that? The Secretary of Homeland Security, who has not been effective at enforcement to date in any way, shape, or form. Those so-called triggers are absolutely meaningless.

The bill doesn't require a fence, as is actually required under present law, so we are weakening that. We are walking away from that. It weakens current law regarding border security. Operational control is the standard now, and that is being weakened, changed to effective control. It doesn't require a biometric data system for entry and exit screening. That has been pushed by Congress since 1996. Congress started mandating this in 1996, and it was one of the prime recommendations of the 9/11 Commission, full deployment of the US–VISIT system. The 9/11 Commission said that needs to be a high priority. That is exactly how the 9/11 terrorists got into our country and overstayed their visas. It doesn't do any of that. Again, there is an enforcement holiday for 2½ years and no border security now before the amnesty kicks in.

No. 3, I am very concerned that we will continue the present status quo, which is significant benefits being available to these immigrants, which act as a magnet to incent other illegal immigrants to come into the country. The so-called Gang of 8 made all sorts of promises about certain promises not kicking in until full citizenship is granted down the road. Many benefits would kick in immediately, certainly participation in the Social Security system, certainly all those Social Security benefits, and their loopholes about these benefits. I think many illegal immigrants will clearly gain access to public benefits far sooner than any 13 years as advertised. That is another serious weakness of the bill.

Fourth, I am very concerned about the cost of this bill. Authors of this bill have been very clever. They saw that cost issue coming, and they devised the bill so the big costs of the bill are outside the 10-year budget window. Why is that important? Well, not to get into the weeds, but it is very important because CBO scores legislation primarily on its impact on taxes and spending in the first 10 years. The authors of the bill were very careful, very clever in devising a bill that would look OK in the first 10 years with regard to cost. After that first 10-year window, the costs explode and none of that will be reflected by this CBO score.

We have seen this movie before, because this is exactly the same approach to CBO scoring and costs of legislation, exactly the same approach the proponents of ObamaCare put forward. They were very clever to push many of the costs in the outyears beyond the first initial scoring window, and that is why they were able to wave CBO scores around to somehow suggest this would help lessen the deficit. It is perfectly clear now, ObamaCare is not going to make our fiscal situation better, it is going to make it far worse and far more onerous.

I believe exactly the same thing is true with this bill in terms of the costs, and I believe the proponents of the bill, quite frankly, have gamed the system in the same way to hide those costs, given the way CBO scores legislation.

In contrast to that, there is an objective study of the full costs of the bill, and that is a study by Robert Rector of the Heritage Foundation. He went into extreme detail tracking the full costs and fiscal benefits of the bill. His conclusion was that the full costs of the bill are $6.3 trillion over the full life and the full impact of the bill, $6.3 trillion, with a T. He concluded that the bill, because of all the folks it would legalize, would kick in $9.4 trillion in benefits. There are more government benefits we are going to have to pay out, $9.4 trillion.

These folks being legalized would pay some taxes into the system, which they do not pay now, and that would be $3.1 trillion. When you subtract 3.1 from 9.4, that obviously doesn't net out to zero. That is a net increase in the deficit, increased cost to the government, to society, to the taxpayer, of $6.3 trillion net. That is a serious impact on these budget and fiscal issues we are already very concerned about.

The Robert Rector study is very credible, it is very detailed. I have seen no comparable study in terms of the detail of the analysis. I would challenge anyone who cares about this issue, wherever they are coming from, to put up any other study that can compete with the Rector study in terms of detail and analysis. I think currently that is the last and final word on costs of the bill.

Two final points. A fifth big concern I have about the bill is I believe this bill is very unfair to legal immigrants and folks who are waiting in line in the legal immigration system now. It puts some people—not everybody who would be made legal, but some people—ahead of them in line and dishonors the fact that these would-be legal immigrants are following the rules now and following the law now.

Sixth and finally—and this is no trivial matter—I am very concerned that this would depress wages in the United States for many hard-working Americans, legal immigrants, others who have followed the law who are working hard in a very tough economy now. I think it would depress the general wage situation and make that more difficult for them to deal with.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. VITTER. In closing, I urge all my colleagues to look carefully at these and other concerns and try to address them fully, directly, completely, on the Senate floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, as we continue debate on the Agricultural Reform, Food and Jobs Act, I want to remind my colleagues how important this bill is for our economy and for the 16 million people whose jobs rely on agriculture. When we go home at night and sit down at the dinner table, it is because those 16 million people have worked hard to make sure we had safe, affordable food on the table. They are the men and women who farmed the land. They are also the people who manufacture and sell the farm equipment, the people who ship the crops from one place to another, the people who own the farmers markets and the local food hubs, the people who work in processing and crop fertility, not to mention the researchers and the scientists who work hard every day to fight pests and diseases that threaten our food supply.

I want to talk specifically for a few moments about the work we are doing in the conservation title of the farm bill. Our farm bill improves 1.9 million acres for fish and wildlife habitat. This is about jobs as well. Healthy wildlife habitats, clean fishable waters, are not only good for our environment, but they also support hunting, fishing, and all of our other outdoor recreation that benefits our economy and creates jobs. In fact, outdoor recreation supports over 6 million jobs in our United States.

In this farm bill we are including a new historic agreement around conservation—the most powerful conservation work in decades. It is truly amazing what can happen when people actually sit down and listen to one another and work together. If farmers want to participate in title I commodity programs, including the current Direct Payments Program, they must take steps to use best conservation practices on their land when it comes to highly eroded soil and wetlands. This has been the case for many years.

Of course, the Agriculture Reform, Food and Jobs Act we are debating now eliminates those subsidies.

Instead, we are strengthening crop insurance, which farmers need to purchase, and we are making market-oriented reforms to the commodity programs. But here is the issue: If we eliminate direct payment subsidies, we don't want to create unintended consequences by not having that link any longer. It is important for all of us that sensitive lands be managed in the best possible way. That is how we avoided having a dust bowl during the droughts. It is important for us to continue protecting wetlands, which help prevent flooding and are important to wildlife habitats for ducks and other waterfowl.

Commodity groups and conservation groups were on different sides of this issue for a long time. They looked at the issue from vastly different viewpoints, and they didn't agree on the best approach. They could have followed the very typical Washington playbook. They could have gone to their corners, fired off e-mails and press releases, brought the lobbyists in and demonized each other. But that is not what happened.

Like farmers and families across the country, they sat down together around a table and did something we don't do enough. They listened to each other. They listened and tried to see the other's viewpoint and they came to understand one another. It turned out their differences weren't so great after all. With a little compromise and a lot of hard work these groups were able to come together with a plan that conserves soil and water resources for generations to come and protects the safety net on which our farmers rely.

This has been called the greatest advancement in conservation in three decades. I want to underscore for my colleagues that this is an important historic agreement, and others deserve credit. As much as I certainly would like to take credit for this, or I am sure Senator COCHRAN would—and we certainly were very supportive in encouraging this—the agreement came about from a group of people working together.

I know a number of my colleagues are planning to talk about amendments on crop insurance. Some have already been on the floor talking about amendments. I know a number of colleagues voted for some of those amendments the last time around, but this conservation agreement puts us in a very different situation this year. For one thing, we want to make sure the biggest landowners who control the most acres are using crop insurance.

Crop insurance is voluntary. Prior to crop insurance, there were subsidies and then ad hoc disaster assistance. Now we are encouraging them to purchase crop insurance, and we want them to have it, which means now they would need to use conservation practices to preserve sensitive lands and wetlands on those largest tracts as well as small tracts.

So amendments that weaken crop insurance would reduce the number of farmers participating in crop insurance, raising premiums for family farmers and reducing the environmental impact and the environmental benefits of this historic conservation agreement. With this new agreement, the math is very simple: The more acres that are in crop insurance, the more we have environmental and conservation benefits.

My dear friend from Illinois came to the floor a while ago and said: The majority of crop insurance is with a small number of farmers. Well, that is true. The larger the farm, the more one would use crop insurance. It is just like saying anybody who buys insurance for a bigger home has more insurance than the smaller home. Bigger businesses—manufacturers—probably buy the biggest part of insurance rather than small businesses. I am not sure what the point is of saying that. Of course, we have large farmers buying more crop insurance than small farmers. We want to make sure we have the environmental and conservation benefits on those large farms just as on smaller farms.

Here is another reason my colleagues should reevaluate these amendments, and I would encourage, as they come before us, that we vote no. This chart shows the counties that were declared disaster areas last year. An awful lot of red. And 2012 was one of the worst droughts on record ever in the United States.

In the past, in situations such as this we would have passed ad hoc disaster assistance for the corn growers, the wheat growers, the soybean growers, and the other crop farmers. But we didn't have to do that because crop insurance works.

Crop insurance is not a subsidy. When people have crop insurance they get a bill to pay. We share in that cost to make sure there is a discount so they can afford the bill, but they get a bill. They do not get a check. The only farmers last year who needed disaster assistance were the ones who can't participate in crop insurance, which we fix in this farm bill.

We address permanent livestock disaster assistance. They do not have access to the same crop insurance. We address farmers, such as my cherry growers, who were wiped out when it got warm in the spring and then froze again and completely wiped out the cherries. They do not have crop insurance now. They need some extra help. In this farm bill we are giving them access to crop insurance, which is the primary risk management tool for farmers.

Producers purchase crop insurance so they are protected when there is a disaster, but if we weaken crop insurance, resulting in premium hikes of as much as 40 percent on small farmers, we are going to be going back to the days of ad hoc disaster assistance, something we cannot afford in today's tight budget climate.

Finally, we need to keep this historic agreement in place through the conference committee. We owe that to the folks who sat down and worked out this agreement. So I ask colleagues to stand with the 34 different organizations that came together—and I ask unanimous consent to have printed in the RECORD the names of the groups in the coalition that put this together.

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

GROUPS IN CONSERVATION COMPLIANCE COALITION

American Association of Crop Insurers, American Farm Bureau Federation, American Farmland Trust, American Society of Agronomy, American Soybean Association, American Sugar Alliance, Association of Fish and Wildlife Agencies, Audubon, Crop Insurance and Reinsurance Bureau, Crop Science Society of America, Ducks Unlimited, Environmental Defense Fund, Land Improvement Contractors of America, National Association of State Conservation Agencies, National Association of Conservation Districts, National Association of Resource Conservation and Development Councils, National Bobwhite Conservation Initiative.

National Conservation District Employees Association, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Wildlife Federation, Pheasants Forever, Pollinator Partnership, Quail Forever, Soil and Water Conservation Society, Soil Science Society of America, Southern Peanut Farmers Federation, Theodore Roosevelt Conservation Partnership, The Nature Conservancy, USA Rice Federation, Wildlife Mississippi, World Wildlife Fund.

Ms. STABENOW. Mr. President, we need to make sure our colleagues in the House, as well as in the Senate, stand with all of these groups who worked hard to compromise and forge this very historic constructive agreement. If we want to preserve conservation wins we have in this farm bill, we

need to support the farmers, the environmentalists, and the conservationists who have made it very clear this agreement is something they stand behind. We should not be weakening crop insurance or making it harder for large producers, who have the majority of the land we want to conserve, to have less of an incentive to participate in the program.

Let me just say—and I know my colleague from Vermont is here to speak as well—that I want to thank again the 34 organizations—everyone from the American Farm Bureau Federation, the American Soybean Association, the Audubon Society, Ducks Unlimited, the Environmental Defense Fund, National Wildlife Federation, National Cotton Council—and right on down the line—the National Farmers Union, Nature Conservancy, World Wildlife Fund, and USA Rice Federation.

This is an incredible coalition, and it speaks very loudly both to the fact we need to keep in place the No. 1 risk management tool for our growers but that we need to also make sure they are providing the conservation practices to protect our soil and our water which is so critical for the future—for our children and grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by congratulating Senators STABENOW and COCHRAN for their hard work on this very important piece of legislation, especially for rural States such as Vermont, but I guess for everybody who eats, which is the majority of the people in our country, I would imagine.

I want to spend a few minutes talking about some important amendments I am offering. I think one of them—the amendment I will talk about first—will be coming up for a vote either later tonight or tomorrow, and that deals with the right of States to label genetically engineered food. That is amendment No. 965.

This year, the Vermont State House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled. I can tell you with absolute certainty the people of Vermont want to know what is in their food and are extremely supportive of what the State legislature has done. But this is an issue certainly not just limited to Vermont.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California, our largest State, where the issue was on the ballot last November, 47 percent of the people there voted for labeling, despite the biotech industry spending over $47 million in a campaign in opposition to that proposition. That is an enormous sum of money, and yet 47 percent of the people voted for labeling of GMOs.

In the State of Washington, some 350,000 people signed a petition in support of initiative 522 to label genetically engineered foods in that State. In fact, according to a recent poll done earlier this year, approximately 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

All over this country people are increasingly concerned about the quality of the food they are ingesting and the food they are giving to their kids. People want to know what is in their food, and I believe that is a very reasonable request.

What I am proposing today—the amendment I am offering—is certainly not a radical concept. In fact, the requirement of labeling genetically modified food exists today in dozens and dozens of countries throughout the world, including our closest allies in the European Union, including Russia, Australia, South Korea, Japan, Brazil, China, New Zealand, and other countries. So this is not some kind of new and crazy idea. In fact, it exists all over the world.

At a time when many of my colleagues express their strong conviction about States rights and that States should be allowed to have increased responsibilities, this amendment should be supported by those people who, in fact, believe in States rights. The reason for that is when the State of Vermont and other States go forward in passing legislation to label genetically modified food, they have been threatened by Monsanto and other large biotech companies with costly lawsuits. So States are going forward, doing what they think is proper for their own people, and then Monsanto and other very large biotech companies are coming forward and saying: We are going to sue you.

Now, Monsanto is arguing, as one of the major grounds for their lawsuit—which I believe is absolutely incorrect—that States do not have the right to pass legislation such as this; that it is, in fact, a Federal prerogative and not something a State can legally do.

I believe very strongly that Monsanto is wrong, but that is precisely what this amendment clarifies.

Today we have an opportunity with this amendment to affirm once and for all that States do have the right to label food that contains genetically engineered ingredients.

Let me briefly tell you what is in this amendment. This amendment finds that the 10th Amendment to the Constitution of the United States clearly reserves powers in the system of federalism to the States or to the people. This amendment finds that States have the authority to require the labeling of foods produced through genetically engineering or derived from organisms that have been genetically engineered.

Furthermore, this amendment requires that 1 year after the enactment of this act, the Commissioner of the FDA and the Secretary of Agriculture shall undertake the necessary regulations to carry out this amendment.

There is strong precedent for labeling GMOs. The FDA already required the labeling of over 3,000 ingredients and additives. If you want to know if your food contained gluten, aspartame, high-fructose corn syrup, trans fats or MSG, you simply read the ingredient label. Millions of people every day look at labels: How many calories are there in the food? What are the ingredients in the food? This simply does what we have been doing as a nation for many years, only right now Americans are not afforded the same right for GE foods.

Monsanto and other companies claim there is nothing to be concerned about with genetically engineered food. Yet FDA scientists and doctors have warned us that GE foods could have new and different risks, such as hidden allergens, increased plant toxin levels, and the potential to hasten the spread of antibiotic-resistant disease.

This is a pretty simple amendment. It basically says the American people have a right to know what they are eating. This is legislation I know the people of Vermont, I gather the people of Connecticut, and I think people all over this country would like to see agreed to. I ask for its support.

There are a couple of other amendments I would like to briefly discuss, having to do with SNAP. One of them deals with the need for seniors to be better able to access SNAP. It is no secret that in our country today, millions of seniors are struggling to get by on limited incomes. The result of that is that after they pay their prescription drug costs or their rent or their utilities, they do not have enough money to spend on food. It is estimated that some 1 million seniors are going hungry in the United States of America. That is something we should be embarrassed about and an issue we should address as soon as possible.

Clearly, the toll that inadequate nutrition has for seniors impacts their overall health. My strong guess is that this amendment will end up saving us money because when seniors get good nutrition, they are less likely to fall, break their hips, end up in the emergency room, end up in the hospital.

I think from a moral perspective, from a cost perspective, we want to make sure all seniors in this country, regardless of their income, have the nutrition they need.

SNAP plays a crucial role in our country in reducing hunger. In 2011, SNAP raised nearly 5 million people out of poverty. But here is the main point I wish to make: Only 35 percent of eligible individuals over age 60 participated in SNAP in 2010. In other words, there are many seniors out there who could benefit from SNAP but for a variety of reasons, one of which I am addressing right now, they do not participate.

As you may well know, the SNAP application process can be confusing and cumbersome for many households, especially for seniors. Individuals apply

for SNAP sometimes by visiting an application center, which is a challenge for people with mobility issues. If you are a senior and not able to get out of your home, if you cannot afford transportation, getting to that center can be very difficult.

It is also challenging when dealing with an application over the telephone if you are hard of hearing—which clearly many seniors are. At the same time, the complicated interview process costs local, State, tribal, and Federal governments additional administrative dollars.

The SNAP amendment I am offering is pretty simple. It will help alleviate hunger by allowing seniors to more easily apply for and access SNAP benefits in order to reduce barriers for seniors applying for SNAP.

This amendment proposes to do the following. It allows States to deputize, which in this case means to certify nonprofit organizations and area agencies on aging that are meeting with seniors directly and helping them with their SNAP application to conduct the interview on behalf of the State. The State agency would still determine eligibility.

Further, States would have the flexibility to deputize only the agencies that have the capacity to fulfill the State's interview requirements on their behalf. This amendment does not waive any documentation requirements or ease any other requirements. Eligibility for the benefits must still be verified. What it does do is reduce duplication of effort and ease the burden on vulnerable families and seniors for whom it is a challenge to travel to a State office or wait for days at a friend's house who has a phone to make a call.

All this is doing is saying: If we want to make sure seniors stay healthy, get the nutrition they need, stay out of the emergency room, stay out of the hospital, let us make it easier for them to take advantage of the programs that are currently available. In this case, the SNAP eligibility process for seniors is pretty complicated and sometimes people who want to be in the program simply are unable to do that. I hope we could have support for that amendment.

The other SNAP amendment deals with an equally important issue of people who are wrongfully dropped from the SNAP, often due to an administrative error. The current system is inefficient. We are spending government money that should be going to help people buy food and instead we are spending it on paperwork and bureaucracy. Improvements I am proposing will help alleviate hunger as fewer people will go without the benefits they need, and State and Federal resources will be used more effectively.

My amendment requires the USDA to track information from States on the problem of churn. That is the term used when eligible people are dropped from the program and then must reapply. The USDA and advocacy groups have identified children as a key problem in the administration of SNAP benefits. Having people reapply who never should have been dropped from the benefit in the first place adds to the caseload burden.

Tracking the information is only a first step. Then we must find solutions to reduce the problem so people do not lose their benefits, whether that be improved training, clearer forms and notices or simpler recertification processes. These improvements will reduce hunger by making sure people get the benefits for which they are eligible and which they so desperately need.

The last issue I briefly wish to touch on deals with the need for the USDA to help us understand, through a study, the impact that global warming is having on agriculture. We all know we are looking at record-setting droughts in Australia, Brazil, and locations in America. U.S. cities matched or broke at least 29,000 high-temperature records last year. Ice-free Arctic summers will be with us within a couple of years. That is the reality of the moment.

The impact of global warming clearly will be felt far and wide, but farmers across the country are among those who will suffer the most. Warmer temperatures, water shortages and droughts and other extreme weather disturbances will force producers to alter practices, change crops, and spend more money to sustain their operations.

This amendment simply asks the USDA to do a study to provide us with a better understanding of how changing climate will impact agriculture across the country and help farmers plan and adapt to those changes. It will help local communities and States make critical adjustments now, and it will reduce the vulnerability of the entire agriculture sector to the damaging consequences of climate change.

We think this is an important amendment. State farmers need to have the information about what scientists believe will be happening, the work they are doing for years to come. I ask for support for that amendment.

In the past we have successfully offered an amendment on community gardens. In Vermont, now schools, communities are working on gardens all over the State. We had a national program passed last year as well. This would simply expand that program to allow schools and communities to engage with limited help from the Federal Government in community gardens, teaching kids about the foods they are eating and about agriculture. It is a very inexpensive concept, which has been working very successfully and I think needs to be expanded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to offer my support for the sugar reform amendment being offered on the farm bill by Senator SHAHEEN. This important amendment would begin a reform process that deals with a complicated and burdensome program that artificially raises sugar prices in the United States. For nearly three-quarters of a century now, American businesses and consumers have paid a premium price for sugar. This inflated price is due to a tangled web of price manipulation, stringent import quotas and tariffs. The net effect has been that Americans are paying as much as twice the world market base price for sugar.

We all realize the amount of sugar that is used in a number of products across the United States, but let me bring this down specifically to what impact it has on some of the confectioners in my home State. Albanese Confectionary Group, Inc, is a renowned Indiana-based manufacturer of a number of products that use a lot of sugars, including chocolates and Gummi bears—they call it the World's Best Gummies—and a lot of other confections. Their estimate is that they would save $3 trillion annually if they were able to buy sugar at the world price.

Lewis Bakeries, headquartered in Evansville, IN, is one of the few remaining independent bakeries in our State and in the Midwest and is the largest wholesale bakery we have. Artificially high prices for Lewis Bakeries contributes directly to higher food and beverage costs that weigh down family budgets. Even larger companies such as Kraft Foods, which has a marshmallow and caramel plant in Kendallville, IN, knows that phasing out the Sugar Program would enhance the competitiveness of U.S. sugar manufacturers.

Why is that important? Because these sugar prices for those in this business of using large quantities of sugar is driving them offshore. They are moving to Canada, they are moving to Mexico, they are moving to other places where they then can buy the most important ingredient for their product at world market prices and save a great deal of money.

I encourage my colleagues to support the Shaheen amendment. It promotes jobs, fights consumer price inflation. It reduces the level of government interference in private markets. I think we should be pursuing policies that allow the free market to determine the cost of sugar rather than this complicated web of tariffs and regulations and others that protect that price.

This amendment does not accomplish all of that, but it goes a long way toward beginning the process of unwinding this and making our companies more competitive around the world.

I would like to take a moment to address another issue with the farm bill. Senator DONNELLY and I are cosponsors of a bill called planting flexibility. We are hoping this provision we have offered will be included in the managers' amendment. I appreciate all the work that has been done behind the scenes to

address this important issue. Planting flexibility simply allows farmers to respond to market signals when making their planting decisions, rather than following requirements to grow a particular crop to participate in government programs.

For example, Hoosier tomato farmers were restricted on where they could plant their crop. Red Gold, a family-owned and operated tomato business in Elwood, IN, estimates that roughly 50 percent of its tomatoes are now grown on flexible acres. Red Gold produces a whole number of tomato products that are sold all over the United States and, in fact, all over the world.

Allowing this flexibility, again, is a free-market-based choice which producers can follow based on supply and demand. It gives them the flexibility they need to address crops outside the coverage of this particular bill.

I think both of these measures are commonsense, market-driven reforms that I hope will be included in the farm bill, and I ask that my colleagues support them.

Mr. President, unless the ranking member on the Agriculture Committee needs the time, and since no one else is on the floor, I would be remiss in not speaking a little longer.

If I could speak as if in morning business, I wish to do so.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

OKLAHOMA TRAGEDY

Mr. COATS. Mr. President, the first thing I want to do is extend our sincere regrets over the tragedy which occurred in Oklahoma. Sincere thoughts and prayers are coming from many Hoosiers for those people who have suffered greatly.

Last year we had a serious tornado roar through southern Indiana along a 50-mile path. Fortunately, we didn't have the level of destruction they had in Oklahoma City. But having been there and viewed the destruction of that tornado in Indiana and the impact it had on the lives of so many people and then comparing it with what happened in Oklahoma, it certainly brings home the nature of this tragedy. Whenever Mother Nature's vicious wrath strikes, it not only tears apart homes but families.

During these times of tragedy—such as what I witnessed in southern Indiana and what we are witnessing on television as we watch what is happening in Oklahoma—we see the extraordinary heroism, generosity, volunteerism, and resolve of the American people to pitch in and help.

I ask all Hoosiers to keep our friends in Oklahoma in their hearts and prayers and to help wherever we can.

JOBS AND DEBT

Mr. President, in the last few weeks there has been scandal after scandal unfolding in Washington. Obviously this is a difficult period for the current administration, but more importantly, it has resulted in a difficult time for our Nation.

What we saw last week is further justification for the American people's deeply disturbing distrust of government. Under this current administration, there has been a pattern of misleading the American people and there has been a culture of intimidation toward those who disagree with their policies.

We saw it when the administration misled the American people with the events in Benghazi, and we saw it when the administration avoided letting people know about the IRS targeting conservative groups. Whether it is the IRS, Benghazi, or other issues we have become aware of in the last few weeks and months, they call into question the integrity of this administration. The American people deserve straight talk and the truth as to what happened rather than the mischaracterization or lack of revelation of what has happened.

Through calls, emails, and letters, I am hearing from concerned Hoosiers who are outraged with what they see taking place in Washington. Given the headlines they have seen in the last few weeks, they have every right to be concerned.

The only way to eliminate this current trust deficit in Washington is to hold people accountable, get complete answers, and make changes to ensure this abuse of power and misinformation which is coming out of this administration will not continue. We need to continue with these ongoing investigations until we get answers and determine who is responsible.

In the midst of these investigations, let me state there is another scandal we must not overlook, and that is the ongoing chronic debt and unemployment crisis.

Four-and-a-half years after the end of an admittedly deep recession, the fact that 22 million Americans are either unemployed or underemployed is a scandal. More than $16.8 trillion of debt, with its impact on future generations, is a scandal. Borrowing $40,000 per second and saddling each child born today in America with over $50,000 of debt is a scandal. These numbers are not partisan or political, they are the facts. Those are the facts that this body, as well as this administration, have to deal with because we are careening on an unstable fiscal path which will bankrupt the critical programs our seniors and retirees depend on and rob them of the benefits they have been promised.

We are seeing meager gains in jobs only to find out more and more Americans are being forced from full-time employment to part-time employment. In April alone, nearly 280,000 Americans involuntarily entered into part-time employment. At the same time, the average work week and weekly take-home pay continues to decline.

These two issues—our debt crisis and our jobs crisis—should consume the work of this Congress and this administration. Instead, we careen from drama to drama. We wait for the fiscal cliff and debt limit deadlines, and then we enact far short from what we need to do with legislation that is often flawed, such as the across-the-board sequestration policy. None of this remotely solves the problem we face.

In a recent Gallup poll, when asked what they would like Congress and the President to address, 86 percent of the American people named creating jobs and growing the economy. From Fort Wayne to Evansville and from Gary to Jeffersonville, Hoosiers tell me they want Congress to bring growth and certainty to our economy and create meaningful jobs for the underemployed and unemployed.

As we address the issues before us, let's not forget about this major debt crisis which faces our country and impacts every American. Let's not forget about those Americans who are looking for work and cannot find it, or those who have been forced into part-time jobs which will not begin to be enough to support a family. Let's not become distracted and drop the ball on tackling these issues because the daily headlines are simply pointing to something else.

The best way we can restore the trust deficit in this country is to do our job here, make the tough decisions we know we need to make, and address our greatest challenge.

We must come together on a credible, long-term plan to reduce our debt and put our country back on a path toward growth and job creation. The future of our country depends upon it. Each of us, starting with the President, has a moral obligation to address this most critical issue. I hope we will be willing to stand up and do this.

Yes, we have other issues. We have the farm bill, which we need to address. We will be talking about immigration a week after we come back from the break. We will be holding investigations and looking into some of these scandals that have surfaced over the last few weeks, but we still have not focused on the real problem here.

While we have to do these other tasks, let us not forget what the real challenge is before us: restoring economic growth and creating jobs. We owe it to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. 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.

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

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

UNANIMOUS CONSENT AGREEMENT—S. RES. 65

Ms. STABENOW. Mr. President, I ask unanimous consent that notwithstanding the previous order, the Senate begin consideration of S. Res. 65 at 3:45

p.m.; that there be 50 minutes for debate, that the Republicans control 30 minutes and the majority control 20 minutes, and that of the majority's time, Senator MENENDEZ control 15 minutes and Senator BLUMENTHAL control 5 minutes; that all other provisions under the previous order remain in effect; and that upon disposition of S. Res. 65 the Senate resume consideration of S. 954; that there be 2 minutes for debate equally divided in the usual form and the Senate immediately proceed to vote in relation to the Shaheen amendment No. 925; and that there be no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Thank you, Mr. President. As a result of this agreement, if all time is used, at approximately 4:35 p.m. there will be two rollcall votes, the first on adoption of S. Res. 65, the Iran sanctions resolution, and then in relation to the Shaheen amendment on the Sugar Program.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 925

Mr. TOOMEY. Mr. President, I rise to address the Shaheen amendment No. 925 the chairman of the committee just referred to. I urge my colleagues to support this amendment. I wish to start by thanking Senator SHAHEEN for her leadership, Senator KIRK for his leadership, and Senator DURBIN for his support and leadership. We have all worked together on this amendment. I wish to briefly explain why I think it is important and why this amendment deserves the support of this body.

First of all, people ought to understand we have an extensive and complicated system by which taxpayers and consumers are forced to prop up, to an artificially high price, the price of sugar in this country. We subsidize a handful of wealthy sugar growers at the expense of everybody in America because I can't think of any consumer who doesn't consume sugar. Everybody uses some amount of sugar. It is in virtually all processed food. It is obviously in any kind of confectionery or any kind of sweets. It is a staple, a fundamental staple. In fact, the poorest Americans spend the highest percentage of their limited income on sugar because that is the nature of this food staple that is sugar.

Well, what do we do through our agricultural policy? One of the things we do is we put a limit on how much we can bring in from overseas. It just so happens there are some places in the world that can grow sugar cheaper than we can, and rather than take advantage of the opportunity to have a lower cost staple for all Americans—including the poorest of Americans—instead we establish a quota and say there is only so much we are going to bring in without imposing a big, huge, expensive tariff on them, and since we don't grow enough ourselves to meet the demand, when we hit that quota, we do, in fact, impose that huge tariff on the additional sugar we need to buy.

But that is not all we do to subsidize these handful of growers at the expense of American taxpayers and consumers. Another program we have is an extensive loan program where ultimately the taxpayer lends money to sugar producers, and it is a ''heads-I-win, tails-you-lose'' program for the sugar producer. If the price drops too low on sugar that the producer would actually have to reach into his own pocket to pay back the loan, guess what. He doesn't have to do that. He can say: Nevermind, I am not going to pay back the loan. I will just give you the sugar. This is classic ''heads-they-win, tails-we-all-lose.''

It goes beyond that because in an effort to prop up the price at artificially high levels so we are all paying more than we need to for sugar, we have a program that is called the Feedstock Flexibility Program. This program is one in which the USDA takes taxpayer money and buys up huge quantities of sugar in order to drive up the price for all of us. I know it is hard to believe this is true. I am not making this up. I am not creative enough to make this up. This is real.

Then what does the USDA do with the massive quantity of sugar it might buy? By the way, there was a front-page story in the Wall Street Journal just a few weeks ago about a huge purchase the USDA is seriously thinking about making, has the discretion to do it, and might very well make. If they don't use all of the sugar, they don't have anything to do with it, so they sell it at a huge loss. They sell it to somebody who is going to make ethanol or something with it. That is what we do with it. It is unbelievable, all the ways in which taxpayers or consumers are forced to subsidize a very wealthy group of sugar growers. So that is what we do as policy under existing law.

This amendment tries to push that back a little bit. That is all we are trying to do. What Senators SHAHEEN and KIRK and DURBIN and I have done with this amendment is say: Can we at least push back some of the most egregious features? Can we go back to the policy we had prior to the 2008 farm bill because prior to 2008, we did subsidize sugar, but at least not quite as much as we do today. So that is what we are trying to do. Let's just go back to the policies we had before 2008, and specifically let's eliminate this Feed Stock Program, this program whereby the USDA can go out and purchase huge quantities of sugar, driving up the price, and then turn around and sell it at a huge loss. Let's end that, and let's have a little bit more flexibility on this quota so American consumers can have the opportunity to buy more sugar at prices that are at least a little closer to the world prices.

Here are a few facts we ought to keep in mind. The net effect of all of these programs on all of our consumers—and as I say, everybody consumes sugar—is that we pay, on average, about 30 percent more than the world market price for sugar. That is what we are doing to our consumers now. By the way, that is separate and apart from the cost to taxpayers. That is just what consumers are forced to pay.

Now, does that have the effect of maybe protecting a handful of jobs among sugar growers? It probably does. So the Commerce Department decided to take a look at this, and they did a study. They discovered, sure enough, there are a certain number of jobs among sugar producers that are protected by the fact that we don't allow a free market in sugar and we don't allow imports from more efficient producers. But here is what else they discovered. They discovered for every job we save among sugar producers, we lose three jobs among companies that manufacture with sugar—companies that make cakes and desserts and candies and all the other kinds of goods we manufacture that require sugar as an ingredient. The reason we lose those jobs is because those companies can't compete with foreign imports that don't have this crazy Sugar Program.

So, for instance, we have candy companies that have left America and have moved to Canada because Canada doesn't do this. When they relocate in Canada, they can buy sugar at a normal world price, the same as anyone else anywhere in the world outside of America—maybe not anybody, but lots of people outside of America can buy sugar that is much cheaper than what they have to pay for sugar when they are an American citizen, an American company, so they can make candy much cheaper.

So we lose American jobs, which we have lost, they go to Canada or somewhere else, and how can that possibly be a good outcome to lose three jobs for every one we protect. It doesn't make any sense.

This is a badly flawed policy. I would advocate that we completely repeal all of this. That would be my personal view. That is not what this amendment does. All we do in this amendment is say let's just go back to where we were before the farm bill of 2008 expanded this program and created this new liability for taxpayers.

So I urge my colleagues to support the Shaheen amendment No. 925 for some good, commonsense improvements to our existing sugar policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, yesterday I came to the floor of the Senate to talk not only about the farm bill, but specifically about the importance of the Sugar Program to the compromise that is the farm bill. I talked about growers getting protections in terms of crop insurance, I talked about the dairy program, I talked about specialty crops, and I

talked about the importance of protecting the domestic sugar industry and using a no-cost approach which has been the approach we have dealt with for years in the Sugar Program.

Today I don't want to repeat all of that discussion. What I would like to do, however, is respond directly to the Shaheen amendment and some of the information we have been hearing about the Shaheen amendment going forward. I think it is important because we have heard the Shaheen amendment would simply roll back the Sugar Program to the policies in place before the 2008 farm bill. In reality, this amendment would do far more than what was included in the program prior to 2008 and would, in fact, threaten 142,000 American sugar-producing jobs in 22 States.

I want to be very specific about the uniqueness of this compared to pre-2008. So, specifically, the amendment institutes two new policies beyond repealing the 2008 farm bill changes to the Sugar Program that are damaging to our farmers and sugar manufacturers in the United States.

First, the amendment would mandate for the first time a 15.5-percent stocks-to-use ratio. Sugar supplies in the United States are already at historically high surplus levels at a stocks-to-use ratio in the 18-to-20 percent range. This proposal would mandate artificially inflated increased inventories in order, really—realistically—to push down prices for food processing companies. At a stocks-to-use ratio of less than 15.5 percent earlier this year, sugar producer prices were collapsing below average levels of the 1980s and the 1990s.

We hear over and over again about how we have had this dramatic increase in sugar prices, and that has led to the loss of American processing jobs. Really, nothing could be further from the truth. In fact, we have seen historically low prices. In fact, sugar prices earlier this year were collapsing below the levels of the 1980s and 1990s.

Second, it would make U.S. sugar import quota rights tradable—tradable—on the open market, and I think that would risk potential fraud and abuse and denial of quota benefits to developing countries that count on the quotas. So if a country could not, in fact, meet their quota, that quota could be traded on the open market. I think that is a formula for interjecting a factor that has never been instituted before in the sugar bill.

I think U.S. policy provides access to developing world countries to our sugar market, one of the largest in the world. Allowing governments of developing nations to trade their quotas does nothing to empower those farmers in developing countries. Instead, the quota rights will be traded to subsidized industries in powerful sugar companies such as Brazil, which could lead to further excess supply in the American market.

Because everybody seems to believe that pre-2008 was a panacea for sugar, and if we just went back there everything would once again be fine, I wish to set the stage for what the world was like before the 2008 farm bill. The 2008 farm bill updated the Sugar Program in response to a change in the relationship between the United States and Mexico regarding sugar. Under NAFTA, agricultural trade was liberalized between our two countries which removed barriers and allowed a more free flow of goods. The NAFTA provisions regarding sugar were fully realized in 2008.

If dropping the trade barriers resulted in a level playing field, this would have been no problem because our American farmers are the most efficient in the world, and we can win in a free market condition. However, a level playing field was not the case. Mexican sugar is highly subsidized. In fact, the government owns approximately 20 percent of their sugar industry.

Candy and major food-producing companies are having some of their most successful years in memory. When we hear the stories of lost jobs and additional burden, I think we need to look at reality, and I think reality is that nothing has—the price of sugar has not prevented them from achieving record profits, strong profits, and continued growth.

Another fact that doesn't get talked about much when we talk about the Sugar Program is that today the price of sugar is roughly the same as what it was in 1985. What product can we say that is true of? Sugar is the exact price as it was in 1985.

Additionally, the domestic price of sugar is often lower than the international price when factoring in transportation costs. To claim the Sugar Program is breaking the backs of American consumers, again, is not a fair or accurate statement.

The U.S. wholesale sugar price in April was 26 cents per pound. The internationally traded sugar price in April was 22 cents per pound. The transportation cost of bringing sugar to the United States from Brazil, the Dominican Republic, or the Philippines—three of the largest importers of sugar under the program—exceeds the 4 cents-per-pound difference.

So I think it is important that we at least have some response to this idea that, No. 1, things were good in 2008 so we should just roll back the program to 2008. If that were true, obviously, I do not think we would be standing here fighting this amendment. But I do not think it is true. Plus, I think there are provisions in this amendment that have not yet been revealed as provisions that were not included in the pre-2008 Sugar Program, and that concerns me.

It concerns me that this amendment has not had a discussion in committee. This amendment has not been something that the experts on the Agriculture Committee have deliberated.

Then I want to kind of pull back and look at a higher view, which is the American farmer, American agriculture, and what the farm bill attempts to do to guarantee a sure and steady supply of food for our country and, arguably, for the world.

The farm bill is a compromise package. The farm bill represents, in each one of those elements, a different provision for different parts of our country: dairy, important in Wisconsin; dairy, important in Vermont; dairy, not so important in North Dakota. But sugar is critically important to the economy of North Dakota. Sugar is important to the economy of Minnesota, the economy of Florida, the economy of Hawaii.

All of us have come together to fashion a farm bill that responds to the need for certainty in American agricultural policy. The farm bill is critical not only to our farmers but to the 16 million jobs the farm bill supports, and we forget that. We forget that this is much bigger than a sugar program, it is much bigger than any one individual commodity. It is about food security, combined with an effort to do what we need to do to provide certainty and surety to American producers.

My concern is that when you single out one commodity—whether it is soybeans or corn or sugar or tobacco or rice—when you single out one commodity, you threaten the effectiveness of the overall farm bill. So I would urge my colleagues to work within the structure of the Agriculture Committee, understand that where you may have individual concerns about each piece of this—and I may have individual concerns about varying pieces of this farm bill, this ag bill, but it is critically important that we not single out one commodity on which to reduce our support. Sugar is too important to our economy, it is too important to our food processing to risk simply that we are going to have enough sugar on the international market, that we are not going to have a domestic supply because many of these provisions would drive the domestic producer out of the market, making us beholden to foreign sources of sugar. I do not think that is why we have a farm bill. I think we have a farm bill so we can guarantee that farm commodities and farm products that we are able to grow in this country are available and local.

So I urge a ''no'' vote on this amendment. I think it is extreme. This amendment, which has basically been reported to be a simple rollback to 2008, is not exactly as it appears. I believe it is critically important that we keep the compromise, which is the farm bill as reported out of the committee, essentially intact by recognizing the needs of all the commodity groups.

I yield the floor.

Ms. STABENOW. 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. HOEVEN. 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. HOEVEN. I want to take several minutes to respond to some of the comments that were made here in regard to the farm bill, and specifically the Sugar Program. We have got a vote coming up.

The PRESIDING OFFICER. We currently have an order to move to the consideration of S. Res. 65 at 3:45 p.m.

Mr. GRAHAM. Mr. President, that is my resolution with Senator MENENDEZ. I do not mind yielding a couple of minutes to the Senator to make his points.

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

Mr. HOEVEN. I thank my colleague. I do want to respond to some comments that were made in regard to the Sugar Program and the cost of sugar for American consumers. It is very important to understand that the price of sugar in the United States is actually less than the international price. So because of the Sugar Program we have, American consumers benefit. Again, I want to reiterate that point.

Also I want to express how important it is to understand that we have low-cost producers in this country who are precluded from selling their sugar in markets such as the European Union because of tariffs and restrictions. As an individual who strongly supports international commerce and trade, on many of these issues I am down here talking about how we want to continue to expand our ability to export. I believe that. But at the same time, we have to make sure our companies and our farmers, our ranchers and our producers, particularly when we are talking about a farm bill, are treated fairly.

We have a situation where they operate internationally and they are precluded from many markets throughout the world, even though they are low-cost producers. That is what our Sugar Program is designed to do, to try to level that playing field. It does so effectively. The Sugar Program has cost this country nothing over the last decade. In fact, consumers in this country benefit from lower sugar prices than the international price, not higher prices.

I yield the floor.

SUPPORTING SANCTIONS ON IRAN

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 65, which the clerk will report by title.

The legislative clerk read as follows:

A resolution (S. Res. 65) strongly supporting the full implementation of the United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

The Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment.

[Strike the part printed in boldface brackets and insert the part printed in italic.]

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, ''The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.'';

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, ''This bogus and fake Zionist outgrowth will disappear off the landscape of geography.'';

Whereas, in August 2012, President Ahmadinejad said that ''in the new Middle East . . . there will be no trace of the American presence and the Zionists'';

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the ''most active state sponsor of terrorism'' in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented ''serious concerns regarding possible military dimensions to Iran's nuclear programme,'' and affirmed that information available to the IAEA indicates that ''Iran has carried out activities relevant to the development of a nuclear explosive device'' and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, ''The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.'';

Whereas, on March 4, 2012, President Obama stated, ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.'';

Whereas, on October 22, 2012, President Obama said of Iran, ''The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.'';

Whereas, on May 19, 2011, President Obama stated, ''Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.'';

Whereas, on September 21, 2011, President Obama stated, ''America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.'';

Whereas, on March 4, 2012, President Obama stated, ''And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.'';

Whereas, on October 22, 2012, President Obama stated, ''Israel is a true friend. And if Israel is attacked, America will stand with

Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.'';

Whereas, in December 2012, 74 United States Senators wrote to President Obama ''As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.''; and

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

[(8) urges that, if the Government of Israel is compelled to take military action in self-defense, the United States Government should stand with Israel and provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.**]**

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

The PRESIDING OFFICER. Under the previous order, there will be now be 50 minutes for debate, with the Republicans controlling 30 minutes and the majority controlling 20 minutes.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, this is a debate where it does not matter who is speaking, Republican or Democrat, because we are speaking with one voice. That very seldom happens in American politics today, unfortunately. There will be 50 minutes divided, but really there is no division here.

S. Res. 65 has 91 cosponsors. That is very difficult to do. The Presiding Officer, Senator COONS, was an original cosponsor of the legislation.

What is S. Res. 65 all about? It is about the following: On March 4, 2012, President Obama stated:

> Whenever an effort is made to delegitimize the State of Israel, my administration has opposed them. So there should not be a shred of doubt by now. When the chips are down, I have Israel's back.

This resolution is in support of the President's statement. When I heard that statement, it was music to my ears, because the Iranian nuclear program, the efforts of the Iranians to develop a nuclear capability, marches on as I speak.

Today, May 22, there are two articles, one in the Associated Press, one in Reuters, talking about AIEA reports and diplomats saying that Iran is pressing forward with the construction of a research reactor that would add to their nuclear capability in terms of enriching uranium to make a bomb, and that they have increased the number of centrifuges dramatically since April.

We have been trying to sanction Iran—very successfully, I might add. Senator MENENDEZ, my cosponsor here, the original cosponsor, will be here around 4. As to BOB MENENDEZ, there is no stronger supporter of the U.S.-Israel relationship than BOB, who is chairman of the Foreign Relations Committee.

We have worked on a resolution. The guts of this resolution basically are as follows: It declares the United States has a vital national interest in and an unbreakable commitment to ensuring the existence, survival, and security of the state of Israel. It reaffirms the support of the United States for Israel's right to legitimate self-defense. In the last paragraph, it is not an authorization to use force, but it says the following: That if Israel is compelled to take military action in self-defense, the United States will stand with Israel and provide diplomatic, military, economic support in its defense of its territory, people, and existence.

The whole resolution is about Israel having to defend herself against a nuclear-capable Iran. So when our President said in 2012 that ''we have Israel's back,'' that his administration has Israel's back, this is a chance for the Senate to say we also have Israel's back.

From my point of view, you cannot separate the threat the nuclear program in Iran creates from the United States and Israel. They are the same. The same threat Israel faces from a nuclear-armed Iran, a nuclear-capable Iran, we face as a Nation. So people wonder, what will happen if that day ever comes? What would America do? Well, this is a statement by every Senator who votes yes—not an authorization to use force, but a statement—that if that day comes and Israel has to justifiably defend itself from a breakout by the Iranian regime to build a nuclear weapon, which could be the end of the Jewish state, we will have Israel's back economically, militarily, and diplomatically.

I cannot stress how important it is for that statement to be made by the Senate. Time is running out. Time is not on our side. As to the threat from Iran, since 1984 they have been characterized as the most active state sponsor of terrorism in the world. As we have sanctioned them to stop their nuclear ambitions, the amount of enriched uranium has grown. As we talk, they enrich.

We are going to have several Senators come down to voice their support for this resolution.

With that, I would yield to Senater HOEVEN for 2 minutes. The Senator has been an unwavering supporter of the United States-Israel relationship.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I appreciate the opportunity to join my esteemed colleague from the great State of South Carolina in support of S. Res. 65, expressing our strong support for our close friend and ally, Israel.

This resolution right up front says—I want to read from the subheading in the resolution—''Strongly supports the full implementation of the United States and international sanctions on Iran, and urging the President to continue to strengthen enforcement of sanctions legislation.''

This is very important. I want to buttress a comment made by the good Senator from South Carolina, and that is through Kirk-Menendez and other legislation, we have provided authority for the administration to put the strongest possible sanctions in place against Iran to prevent Iran from developing a nuclear weapon. We need to do it. We need to stand with Israel. We need to support our ally. This is not just about Israel, this is about security for the United States. This is about preventing Iran from getting a nuclear weapon.

Essentially what these sanctions do is they provide any country or company that buys oil from Iran cannot do business with our banking system. Think about that. Countries that buy oil from Iran would not be able to transact with the United States and U.S. companies. That would preclude them from buying Iranian oil.

Okay. Think about that. If Iran cannot sell its oil, it has no revenue. If it has no revenue, it is forced to stop its efforts to build a nuclear weapon. So the point is this: We cannot only have sanctions. What we are trying to do in this legislation is not only express support for Israel, again as the Senator

from South Carolina pointed out, but encourage and support the administration in completely enforcing the strongest possible sanctions against Iran so we do not have to go to the option of a military strike to take out their nuclear weapon capability. That is what this is all about. This is bipartisan—as the Senator said, 91 cosponsors. This is about saying we can get this done but we have got to impose these sanctions as strongly as we can. We have got to do it now.

Mr. GRAHAM. I thank the Senator from North Dakota.

Now I wish to recognize Senator AYOTTE for 4 minutes. We have got a lot of speakers here to talk about S. Res. 65. She has been there at every step of the way.

Ms. AYOTTE. Mr. President, let me thank Senator GRAHAM and Senator MENENDEZ for their leadership on this important Senate resolution, S. Res. 65. This is a resolution that is very straightforward. It says to our friend and ally Israel: We have your back. That means right now. If you look at the dangers confronting Israel, they are unprecedented dangers, from the situation in Syria, to threats from Hamas and Hezbollah, to the situation in the Sinai. But the greatest threat of all is Iran acquiring nuclear weapons capability. It is a country that has threatened to wipe Israel off the map.

Rightly so, the Israelis have said never again. As our country, we say never again. Because it is not just that the Iranians could acquire nuclear weapons capability and launch a missile against our country, it is that they are the largest state sponsor of terrorism. They could give that nuclear weapon to a terrorist. Then it is not just a threat to Israel, this is a threat to the safety of the world. That is why I fully support this resolution and why it has so many cosponsors in the Senate. To understand the deep friendship we have with Israel, what we share in terms of democracy in the Middle East, ultimately this threat is not just a threat to Israel, this is a threat to the safety of the United States of America.

This resolution is clear. If Israel is compelled to take military action in self-defense against Iran's nuclear weapons program, it urges the U.S. Government to stand with Israel, diplomatically, militarily, and economically. It also reiterates what my friend from North Dakota talked about, which is the policy of the United States to prevent Iran from acquiring a nuclear weapon and reaffirms that we will continue to press for the toughest of economic sanctions.

To the leaders in Iran, understand there is much we do not agree on in this body. When we pass this resolution today, you need to know we are unified when it comes to stopping you from acquiring nuclear weapons capability, and that we will stand with our friend and ally Israel to make sure you do not present that type of grave danger to the safety of the entire world.

I thank my colleague from South Carolina. I thank my colleagues here who have supported this incredibly important resolution. Think about it. How often do we come together with 91 Senators to support legislation? This is about the security of this country. I look forward to this body passing this important resolution.

Mr. GRAHAM. Mr. President, at this time I wish to recognize a member of the Foreign Relations Committee, one of the strongest voices on national security in the body, a new member but someone who understands the world and is a tremendous supporter of the United States-Israel relationship, Senator MARCO RUBIO from Florida, for 4 minutes.

Mr. RUBIO. I thank the Senator.

I rise in support of these sanctions as well. Americans are perhaps tempted these days to take a step back from the problems in places in the Middle East and wonder why do we need to be active in resolving these thorny issues that often seem unsolvable. But yesterday in the Foreign Relations Committee, for example, we discussed Syrian legislation and debated how to address the growing repercussions of our policy of inaction as violence and instability spreads beyond Syria's borders. We cannot stand idly by and ignore the fallout from Syria. Americans need to remember that Iran is not just Israel's problem, it is ours as well.

Iran has been sponsoring terrorism and killing Americans for decades, most recently in places such as Iraq and Afghanistan. Iran has pursued an anti-American agenda, and its foreign policy has supported tyrants. It has undermined U.S. allies, and not just in the Middle East, through its terrorist proxies such as Hezbollah and what they are doing now to defend Asad in Syria, but they have even done it in our own hemisphere.

On top of these issues, Iranian leaders have denied that the Holocaust even happened. They threaten Israel's very existence. So we do need to strengthen our sanctions. We need to actually follow through with them. That is what this resolution calls on the administration to do.

But we also have to ensure that our international partners do that as well. I am pleased that this resolution calls on the administration to fully implement the sanctions we have already passed and approved.

These sanctions have not changed Iran's calculus. The sanctions alone are not enough because, as we have seen, Iran has added centrifuges, so they continue to enrich uranium and they get closer to a nuclear capability. Similarly, the approach of this administration to talk to Iran, trying what our European partners have attempted to do in the past, has also been unsuccessful. For more than 10 years now we and the Europeans have tried to negotiate—all with no results. Iran has only gotten closer and closer to a nuclear capability.

We need a new approach. One avenue that has not been adequately explored is using perhaps our greatest weapon, what Ronald Reagan called ''the will and moral courage of free men and women.'' That means speaking out more forcefully about the human rights situation in Iran.

This regime is brutally oppressive. It represses its own people. Read the 2012 State Department report. It talks about disappearances; cruel, inhuman, and degrading treatment or punishment, including judicially sanctioned amputations and flogging; politically motivated violence and repression, such as beatings and rape; harsh and life-threatening conditions in detention and prison facilities. This is not even a comprehensive list of the abuses that exist in Iran.

Currently, there is an American pastor in Iran, Saeed Abedini, who is serving 8 years in prison because he is a Christian and practices Christianity.

Yesterday the Iranian Government disqualified two Presidential candidates. This will be a sham election in the coming months. As one State Department official put it to the Foreign Relations Committee, the Green Movement in Iran today is virtually nonexistent.

Instead of denigrating the freedom fighters in Iran who have suffered from inaction and lack of support, we need to be doing everything possible in the weeks to come to speak frankly about the lack of fundamental freedoms in Iran and reject the notion that this regime is legitimate or a credible negotiating partner.

We need to make clear that a crackdown against the Iranian people similar to the one that occurred in June of 2009 after a fraudulent Presidential election will have real consequences this time. We can't be everywhere. America can't be everywhere and do everything, but we can't outsource the solutions to all our problems either.

Israel faces an unprecedented security environment. I saw this firsthand during my recent visit to the Middle East in February. In every direction, Israel sees uncertainty and potential instability, from an all-out civil war on its northern border in Syria, to neighbors going through delicate political transitions in the wake of the Arab spring. But even with all these changes in its neighborhood, the greatest challenge facing Israel today is the threat of a nuclear Iran.

We need to stand with Israel and provide diplomatic, military, and economic support in its defense of its territory, its people, and its existence. We need to remind Tehran that the United States will not allow Iran to obtain nuclear weapons, as this resolution states, and that is why I am supporting it. I urge all of my colleagues to support it as well.

The PRESIDING OFFICER (Mr. BROWN). The Senator from South Carolina.

Mr. GRAHAM. I thank the Senator for a terrific speech.

I would ask whether Senator MENENDEZ minds if Senator MCCAIN speaks.

Mr. MENENDEZ. I am always willing to allow Senator MCCAIN to speak.

Mr. GRAHAM. We will do this by age. Senator MCCAIN is recognized for 5 minutes. That is not quite a minute a decade, but that will get us going.

The PRESIDING OFFICER. The senior Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair, and I hope the Chair will discipline this disrespect that is being displayed because of my advanced age. This would never have happened in the Coolidge administration, in which I first served.

I thank the Senator. I also thank my dear friend LINDSEY GRAHAM for bringing this important resolution to the Senate.

Resolutions happen all the time. This is a very important one. It wouldn't have happened without the leadership and support of the distinguished chairman of the Foreign Relations Committee. I would like to thank him for his continued leadership, including the passage of the resolution that was passed through the Foreign Relations Committee yesterday concerning the situation in Syria.

Mr. President, I ask unanimous consent to have printed in the RECORD three articles that are of importance for our colleagues.

One is from the Washington Post: ''Iran paves over suspected nuclear testing site despite U.N. protests.''

The second is another Washington Post article, by the Associated Press: ''Iran expands nuke technology for program that could be used to make weapons.''

Of interest is another one, also from the Washington Post: ''Iranian soldiers fighting for Assad in Syria, says State Department official.''

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

[From the Washington Post, May 22, 2013]

IRAN PAVES OVER SUSPECTED NUCLEAR TESTING SITE DESPITE U.N. PROTESTS

(By Joby Warrick)

Iran has begun paving over a former military site where its scientists are suspected to have conducted nuclear-weapons-related experiments, according to a new U.N. report, a move that could doom efforts to reconstruct a critical part of Iran's nuclear history.

Satellite photos of the site, known as Parchin, show fresh asphalt covering a broad area where suspicious tests were carried out several years ago, the International Atomic Energy Agency said in an internal report that was prepared for diplomats.

The paving appears to have occurred within the past few weeks, at a time when the United Nations' nuclear watchdog was meeting with Iranian officials to try to negotiate access to the site to investigate allegations of secret weapons research.

Iran has repeatedly denied IAEA inspectors entry to the site, and previous satellite photos have shown a series of efforts to alter it by razing buildings and even scraping away topsoil around what was once a chamber used for military explosives testing. U.N. officials believe that the facility may have been used to test a special kind of detonator used in nuclear explosions.

Since February, Iran ''has conducted further spreading, leveling and compacting of material over most of the site, a significant proportion of which it has also asphalted,'' the IAEA said in its report, a copy of which was obtained by The Washington Post.

The alterations to the site ''have seriously undermined the Agency's ability to undertake effective verification'' of Iran's claims that its nuclear program is entirely peaceful, the report said.

Iran denies that it ever conducted nuclear weapons research and says the IAEA has no mandate for investigating a military base with no ties to its nuclear program.

The IAEA, which conducts routine monitoring of Iran's civilian nuclear facilities, met with Iranian officials earlier this month in the latest in a string of failed efforts to clear up concerns over suspicious experiments by Iranian scientists. U.S. intelligence officials believe Iran was testing components for nuclear weapons as recently as 2003, when the work was abruptly halted.

Since then, Iran has amassed a large stockpile of enriched uranium—a key ingredient in nuclear weapons—but has not yet decided whether to take the risk of building and testing a bomb, U.S. officials say.

The IAEA report also documented Iran's continued progress in increasing its supply of enriched uranium, including the addition of still more advanced centrifuges that produce nuclear fuel more efficiently than the outdated machines formerly used by Iran. At the same time, Iran has continued to convert some of its uranium stockpile into metal fuel plates, a step that would make it more difficult to use the material in a future weapons program.

[From the Washington Post, May 22, 2013]

IRAN EXPANDS NUKE TECHNOLOGY FOR PROGRAM THAT COULD BE USED TO MAKE WEAPONS

(By The Associated Press)

VIENNA.—The U.N. atomic agency on Wednesday detailed rapid Iranian progress in two programs that the West fears are geared toward making nuclear weapons, saying Tehran has upgraded its uranium enrichment facilities and advanced in building a plutonium-producing reactor.

In a confidential report obtained by The Associated Press, the International Atomic Energy Agency said Tehran had installed close to 700 high-tech centrifuges used for uranium enrichment, which can produce the core of nuclear weapons. It also said Tehran had added hundreds of older-generation machines at its main enrichment site to bring the total number to over 13,000.

Iran denies that either its enrichment program or the reactor will be used to make nuclear arms. Most international concern has focused on its enrichment, because it is further advanced than the reactor and already has the capacity to enrich to weapons-grade uranium.

But the IAEA devoted more space to the reactor Wednesday than it has in previous reports. While its language was technical, a senior diplomat who closely follows the IAEA's monitoring of Iran's nuclear facilities said that reflected increased international concerns about the potential proliferation dangers it represents as a completion date approaches.

He demanded anonymity because he was not authorized to discuss confidential IAEA information.

The report also touched upon a more than six-year stalemate in agency efforts to probe suspicions Tehran may have worked on nuclear weapons. It said that—barring Iran's cooperation—it may not be able to resolve questions about ''possible military dimensions to Iran's nuclear program.''

The U.S., Israel and Iran's other critics say the reactor at Arak, in central Iran, will be able to produce plutonium for several bombs a year once it starts up. They have said Tehran's plan to put it on line late next year is too optimistic.

But the report said the Islamic Republic had told IAEA experts that it was holding to that timeline. The IAEA noted that much work needed to be done at the reactor site, but it said Iranian technicians there already had taken delivery of a huge reactor vessel to contain the facility's fuel. It also detailed progress in Tehran's plans to test the fuel.

Installations of the new IR–2m centrifuges are also of concern for nations fearing that Iran may want to make nuclear arms, because they are believed to be able to enrich two to five times faster than Tehran's old machines.

The IAEA first reported initial installations in February. It said then that agency inspectors counted 180 of the advanced IR–2m centrifuges at Natanz, Tehran's main enrichment site, less than a month after Iran's Jan. 23 announcement that it would start installing them.

Diplomats said none of the machines appeared to be operating and some may only be partially set up. But the rapid pace of installations indicates that Iran possesses the technology and materials to mass-produce the centrifuges and make its enrichment program much more potent.

Iranian nuclear chief Fereidoun Abbasi said earlier this year that more than 3,000 high-tech centrifuges have already been produced and will soon phase out its older-generation enriching machines at Natanz, south of Tehran.

The report also noted Iran's decision to keep its stockpile of uranium enriched to a level just a technical step away from weapons-grade to below the amount needed for a bomb.

More than six years of international negotiations have failed to persuade Tehran to stop enrichment and mothball the Arak reactor.

[From the Washington Post, May 21, 2013]

IRANIAN SOLDIERS FIGHTING FOR ASSAD IN SYRIA, SAYS STATE DEPARTMENT OFFICIAL

(By Anne Gearan)

MUSCAT, OMAN.—Iran has sent soldiers to Syria to fight alongside forces loyal to President Bashar al-Assad and those of the Lebanon-based Hezbollah militia, a senior State Department official said Tuesday.

An unknown number of Iranians are fighting in Syria, the official said, citing accounts from members of the opposition Free Syrian Army, which is backed by the United States. The official spoke on the condition of anonymity to preview a strategy session that Secretary of State John F. Kerry is to hold Wednesday with key supporters of the Syrian opposition.

Rebel forces have alleged for weeks that Iran is sending trained fighters to Syria, and the Iran-backed Hezbollah has said baldly that it will not let Assad fall.

But with the British, French and American governments considering providing arms to the Syrian opposition on a scale not yet seen in the civil war, the U.S. official's allegation was a tacit acknowledgment that the two-year-old Syrian conflict has become a regional war and a de facto U.S. proxy fight with Iran.

''This is an important thing to note: the direct implication of foreigners fighting on Syrian soil now for the regime,'' the official said.

Kerry is in the Middle East this week to foster political talks between Assad's resurgent regime and the embattled rebels and to inaugurate a new round of peace talks between Israel and the Palestinians.

The State Department official said the Syrian opposition, which is badly split, has not finalized its representative to the talks in Amman, Jordan, on Wednesday. The Amman session is intended to align strategies ahead of a larger conference in Switzerland that would bring together the Russian- and Iranian-backed Assad regime and the Western-backed rebels.

Russia appears to be hedging its bets, as the U.S. official acknowledged Tuesday. Assad's forces are being resupplied from somewhere, the official said, and not all of the armaments can be explained away as part of a continuation of weapons contracts that predate the conflict.

Kerry and Russian Foreign Minister Sergei Lavrov agreed two weeks ago to jointly lobby the opposition and Assad's government to sit down for negotiations. The goal would be a transitional government with members chosen by mutual consent. The United States says that would mean Assad's eventual exit; Russia says not necessarily.

Kerry stopped in Oman on Tuesday to solidify a partnership with a rare Sunni Arab nation that has friendly relations with both Iran and the United States. He was readying plans with Sultan Qaboos bin Said for Oman's purchase of an estimated $2.1 billion air-defense system. The Raytheon-built system is part of a coordinated, U.S.-led detection and defense network intended to counter Iran's sophisticated missile systems.

The State Department official would not say whether Iran was welcome at the Syria conference in Geneva, tentatively set for June.

In Washington on Tuesday, the Senate Foreign Relations Committee passed legislation authorizing President Obama to send weapons to vetted Syrian opposition groups. Although the administration has not decided whether to provide lethal aid and does not need congressional approval to do so, the measure would strengthen Obama's case against those lawmakers who disapprove of stepped-up U.S. involvement in Syria.

The bill, co-sponsored by Sen. Robert Menendez (D–N.J.), the committee chairman, and Sen. Bob Corker (R–Tenn.), the ranking minority member, also creates a $250 million annual transition fund—from reprogrammed, not newly appropriated, money—to help the civilian opposition preserve government institutions and strengthen sanctions against anyone providing arms or selling oil to Assad.

Menendez acknowledged concerns that U.S. weapons could fall into the hands of Islamist extremists fighting on the side of the opposition. But, he said, ''if we stand aside and do nothing,'' such worries ''will become self-fulfilling prophecy.''

The bill, which passed the committee on a bipartisan 15 to 3 vote, still requires approval by the entire Senate and by the House, which has no companion version pending.

Karen DeYoung in Washington contributed to this report.

Mr. McCAIN. I join with 90 Members of the Senate to support this resolution. This resolution has extraordinary bipartisan support. The Senate will send a clear and unequivocal message to the regime in Tehran, and that is this: The United States will not allow you to get a nuclear weapons capability.

The dangers of a nuclear Iran cannot be denied, diminished, or dismissed. We must continue to ratchet up the pressure through sanctions, as this resolution suggests. At the end of the day, sanctions are a means to an end, not an end unto themselves. Unfortunately, despite the unprecedented international sanctions that have been put in place, Iran is today closer to a nuclear weapons capacity than ever before, and the facts speak for themselves.

In January 2009, according to the IAEA, the Iranians had approximately 1,000 kilograms of uranium enriched to 3.5 percent. Today they have more than 8,000 kilograms. In January 2009 Iran had not enriched to 20 percent. Today the IAEA reported that Iran has produced 324 kilograms of 20 percent-enriched uranium. That is 44 kilograms more than 3 months ago. It means they are moving unabated and unhindered toward the development of a nuclear weapon, and they continue to deny IAEA inspectors entry into nuclear facilities while the centrifuges continue to increase dramatically. Just a few hours ago, the IAEA issued a report that says Iran has installed close to 700 high-tech centrifuges, which will exponentially increase the speed with which Iran will be able to enrich uranium.

Iran's pursuit of nuclear weapons capability cannot be divorced from its other destabilizing actions. The threat from Iran is comprehensive. It includes ongoing threats against Israel and other allied Arab governments across the region, it includes a decades-long campaign of unconventional warfare, and it includes Iran's ongoing role as the No. 1 state sponsor of terrorism in the world.

Let's not forget that Iran has bolstered violent extremist groups such as Hezbollah and Shiite militias in Iraq who are responsible for the murders of hundreds of young American forces and innocent civilians or that senior leaders of the Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on U.S. soil.

The Iranian regime continues to undertake its full-fledged campaign of brutality to keep Bashar al-Asad in power in Syria. Senior Iranian officials are advising and assisting the Syrian military with intelligence support and weapons. They have undertaken, together with Hezbollah, a large-scale training effort of as many as 50,000 militiamen. As today's Washington Post makes clear, Iranian soldiers are fighting on the ground in Syria, supporting the regime as it massacres its civilians.

I ask whether this is in America's national security interest.

The threat in Iran is more deadly and more serious than any I have seen in my lifetime. I don't think this threat will be fully resolved until a very different set of leaders is in power in Tehran and until we see an Iranian Government that reflects the will of the Iranian people. I am confident that the current regime that rules Iran will not last forever for the simple reason that the Iranian people want the same freedoms and rights as people elsewhere.

I urge my colleagues to vote in favor of this amendment.

Again, I thank the Senator from South Carolina Mr. GRAHAM for his hard work on this resolution for a change.

Mr. GRAHAM. I wish to thank Senator McCAIN for his voice on this topic and any other topic that keeps America safe. I also thank Senator MENENDEZ, without whom there would be no resolution. Senator REID is not here, but I thank him for making the time available to have this vote.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. MENENDEZ. Mr. President, is there a division of time?

The PRESIDING OFFICER. The majority controls 20 minutes.

Mr. MENENDEZ. I recognize myself for such time as I may consume.

Let me start off by thanking and congratulating my colleague Senator GRAHAM for joining with me, for engaging me on this critical question. He knows my concerns about Iran's march toward nuclear weapons, and together we thought it was an important statement to make. I appreciate his leadership on this issue and bringing us to a point where I think we will have a remarkably strong bipartisan vote today to send a very clear message. The message is that we seek full implementation of U.S. and international sanctions on Iran and urge the President to continue to strengthen enforcement of those sanctions.

I cannot emphasize enough my strong concerns about Iran's nuclear program and the extraordinary threat it poses, yes, to Israel but, very importantly, to the United States of America and to the entire international community. Iran's provocative actions threaten to not just undo regional stability, but they pose an existential threat to our ally Israel and clearly a very clear threat to the national security of the United States. Iran continues to export terrorist activity directly and through proxies, such as Hezbollah. It continues to actively support the Asad regime Syria with fighters, arms, and petroleum. It continues its unrelenting drive for nuclear weapons, placing it at the top of our list of national security concerns. In my view it remains the paramount national security challenge we face, certainly in the Middle East, if not the world.

We are at a crossroads in our Iran policy, and the question today is, What do we do next? The Obama administration, in concert with the Congress, has pursued a dual-track approach of diplomacy and sanctions. Two weeks ago members of the Foreign Relations Committee met with Lady Ashton, who has led the diplomatic track with the P5+1, along with Under Secretary Sherman. The talks have been central in demonstrating to the world that it is

Iran and not the United States that is acting in bad faith and it is Iran that, through its obstinacy, has helped galvanize the international community to increase the pressure. But the talks have failed to achieve their central objective, which is getting Iran to make concessions on its nuclear program.

It is clear to me that we cannot allow the Iranians to continue to drag their feet by talking, while all the while they grow their nuclear program. Iran is proceeding at a fast pace. Today, as has been mentioned, the International Atomic Energy Agency, in its quarterly report, said that Iran has installed almost 700 advanced IR2m centrifuges at Natanz, an increase of more than 500 centrifuges since February of this year. These are centrifuges that can more efficiently and more quickly enrich uranium. The IAEA's report also again expressed concern about the possible military dimensions of Iran's nuclear program.

We cannot allow Iran to buy more time by talking even as the centrifuges keep spinning. There is no doubt and there has never been a doubt—certainly not in my mind—that a nuclear-armed Iran is not an option for U.S. national security. That is why I have been fully dedicated to doing everything we can to stop Iran from ever crossing that threshold. That is why I introduced, along with Senator GRAHAM, this resolution that makes clear that a nuclear Iran is not an option and that the United States has Israel's back. It is why I have come to this floor time after time as an author of some of the toughest sanctions that one country has ever levied against another, the sanctions against Iran.

Working closely with my colleague Senator KIRK and with the Obama administration, we have implemented these sanctions in a way that is truly strangling the Iranian economy. Iran's leaders must understand that unless they change their course, their situation will only get worse and economic struggles and international isolation will grow. They must understand that at the end of the day their pursuit of a nuclear weapons capability will make them less, not more, secure.

I also want to say something about Iran's unacceptable and deplorable approach to the State of Israel and its continued threats to the Jewish State. As the President has made clear time and again, America's commitment to Israel's security is unshakeable. I share the President's commitment to Israel's security, and I know my colleagues do as well. Every time Iran makes outrageous threats, it only succeeds in further uniting the world against it and strengthening America's resolve.

I strongly support the close and unprecedented security cooperation that the administration has pursued with Israel, and I know this cooperation will only continue. I am deeply committed to doing everything I can to ensure that Israel is able to defend itself.

While this resolution makes absolutely clear we are not authorizing the use of force, it does also make clear that we have Israel's back and, specifically, that if Israel is compelled to take military action in self-defense against Iran's nuclear program, we should stand with Israel, using all the tools of our national power to assist Israel in defense of its territory, its people, and its very existence.

The bottom line is that Israel should always understand the United States has its back; that we will not allow Iran to obtain nuclear weapons capability, and if we are forced to, we will take whatever means necessary to prevent this outcome.

As the President has reiterated on numerous occasions, all options—all options—are on the table. That message, along with the solidarity of this Chamber, I intend to take with me on my visit to Israel later this week.

The simple fact is we need to continue to apply pressure and we must bring along the international community in our effort. This has been incredibly important, because while we have led, we have had a multiplier effect with the multilateral support of the European Union and others so our sanctions can bite, and they have been biting. Iran's crude oil exports have been cut in half, from 2½ million barrels per day in 2011 to approximately 1.25 million barrels now per day. Iran still had energy sector exports, however, of $83 billion in 2012, including $60 billion in oil and another $23 billion in natural gas, fuel oil, and condensates. The sanctions are working, but they aren't enough, and they aren't working fast enough.

In my view, we need to double down on four fronts.

First, we need to encourage further reductions in energy sector purchases from Iran, including purchases of petroleum, fuel oil, and condensates and prevent Iran from engaging in trade in precious metals to circumvent sanctions; second, we need to ensure we have prohibited trade with Iran with respect to all dual-use items that can be used in Iran's nuclear program. That means adding additional industry sectors to the trade prohibition list; third, we need to ask the international community to ramp up the pressure and change Teheran's calculus. A nuclear Iran, after all, isn't only an American problem; and fourth, the time may have also come to look more seriously at all options and that would include increasing military presence and pressure against Iran.

I believe there still may be time for diplomacy to work, but increased military pressure could signal to the supreme leader a nuclear program will undermine the security of his regime, not improve it.

Fundamentally, the challenge remains a difficult one and we are walking a fine line. But this resolution says to the supreme leader of Iran that we will not let up, we will continue to apply pressure, and this continued pursuit of nuclear weapons is threatening the very existence of his regime.

I urge my colleagues to support the Graham-Menendez resolution and full implementation of U.S. international sanctions on Iran. We are considering other options before the Senate Foreign Relations Committee, as well as working with our colleagues on the Senate Banking Committee to make it very clear we will exercise and exhaust all options that are peaceful diplomacy to achieve our ultimate goal.

This resolution makes it very clear to the world we stand behind the President as he stands behind Israel, and it says to Israel: We continue to be your faithful ally. We recognize you as a clear democracy in a challenging part of the world, as a major security partner of the United States, and the one country most likely to be voting with us in international organizations in common cause with common values.

That is what I think this vote will be about tonight.

I reserve the remainder of my time because I do believe I have a colleague who wishes to speak, but I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

There is 8 minutes remaining on the Republican side and 9 minutes remaining on the majority side.

Mr. GRAHAM. At this time, I yield 2 minutes to my friend from Mississippi, Senator WICKER, who is a member of the Armed Services Committee.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise in strong support of this resolution because Iran represents the single largest threat to freedom and peace in the Middle East. Our State Department classifies Iran as the most active state sponsor of terrorism, period.

A troubling news account from Reuters released just yesterday reveals a United Nations nuclear agency report due this week is ''expected to show Iran further increasing its capacity to produce material that . . . could eventually be put to developing atomic bombs.''

The clock is ticking. This is a moment to be resolute. The forceful words we just heard from the distinguished chairman of the Foreign Relations Committee, and previously from the distinguished senior Senator from Arizona, demonstrate our firm bipartisan position on this matter. The world can ill afford the prospect of a nuclear-armed Iran. That is why it is incumbent on the Congress and the President to take every action necessary to prevent Iran from acquiring a weapon of mass destruction. All options must be on the table, as the resolution indicates, to prevent a nuclear-armed Iran.

Israel is a nation under siege by terrorist organizations, many of which are being directly funded by the Iranian regime. The United States must not waiver in its support and obligation to our friends in Israel. I am pleased this resolution reaffirms our commitment to Israel, particularly in the event

Israel is forced to exercise its sovereign right to defend itself.

I urge my colleagues to take a firm stand against nuclear proliferation by voting for strengthened sanctions and for the adoption of this resolution.

I yield back whatever time I may have remaining.

The PRESIDING OFFICER. The senior Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I rise to express my strong support for this resolution and to thank our colleagues Senator GRAHAM and Senator MENENDEZ for their leadership and to thank them also for giving me the privilege of working with them over the last years on this vitally important national security issue. It is vital not just to the existence of Israel—it is an existential issue for Israel—but to the national security of the United States.

I believe Israel is a crucial ally of the United States and a successful democratic state in the Middle East. Recent turmoil in that region adds urgency and importance to ensuring that Israel remains a secure, stable, independent state.

This resolution is a reaffirmation of the readiness of the United States of America to assist Israel, our steadfast partner in the region, to thwart any measure of aggression made toward Israel by Iran.

It is also a reaffirmation of the policy long supported by this body—by our colleagues here, by all of us in a very personal and direct way—that we have the back of the President of the United States in his insisting on strong sanctions against Iran as long as it continues its development of a nuclear capability.

In the coming days, I will be introducing, along with my colleague the senior Senator from North Dakota, Mr. HOEVEN, a resolution that calls for free and fair elections in Iran. Regardless of the outcome of these elections—and they are likely to be sham elections—we can't avoid the sad fact that Iran has maintained its course and commitment to nuclear development. The centrifuges are spinning, they are going, and more are brought online every day in this breakout for nuclear capacity. So we have to be wary of false signals of hope and remain vigilant in our constant effort to secure against Iran faithfully pursuing nuclear weapons.

Fruitless negotiations can't be our reason to call a halt to these sanctions. That can come only with compliance—verified compliance. We have to remain vigilant and remember that Iran has threatened to attack not only Israel but the United States. It has substantiated those words with attacks on our troops in Iraq and on American civilians visiting or living in Israel.

It is Israel who helps diffuse those threats from Hamas and Hezbollah and all who have targeted America. If Iran chooses to declare war on Israel, if it ignores the path of peace the international community has repeatedly laid down for it, they must know they do it at their peril.

The United States supports our strategic partner Israel, and that is why I support S. Res. 65, because it demonstrates our full, unyielding, unstinting support for Israel if the unthinkable and the avoidable happens.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. At this time, I yield 5 minutes to my good friend from Texas, a strong supporter of the United States-Israel relationship, Senator CORNYN.

The PRESIDING OFFICER. The senior Senator from Texas.

Mr. CORNYN. Mr. President, back in October 2012, two Iran experts at the Foundation for Defense of Democracies wrote a sobering article about the Iranian nuclear program. They concluded that, despite years of international and unilateral sanctions, Iran's economy had been allowed to remain healthy enough to leave a vanishingly short period of time for sanctions to do the work that might possibly head off military action.

Seven months have passed since that article was written, and over that period of time the following things have happened: The Iranians have upgraded their biggest uranium enrichment plant. The head of the International Atomic Energy Agency has found credible evidence that Tehran has secretly been pursuing nuclear weapons technology. The United States renewed sanction waivers for countries that import substantial amounts of Iranian oil. President Obama installed a harsh critic of Iran sanctions as his Secretary of Defense. The Iranians have continued to prop up Syria and its dictator Bashar Asad and transport dangerous weapons to Hezbollah as well.

In short, the Iranians are feeling emboldened, America's credibility is being tested, and time is running out. For these reasons, I am a proud cosponsor of S. Res. 65, which would send a clear message we are determined not just to contain Iran but to prevent the Iranians from acquiring a nuclear weapon.

It would also send a clear message the United States will stand with Israel if our democratic ally is forced to take military action in legitimate self-defense.

I would also add that I have joined my colleague from Illinois Senator KIRK in introducing a separate bill, the Iran Export Embargo Act, which would further expand U.S. sanctions by prohibiting companies from doing business with any entity that is owned or controlled by the Government of Iran.

More specifically, our bill would prohibit all export-related transactions conducted on behalf of Iranian Government entities, and it would block their assets.

One final point. The Iranians are not just waiting to see how we beef up sanctions, they are also waiting to see how we respond to Syria's apparent use of poison gas. After all, President Obama famously warned the Asad regime that deploying chemical weapons would be tantamount to crossing a red line. Yet the White House is walking back its red line comments and issuing retroactive qualifiers.

We can be sure the mullahs are taking notes, and we can be sure the outcome of the Syrian civil war will help determine the outcome of the Iranian nuclear crisis.

I yield the floor.

Mr. SCHUMER. Mr. President, I rise in support of S. Res. 65, an important and timely resolution that restates U.S. policy to prevent Iran from acquiring a nuclear weapons capability and expresses U.S. support should Israel be compelled to take military action against Iran in its own legitimate self-defense.

I would like to take this time to thank my colleagues Senator MENENDEZ, Senator GRAHAM, Senator HOEVEN, and Senator BLUMENTHAL for joining forces to introduce this important bipartisan resolution that recognizes and reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than six decades.

Make no mistake—the diplomatic, security, and economic relationship between Israel and the United States is stronger than it has ever been, and nothing can break that everlasting bond. But let's be completely frank. Right now, our friend Israel faces one of the gravest threats it has confronted in more than a half a century.

The Islamic Republic of Iran is dangerously obsessed with the goal of acquiring a nuclear weapons capability. And we are getting closer and closer to ''crunch time'' in terms of Iran developing that nuclear weapons capability.

Time is of the essence, but unfortunately the latest talks between the United States, our international partners, and Iran in Almaty, Kazakhstan, failed to achieve any progress toward curbing Tehran's nuclear ambitions. ''Talks'' about the ''future talks'' are ongoing, but the centrifuges continue to spin in Iran, with more advanced centrifuges on the way.

And who can deny the horrific actions of the Iranian regime. From its support of the vicious Asad regime in Syria, which is spearheading a human rights catastrophe that has led to the deaths of more than 70,000 people, to its backing of murderous terrorist organizations like Hamas and Hezbollah, the Iranian regime is getting more and more dangerous by the day. All the while, Iran's President Mahmoud Ahmadinejad continues to guide his people down a very perilous path.

That is why this bipartisan resolution is so timely. It recognizes the tremendous threat posed to the United States, the West, and Israel by Iran's continuing pursuit of a nuclear weapons capability, and it deplores and condemns in the strongest possible terms

the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel.

The United States must do everything we can—as quickly as we can—to convince the Iranian Government that it is in its interest to abandon its pursuit of nuclear weapons. This resolution sends a blunt message to the Government of Iran the United States will take whatever steps are necessary to prevent Iran from acquiring a nuclear weapons capability.

This resolution states that nothing in this text shall be construed as an authorization for the use of force or a declaration of war. But rest assured, I believe that when it comes to Iran, we should never take the military option off the table. President Obama has stated that Israel is a true friend. And if Israel is attacked, America will stand with Israel. Most importantly, President Obama has said that Iran's leaders should understand that he does not have a policy of containment; rather President Obama has a policy to prevent Iran from obtaining a nuclear weapon.'' I take the President at his word, and so should the Government of Iran. But we need to ratchet up the sanctions and the pressure on Iran now.

And rest assured—Congress has given the President a powerful package of economic sanctions that will paralyze the Iranian economy and I am confident we in Congress will do more and this Administration will do more to prevent Iran from developing a nuclear weapons capability.

I strongly urge my colleagues in the Senate to support this important resolution and I look forward to its swift passage.

Mr. ROBERTS. Mr. President, I rise today in advocacy for each of my colleagues to come to the floor this afternoon and vote in support of Senate Resolution 65. This vital resolution makes a clear statement to Iran—both to the current regime and to Iranian citizens who wish for real and true change from the status quo—that the United States will not tolerate its development of a nuclear weapon. Additionally, Senate Resolution 65 expresses the United States' unconditional support for Israel's right to self-defense against the threat of a nuclear Iran.

These vital statements come at a time when change could happen with Iran's elections next month. But unfortunately, there is little reason to believe things will change. According to the State Department, Iran remains the most active state sponsor of terrorism. This is a statistic that must be addressed. Iran's continual material and financial support to Hezbollah and Hamas, expanding involvement in Syria, and serial deception of its nuclear program are unlikely to be different a month from now; a year from now; perhaps, a decade from now. Especially as Iran continues to reject the United Nation's International Atomic Energy Agency's, IAEA, regulatory authority and oversight, the United States must reiterate the plain and simple fact that a nuclear Iran is unacceptable.

When looking at the bigger picture, the recent terrorist attacks and killings in Boston and Benghazi remind all Americans that our war on terrorism continues. Even as troop numbers dwindle in Afghanistan, this fight and its core focus are far from over. We must continue to combat the terrorist threat around the world and strengthen our allied relationships as this fight continues. Iran's funneling of weapons and aid to terrorist cells increases their threat beyond the neighborhood. Iran is not only a threat to Israel but to the United States as well. Senate Resolution 65 reminds us of this fact and of the long and important strategic relationship our nations have shared, one which has been built of mutual trust and strengthened through security cooperation.

I strongly support the United States' determination to prevent Iran from obtaining a nuclear weapon. I strongly support this resolution as it makes our determination unequivocal. All options are on the table.

To avoid our option of last resort, armed conflict, it is important that this Congress continue to push for full implementation of sanctions against the current regime in Iran to cripple their ability to acquire a nuclear weapon. I encourage all of my colleagues to join me in advocating for this—not only this administration, but for the European Union and democracies around the world to strengthen their sanctions on this rogue regime, as Iran's beliefs, rhetoric, and actions threaten every nation who calls for democracy and freedom.

Of greatest importance, this resolution makes it crystal clear that the United States stands firmly behind Israel and her right to self-defense by pledging full support should Israel take military action against the threat of Iran's nuclear program. This is not an authorization for use of military force or a declaration of war. However, it sends the right message to Iran and the rest of the world. The United States stands strong behind our allies. Even in this time of necessary financial restraint, the United States will never leave an ally to fight alone.

Mr. WARNER. Mr. President, I rise in strong support of S. Res. 65, a resolution which sends Israel, Iran, and the region a clear message: We stand with our friends in Israel as they face the looming threat of a nuclear-capable Iran.

I thank Senators GRAHAM and MENENDEZ for submitting this critical resolution, which comes as we face a dangerous crossroads in the Middle East.

Iran's quest for a nuclear weapons capability is moving closer and closer to fruition. Talks with Iran have yet to achieve the progress necessary to restrain Iran's nuclear ambitions and to compel Iran to comply with the standards and norms expected of members of the world community. And while sanctions are having a significant impact on Iran's economy, they have not yet caused Iran's leaders to alter their course.

Just yesterday, Iran's leaders again showed their uncompromising and hard-line stance by excluding viable opposition candidates from their upcoming Presidential election.

There has been a special bond of friendship and cooperation between the U.S. and the State of Israel for over 60 years, which continues to retain broad bipartisan support. We should continue to support and expand the close military, intelligence, and security cooperation between our two countries.

In this context, S. Res. 65 makes three vital points.

First, it reiterates that it is U.S. policy to prevent Iran from achieving a nuclear weapons capability.

Second, it calls for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation, including closing loopholes that allow the regime to skirt sanctions.

And third, it makes clear the U.S. should stand in support of Israel in case Israel is compelled to take military action in self-defense, in accordance with U.S. law and Congress's constitutional responsibility to authorize the use of force.

Now is not the time for America to project any ambiguity concerning Iran's nuclear program.

While we hope that sanctions will ultimately prove successful in persuading the regime to halt its nuclear ambitions, we must at the same time make clear to Tehran that we will stand with Israel. Any other message will simply encourage the mullahs to believe that Iran can pursue its nuclear ambitions with impunity—and may facilitate precisely the sort of crisis that we all hope to avoid.

I urge my colleagues to stand with Israel by voting in favor of S. Res. 65.

Mr. LEVIN. Mr. President, I support the resolution on Iran that we are voting on today, and I hope it sends a strong message to Iran as it continues to flout the international community in pursuit of a nuclear program that is a significant challenge to our Nation, our allies, and the world.

While a diplomatic arrangement in which Iran rejoins the responsible community of nations remains far and away the preferred outcome, there is a consensus in that a nuclear-armed Iran is not acceptable and that all options—including military options—must remain available to prevent such an outcome.

However, according to a New York Times report today, Iran is pressing ahead with the construction of a research reactor that could offer it another way to produce material for a nuclear weapon should it decide to do so.

If true, this is further evidence that Iran is not interested in a diplomatic solution, but rather in walking up to the line of a nuclear weapon capability to fuel an arms race in the region, increase the risk of proliferation, and challenge the global community.

Over the past 2 years, the National Defense Authorization Act has included sanctions provisions that have ratcheted up the pressure on Iran's ability to facilitate and support its illicit network of nuclear suppliers and has made it more difficult for the government of Iran to conduct business as usual until Iran changes its course. I will continue to support additional unilateral and multilateral sanctions regimes that further increase the pressure on Iran's economy.

I look forward to supporting this resolution today, and I urge my colleagues to support it as well.

Mr. GRAHAM. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. GRAHAM. I thank Senator CORNYN and every person who spoke today and all the Senators who cosponsored this resolution. I thank Senator REID for making the time available. Senator MENENDEZ has been a terrific partner, the strongest voice one could hope for in having a partner on the Democratic side to stand at a time when it matters.

In conclusion, on March 4, 2012, the President, President Obama, said "when the chips are down, I have Israel's back."

Mr. President, you were right then. Today the Senate will speak with one voice echoing what you said.

There is a lot of wonderment about what is going to happen with the Iranian nuclear program. I hope and pray they stop their nuclear ambitions because they don't want a nuclear reactor, they want a nuclear weapon. If they ever get one we will never be safe, Israel will be under the gun for the rest of its existence, and they will share the technology with the terrorists. Every Sunni Arab state will want a nuclear weapon to counter the Shia Persians and all hell will break out beyond what it is today in the Mid-East.

How do we prevent that? Sanctions, diplomacy, but the one thing we cannot have in doubt is what we would do if Israel had to act in her self-defense to stop the nuclear ambitions of an Iranian regime that has promised to wipe the State of Israel off the map.

After today, in about 10 or 15 minutes, I believe every Member of the Senate will be telling the Iranians we are not going to allow them to get a nuclear weapon because if we do, they will throw the world in chaos. It will threaten our very existence, as well as the State of Israel, but most important we are going to tell everybody in the Mid-East, throughout the world, in Tehran, Jerusalem and Tel Aviv that if there is a conflict where Israel is justified in defending herself against a nuclear-capable Iran, we will be there for them. We will have their back. Where I come from, when we tell somebody, "I have your back," that means if they get into a fight for their very life, they can count on us to be there.

In this case, Israel can count on the American people, the Senate, and our Commander in Chief to be there. If that day ever comes, and I pray it does not, but if that day ever comes where Israel has to take military action, to our friends in Israel: We will be there with you every step of the way, diplomatically, economically, and, yes, militarily.

To the Iranian people: We would love to have a better relationship with you. To the Iranian regime: You are one of the biggest evils on the planet. We will stand up to you. We will stand by our friends. And your desire to throw the world in chaos is never going to happen because we will be there when necessary to stop your ambitions.

To every colleague who has taken time out to sponsor this resolution, taken time out to speak on the floor: Thank you. There is not much we agree on 100 percent, but I think today will be a major milestone in our efforts to secure Israel and the United States. I think today we will have 100 percent support by the Senate and stand by our friends in Israel and stand up to the thugs in Iran.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I thank my colleague from South Carolina for bringing this forward. We have implemented now another set of sanctions. There is still some question as to whether sanctions will succeed and bring about the result we want, but I particularly commend my colleague for his statement just a few moments ago relative to the commitment of the United States toward the security, safety and preservation of Israel in light of this threat that exists in Iran.

For years and years the clock has been ticking as the Iranians pursue nuclear weapons capability. We know that for a fact. We need to exert every possible measure that we can to give them reason not to go forward and do this. That involves everything from diplomacy to pressure through multinational organizations, through sanctions and ever-tightening, ever-ratcheting sanctions against them, but also the commitment to use whatever force may be necessary. I, along with my colleague, pray this does not happen. But Iran absolutely has to know that the United States will be standing shoulder to shoulder with the nation of Israel. If they level their gun sights at Israel, they are going to see us in the scope, standing shoulder to shoulder. We are committed to that. We are committed to doing everything we possibly can to prohibit and prevent Iran from achieving this nuclear capability. We will take whatever steps are necessary if they use it—if they gain that and use it for inappropriate purposes or any purposes other than production of medical devices and products as well as providing nuclear power.

I trust also that we have a 100-percent vote on this so we send a very strong signal to the Iranians that we will not tolerate them going forward with this plan.

I thank the Senator for yielding time.

Mr. REID. Mr. President, notwithstanding the previous order with respect to S. Res. 65, I ask consent that the committee-reported amendment be agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GRAHAM. I do not see any other speakers. I yield the remainder of the time.

The PRESIDING OFFICER. All time is yielded back. The question is on adoption of S. Res. 65, as amended.

Mr. GRAHAM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 99, nays 0, not voting 1, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—99

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

NOT VOTING—1

Lautenberg

The resolution (S. Res. 65), as amended, was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motions to reconsider are considered made and laid upon the table.

The resolution (S. Res. 65), as amended, with its preamble, reads as follows:

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, ''The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.'';

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, ''This bogus and fake Zionist outgrowth will disappear off the landscape of geography.'';

Whereas, in August 2012, President Ahmadinejad said that ''in the new Middle East . . . there will be no trace of the American presence and the Zionists'';

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the ''most active state sponsor of terrorism'' in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented ''serious concerns regarding possible military dimensions to Iran's nuclear programme,'' and affirmed that information available to the IAEA indicates that ''Iran has carried out activities relevant to the development of a nuclear explosive device'' and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, ''The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.'';

Whereas, on March 4, 2012, President Obama stated, ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.'';

Whereas, on October 22, 2012, President Obama said of Iran, ''The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.'';

Whereas, on May 19, 2011, President Obama stated, ''Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.'';

Whereas, on September 21, 2011, President Obama stated, ''America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.'';

Whereas, on March 4, 2012, President Obama stated, ''And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.'';

Whereas, on October 22, 2012, President Obama stated, ''Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.'';

Whereas, in December 2012, 74 United States Senators wrote to President Obama ''As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.''; and

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

AGRICULTURE REFORM, FOOD AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954.

AMENDMENT NO. 925

Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote in relation to the Shaheen amendment No. 925. Debate will commence on the Shaheen amendment No. 925.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, my understanding is Senator SHAHEEN is going to take the first 30 seconds of 1 minute on behalf of speaking in favor. I don't see her on the floor. I will take the second half.

I believe I see her now, so at this time, if she is ready, I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Pennsylvania.

This amendment would address the only program within the farm bill that hasn't been reformed: the Sugar Program. What we have now is a sweet deal for sugar growers and a bad deal for consumers.

Right now, according to the Department of Commerce, we are losing three jobs in manufacturing for every one job we save in the sugar grower industry. That is not a good deal for job creation in this country. We need to change it.

I yield to my colleague from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank the Senator from New Hampshire. She is absolutely right. It makes no sense to have a program that forces American consumers to pay at least 30 percent more than the going rate for sugar to force taxpayers to subsidize these producers. Also, we can lose jobs because, as the Senator pointed out, our own Commerce Department has found that for every job it saves, three manufacturing jobs are lost. This is a modest amendment that takes us back to the 2008 levels.

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

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, on our side, let me tell my colleagues if they want to preserve jobs, vote against the Shaheen-Toomey amendment. The U.S. policy on sugar defends more than 142,000 jobs in 22 States and nearly $20 billion in annual economic activity. Their amendment is bad policy. The taxpayers do not pay a penny on the Sugar Program. Domestic production is supported by import restrictions which have been used wisely over time, so this amendment would effectively kill America's no-cost Sugar Program.

Senator COCHRAN will take the last 30 seconds.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this amendment is being portrayed as a reform of sugar policy, but it is far more harmful than that. These proposed changes would undermine the policy of our domestic industry by transferring American sugar-producing jobs to other countries. Those producers are less efficient and heavily subsidized.

U.S. sugar policy has operated at zero cost to taxpayers for the past decade and has provided American consumers dependable supplies of safe high-quality sugar at low prices.

I urge Senators to oppose the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

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.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—45

Alexander	Cowan	McConnell
Ayotte	Cruz	Menendez
Baldwin	Durbin	Murphy
Blumenthal	Feinstein	Paul
Blunt	Flake	Portman
Boozman	Grassley	Reed
Brown	Heller	Roberts
Carper	Inhofe	Rockefeller
Casey	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	Kirk	Shaheen
Collins	Lee	Toomey
Coons	Manchin	Warner
Corker	McCain	Warren
Cornyn	McCaskill	Whitehouse

NAYS—54

Barrasso	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reid
Boxer	Hirono	Risch
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Chambliss	Johnson (SD)	Schumer
Cochran	King	Shelby
Crapo	Klobuchar	Stabenow
Donnelly	Landrieu	Tester
Enzi	Leahy	Thune
Fischer	Levin	Udall (CO)
Franken	Merkley	Udall (NM)
Gillibrand	Mikulski	Vitter
Graham	Moran	Wicker
Hagan	Murkowski	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 925) was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, if it pleases the Chair, I would like to say a few remarks about sugar, but I am not sure about the chairwoman's plans.

I thank the chairwoman of the committee and the ranking member. I know they are deciding what other amendments we are going to take up later this evening and how the votes will proceed. But let me again just thank my colleague from Michigan for her great lead and leadership on the farm bill.

This sugar amendment was very important to the people of Louisiana whom I represent, and I want to just thank my colleagues for their vote to keep a program in place that has worked at no cost to the taxpayer—no direct cash. It is monitored or organized or designed through an import restriction program that allows for the robust production of sugarcane and sugar beets in our Nation.

I thank Senator SHAHEEN for the wonderful way she handled the debate. We have different views about this, but we are colleagues and we work together very well. There are two sides to this issue. I think the evidence on our side is stronger. She would probably disagree. But I thank our colleagues for supporting the sugar caucus.

In Louisiana, sugarcane is being produced on over 427,000 acres in 22 parishes. Production is about 14 million tons, which is about 20 percent of the total sugar grown in the United States.

Last year, in 2012, Louisiana sugar mills produced 1.6 million tons of raw sugar, the largest amount we have ever produced in our State. This production represents a huge part of our State's economy. The loss of market for this product would be devastating. Let me say that the State of Hawaii, the State of Florida, states such as Minnesota and North Dakota and South Dakota that have strong sugar beet crops, it is very important for them as well.

Are the consumers hurt by this? Absolutely not. The U.S. sugar price is 14 percent below the world average, and 24 percent below the average for developed nations. So our policy is a good balance of encouraging domestic production and keeping prices stable and affordable for the consumer.

Let me say for candy production—and I have a small amount of candy produced in Louisiana. I am very proud of these companies. American food manufacturers say they are shedding jobs, but in my view this has nothing to do with U.S. sugar policy. In fact, U.S. sweetened product manufacturers are prospering and expanding. Candy production is rising, not falling, up by 9 percent since 2004. In addition, sugar represents just a tiny portion of the price these food retailers charge for their products—1 percent of the cost of a cupcake, 2 percent of the cost of a candy bar, 3 percent of the cost of a carton of ice cream, and 5 percent of a bag of hard candy. So I think our arguments won the day. I appreciate our colleagues supporting the sugar caucus. We thank you for keeping this bill intact with the balance it needs to move forward so we can have a robust farm agriculture reauthorization bill for this United States.

I yield the floor.

Mr. RUBIO. Mr. President, as we heard last summer and again throughout this week's debate, government subsidies are at the heart of both our agricultural and nutritional policies here in the United States. Subsidizing food costs in the form of payments for groceries is the core of our supplemental nutrition assistance program. Insurance premiums paid by our corn

and soybean growers are directly subsidized in the farm bill on the floor today. And adverse market payments, what we once called direct payments, are available to crops such as peanuts and rice if the price for those commodities fall below a certain threshold. These government subsidies are used all across our country—from Iowa to North and South Carolina; and from Missouri down through Kansas, Arkansas, and Texas.

Now we have heard from several members from these and other States the many opinions about the validity or usefulness of these subsidies. And I certainly have my own opinion about how the agricultural policy in the United States should be reformed and shaped. However, today, I stand to discuss a unique program—our country's Sugar Program. For those of you who are not familiar with the program, it consists of three components—a domestic allocation component, a tariff quota component, and a loan component. Now, aside from the loan component, uniquely, the Sugar Program in the United States does not require a direct government subsidy. In fact, from 2002 to 2011, the Sugar Program in the United States cost the government zero dollars, a glaringly low amount compared to the various other commodity programs that I previously listed.

There is a reason for this difference. Our Sugar Program is not an agricultural program—it is a trade program. We do not set the price of sugar in the United States artificially high by sending taxpayer money directly to that industry as we do with corn, soybeans, peanuts, or all the other various agricultural commodities here in the United States. We set the price of sugar in the United States by limiting the amount of sugar that we import from foreign countries.

This distinction cannot be ignored. This distinction creates a fundamentally different set of policy decisions for my colleagues here in the Senate as we continue this important debate on our Sugar Program.

Furthermore, this distinction requires acknowledgement in the sense that it changes our discussion about the Sugar Program here in the United States from how it impacts our domestic industries to how it interacts with same industries and policies in the international community. We cannot support any policy that ignores international realities at the detriment of our own domestic industries.

In implementation, and by necessity, this reality means two things: One, in debating the sugar policy here in the United States, because it is inherently a trade policy, we must do so with international realities in mind, and No. 2—when viewed through this lens, does any amendment that would reform this program without consideration of these international realities make the best sense and, more importantly, set a positive precedent?

I would argue it does not and would offer my colleagues, in the context of trade, the following facts: The Brazil Government, through the form of direct payments, forgiven loans and pension payments, and fuel mandates, subsidized the sugar industry in their country to a tune of $2.5 billion last year alone. Brazil controls 50 percent of all the world's sugar exports. To put that into context, Saudi Arabia controls only about 19 percent of the world's oil exports. Countries such as China, Thailand, and India, countries that the United States does not have free-trade agreements with, all subsidize their sugar industries in some form. And even in Mexico, the government owns and operates 20 percent of the country's sugar industry.

These countries, regardless of whether we repeal our sugar program here in the United States, will continue to generously subsidize sugar production for their own countries. In this context, I would ask my colleagues to seriously question the appropriateness, the benefits, and more importantly the risks to American jobs, if reforms to our Sugar Program were to pass without any link to the overall international dialogue. The 142,000 jobs and the $20 billion annually that our domestic industry provides to our economy would be at risk while at no point in our discussion have we accounted for the protectionist policies that exist for the sugar industry in other countries all around the world.

To be clear, I am not arguing that, as a country, we need to be trade protectionists. To the contrary, I think our country will excel in the 21st century only if we eliminate barriers to trade and increase the flow of goods all around the world. But what I am saying is that if we are going to eliminate a trade program, let us do it in the context of a trade debate. Otherwise, we will lose jobs, industries, and overall leverage to other countries without even bringing them to the table to negotiate. I would argue it would be more appropriate to address reform of our Sugar Program in the context of international trade.

Very simply, we should repeal our entire Sugar Program if the largest sugar-producing countries in the world eliminated their own trade protectionist policies as well. We must ensure that we do not negotiate against ourselves in this international context by eliminating a program important to an industry in our country that is unfortunately forced to deal with these international realities. And I encourage my colleagues to consider the precedent they would set for their own industries in their own States when they consider the various amendments offered in this debate introduced to reform our Sugar Program. We must put this debate in the proper context while at the same time acknowledging the benefits of free trade to the United States and to citizens in countries all across the world.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I am here to talk about the importance of a bipartisan, commonsense, 5-year farm bill to Indiana's agriculture and rural communities as well as our entire country.

This bill, passed with bipartisan support in the Agriculture Committee, protects the estimated 16 million agriculture-related jobs across the country. Last year, Indiana and many other States were plagued by severe drought, leading to a loss of crops and livestock, hurting our food supply and the livelihoods of farmers and their communities. Farmers in Indiana and around the Nation need the certainty of a 5-year farm bill that reflects and addresses the inherent risk of feeding and fueling our world. The Agriculture Reform, Food, and Jobs Act of 2013 strikes the right balance, ending direct payments and improving risk management tools to give farmers what they need to manage natural disasters or severe market downturns that are completely outside of their control.

In this budget environment, where we are looking for ways to cut spending and make government more efficient, it is important to note this bill would reduce the deficit by $23 billion. We made the tough decisions necessary to cut spending, increase accountability, and eliminate duplicative or unnecessary programs to continue our efforts to get our fiscal house in order.

In my home State of Indiana, this bill is critical. Nearly 190,000 Hoosiers work in agriculture. Eighty-three percent of the State's land is devoted to farms or forests. Agriculture contributed nearly $38 billion to Indiana's economy in 2011. Clearly, the certainty of a 5-year farm bill is important not only for the producers in our State but to the entire State's economy and overall well-being.

While no bill is perfect, there are a few areas of this bill I worked to improve based on feedback from Hoosiers. During the Agriculture Committee debate, I introduced an amendment with Senator ROBERTS that would give the next generation of bio-energy crops access to base levels of risk management so a reasonable safety net will be in place for energy crops. This bipartisan amendment, passed as part of the overall bill, would amend the Noninsured Crop Disaster Assistance Program to offer coverage for crops producing feedstock for energy purposes.

Further, the amendment would direct USDA to research and develop risk management tools for promising new sorghum crops. I support the many Indiana farmers who have and continue to contribute to our domestic energy security. Also, during the committee discussion, I helped introduce an amendment that would put the USDA, not the OMB, in charge of conservation program technical assistance funding levels. This gives USDA the authority to make sure that technical assistance

reflects the needs of producers in the field and the stakeholder community, while allowing conservation practices to be adopted on a broader scale. We need robust technical assistance to give producers the assurances they need to know they are implementing practices correctly. These decisions should be made more reflective of needs on the ground.

Further, I have continued my efforts from the 2008 farm bill to ensure that there are not restrictions on Hoosier farmers who want to grow fruits and vegetables. After a successful Farm Flex pilot program, I worked to expand full planting flexibility for farmers in Indiana and across the country wanting to grow what they want to grow on their own farms.

Finally, I am proud to cosponsor an amendment with Senator GRASSLEY. We should pass this amendment. It protects livestock and poultry farmers from having their personal information released by the EPA. It is outrageous that earlier this year the EPA released the personal contact information of over 80,000 livestock and poultry owners from across the Nation, including many from Indiana. This blatant violation of privacy must not happen again. I hope my colleagues will support the Grassley-Donnelly amendment when it comes up for a vote.

Put simply, this farm bill makes sense. It is an example of Republicans and Democrats working together to do good things for the American economy and America's people. I look forward to working with our colleagues in the House on a farm bill that we can get signed into law. No one is going to get 100 percent of what they want, but it is 100 percent necessary to get this farm bill done. I urge prompt passage of this bill by the Senate and for our colleagues in the House to do the same.

Farmers in Indiana and across our great Nation deserve more than partisan political gridlock that prevented a 5-year bill last year. This year we need to get it done.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN. 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. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

STARTUP ACT

Mr. MORAN. Thank you very much.

I want to tell a story. It goes back to the summer of 2011. Back at that point in time, we had 30 straight months of unemployment above 8 percent. I decided it was important to work on legislation to jumpstart the economy and to work in every way possible with my colleagues to put Americans back to work.

With a foundation of compelling data showing that nearly all of the new net jobs created since 1980 had been created by companies less than 5 years old, Senator WARNER and I introduced the Startup Act in December of 2011. The Startup Act was a jobs bill written to help entrepreneurs who have been responsible for most of the job creation in our country over the last 30 years.

The legislation made changes to the Federal regulatory process so that the cost of new regulations did not outweigh the benefits and encouraged Federal agencies to consider the impact of proposed regulations on startups, particularly.

Our bill made commonsense changes to the Tax Code to encourage investment in startups and reward patient capital. The Startup Act also sought to improve the process of commercializing federally funded research so that more good ideas out of the laboratories were put into market where these innovations could be turned into jobs by companies and spur economic growth.

Finally, the Startup Act provided new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talent and new job ideas could fuel economic growth and create American jobs.

When I began work on the Startup Act, I did not intend to write an immigration bill. My goal was simple: Find the most cost-effective way to jumpstart the economy and create American jobs. After reviewing the academic and economic data, it became clear that these strategies to create American jobs must include highly skilled and entrepreneurial immigrants. Immigrants to the United States have a long history of creating business in our country. We can all think of examples of individuals who have done so: Sergey Brin cofounded Google; Elon Must cofounded PayPal, SolarCity, SpaceX, and Tesla; Min Kao founded Garmin in my home State of Kansas. There is a long list of people from other countries who created businesses here in the United States that now employ thousands and thousands and thousands of Kansans and Americans. Of the current Fortune 500 companies, more than 40 percent were founded by first-or second-generation Americans. Immigrants are now more than twice as likely as native-born Americans to start a business. In 2011, immigrants were responsible for more than one in every four U.S. businesses founded.

Today, one in every 10 Americans employed at privately owned U.S. companies works at an immigrant-owned firm. The immigration bill drafted by eight of our colleagues and reported by the Judiciary Committee recognizes the importance of entrepreneurial immigrants. The legislation creates new visas for immigrant entrepreneurs and awards points for the merit-based visa for successful entrepreneurship. Yet this bill could be improved significantly to reflect more accurately how new businesses grow and hire workers.

Done right, an entrepreneur's visa has the potential to create hundreds of thousands of needed jobs for Americans. Now in its third version, Startup 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those individuals with a good idea, with capital and a willingness to hire Americans, would be able to stay in the United States and grow their businesses. Each immigrant entrepreneur would be required to create jobs for Americans.

In many instances our country already has made a commitment to these entrepreneurs, allowing them to study in our universities and work temporarily at American companies. Providing a way for immigrant entrepreneurs to stay in the United States and create American jobs makes economic sense.

Earlier this year the Kauffman Foundation studied the economic impact of immigrant visas in the entrepreneur's visa in Startup 3.0. Using conservative estimates, the Kauffman Foundation predicts that the entrepreneur's visa could generate 500,000 to 1.6 million jobs over the next 10 years. These are real jobs with real economic impact that could affect real American families and boost our GDP by 1.5 percent or more, a 1.5-percent increase in our gross domestic product by this provision of the legislation alone.

Anticipating floor consideration of the immigration bill, I have been speaking with entrepreneurs, investors, and startup policy experts to develop an amendment that would improve the legislation. In my view, we have an opportunity to create jobs for Americans by making certain highly skilled and entrepreneurial immigrants are able to start a new business and contribute to the growth of American companies. If we miss this opportunity, we risk losing the next generation of great entrepreneurs and the jobs they will create. I will offer an amendment to the immigration bill to accomplish these goals and hope my colleagues will join me in supporting the changes to the legislation that would result in the creation of jobs for Americans.

While it is important to provide a straightforward and workable way for entrepreneurial immigrants to stay in the United States so they can employ Americans, we also need to make sure the immigration bill addresses the needs of growing American businesses.

The current problem is twofold. American schools are not producing enough students with the skills our economy demands. While American universities do a great job of attracting foreign students to study advanced subjects, few pathways exist for these talented graduates to remain in the United States and contribute to American prosperity.

One reason for this problem is our Nation's high schools have fallen behind in STEM education—science, technology, engineering, and mathematics. Forty percent of high school seniors test at or below basic levels in math. Fifty percent of our high school seniors test at or below basic levels in science. By 12th grade only 16 percent of students are both math proficient and interested in a STEM career, and fewer than 15 percent of high school graduates have enough math and science to pursue scientific or technical degrees in college. It is no wonder that by the time American students go to college few are choosing to major in a STEM area subject. According to the National Science Foundation, college students majoring in non-STEM fields outnumber their math and science-minded counterparts 5 to 1.

Moreover, the growth rate of new STEM majors remains among the slowest in any category. Unfortunately, research shows that this gap continues to widen at a time when the number of job openings requiring STEM degrees is increasing at three times the rate of the rest of the job market. The number of students pursuing math, science, and engineering is declining. The demand for the jobs is increasing. Should this trend continue, American businesses are projected to need an estimated 800,000 workers with advanced STEM degrees by 2018, about 4 years away, but will only find 550,000 American graduates with those degrees they need.

How do we solve this problem and prepare America for the future? First and foremost, we need to do more to prepare Americans for careers in STEM fields. This will take time, but our efforts to improve STEM will yield positive results across the economy, even for those without STEM skills.

Second, as we work to equip Americans with the skills for the 21st century economy, we also need to create a pathway for highly educated foreign students to stay in America where their ideas and talents can fuel economic growth.

Startup 3.0, the legislation Senator WARNER and I have introduced, addresses this immediate need by creating STEM visas. Foreign students who graduate from an American university with a master's or a Ph.D. in science, technology, engineering, or mathematics would be granted conditional status contingent upon them filling a needed gap in the U.S. workforce. By working for 5 consecutive years in a STEM field, the immigrant would be granted a green card with the option of becoming an American citizen.

The immigration bill we will soon consider attempts to address the immediate needs for more qualified STEM workers and the longer term need for Americans to develop the skills needed to fill those jobs. I am hopeful these aspects of this bill will be strengthened in order to provide growing American businesses with the skilled employees they need now and in the future. If growing American companies are unable to hire qualified workers they need, these businesses will open locations overseas.

I was in Silicon Valley last year, and executives at Facebook told me they were ready to hire close to 80 foreign-born but United States-educated individuals, when their visas were denied. Rather than forgo hiring these skilled workers, the company hired them anyway, but they placed them in a location in Dublin, Ireland, instead of the United States. Facebook was ultimately able to get the visas for these workers after training them in Ireland.

All too often companies end up housing these jobs permanently overseas. When this happens, it is not only those specific jobs we lose but also the many supporting jobs and economic activity associated with them. Even more damaging, more damning to me than the loss of those highly skilled workers who are now working in some other country, the end result is that someone among that group will start another company such as Google, be an entrepreneur, and start another company that creates jobs, but not in the United States—in Canada or in Dublin, Ireland. The United States loses both employment today and an opportunity for American jobs to be created in the future because our immigration policies failed to help our country retain highly educated and skilled individuals.

To me, this story and many others like it illustrate the importance of getting the policy right. Creating workable ways to retain highly skilled, American-educated workers and entrepreneurs is about creating jobs for Americans and growing our Nation's economy.

The United States is in a global battle for talent. If we fail to improve our immigration system, one that currently tells these entrepreneurs and highly skilled individuals we don't want you, they will take their intellect and skills to another country and create jobs and opportunities there.

Some of my colleagues may think I am exaggerating what is at stake, but this week Canada's Immigration Minister was in Silicon Valley recruiting entrepreneurs and promoting Canada's new startup visas. They have billboards in California encouraging those STEM-educated individuals to move to Canada where they have an immigration policy beneficial to them and their jobs. This Minister's message was simple: The United States immigration system is broken, so bring your startups to Canada, where we will get you permanent residency and the opportunity to build your business. Canada put up billboards along Highway 101 between Silicon Valley and San Francisco enticing entrepreneurs to ''pivot to Canada.''

In fact, six other countries besides Canada in the short time I have been a Member of the Senate have changed their laws and policies to encourage these individuals to find jobs and create businesses in their countries. We have done nothing. For the sake of our country and the millions of Americans looking for work, we cannot afford to lose talented entrepreneurs.

As the Senate begins debate of the immigration bill in the near future, I encourage my colleagues to keep in mind the other 11 million, those 11.7 million American workers who are looking for work and the many others who have become so discouraged they have given up.

The United States is the birthplace and home of the American dream. For years our country has been seen as the land of opportunity for innovators and entrepreneurs. We must do everything possible to make certain that remains true in the face of growing competition. When the immigration bill comes to the Senate floor, I will offer amendments to improve the bill and encourage my colleagues to join me in supporting commonsense changes that will allow the United States to win the global battle for talent. Doing so will make certain that immigrant entrepreneurs have a home in the United States. In their pursuit of the American dream, they will create jobs for Americans and strengthen the American economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 965

Mr. SANDERS. Mr. President I call up amendment No. 965 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and Mr. BEGICH, proposes an amendment numbered 965.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

Mr. SANDERS. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient)

On page 1150, after line 15, add the following:

SEC. 12213. CONSUMERS RIGHT TO KNOW ABOUT GENETICALLY ENGINEERED FOOD ACT.

(a) SHORT TITLE.—This section may be cited as the ''Consumers Right to Know About Genetically Engineered Food Act''.

(b) FINDINGS.—Congress finds that—

(1) surveys of the American public consistently show that 90 percent or more of the people of the United States want genetically engineered to be labeled as such;

(2) a landmark public health study in Canada found that—

(A) 93 percent of pregnant women had detectable toxins from genetically engineered foods in their blood; and

(B) 80 percent of the babies of those women had detectable toxins in their umbilical cords;

(3) the tenth Amendment to the Constitution of the United States clearly reserves powers in the system of Federalism to the States or to the people; and

(4) States have the authority to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered.

(c) DEFINITIONS.—In this section:

(1) GENETIC ENGINEERING.—

(A) IN GENERAL.—The term ''genetic engineering'' means a process that alters an organism at the molecular or cellular level by means that are not possible under natural conditions or processes.

(B) INCLUSIONS.—The term ''genetic engineering'' includes—

(i) recombinant DNA and RNA techniques;

(ii) cell fusion;

(iii) microencapsulation;

(iv) macroencapsulation;

(v) gene deletion and doubling;

(vi) introduction of a foreign gene; and

(vii) changing the position of genes.

(C) EXCLUSIONS.—The term ''genetic engineering'' does not include any modification to an organism that consists exclusively of—

(i) breeding;

(ii) conjugation;

(iii) fermentation;

(iv) hybridization;

(v) in vitro fertilization; or

(vi) tissue culture.

(2) GENETICALLY ENGINEERED INGREDIENT.—The term ''genetically engineered ingredient'' means any ingredient in any food, beverage, or other edible product that—

(A) is, or is derived from, an organism that is produced through the intentional use of genetic engineering; or

(B) is, or is derived from, the progeny of intended sexual reproduction, asexual reproduction, or both of 1 or more organisms described in subparagraph (A).

(d) RIGHT TO KNOW.—Notwithstanding any other Federal law (including regulations), a State may require that any food, beverage, or other edible product offered for sale in that State have a label on the container or package of the food, beverage, or other edible product, indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

(e) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs and the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Secretary of Agriculture, shall submit a report to Congress detailing the percentage of food and beverages sold in the United States that contain genetically engineered ingredients.

Mr. SANDERS. Mr. President, I will be very brief, as I spoke on this issue before. Here is the story, using my own State of Vermont as an example, but it exists all over the country. This year the Vermont House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California this issue was on the ballot. Monsanto and the other biotech companies spent something like $47 million against the right of people of California to have labeling on GMO products, and they won. The people who support labeling got 47 percent of the vote despite a huge amount of money being spent against them.

In the State of Washington, over 300,000 people have signed petitions in support of an initiative there to label genetically engineered food in that State.

A poll done earlier this year indicated that some 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

This is a pretty simple issue, and the issue is do the American people have a right to know what they are eating, what is in the food they are ingesting and what their kids are eating.

The problem is that a number of States, including Vermont, have gone forward on this issue. They have been met with large biotech companies like Monsanto who say if you go forward, we are going to sue you. And it will be a very costly lawsuit, because we do not believe you have the right as a State to go forward in this direction because you are preempting a Federal prerogative.

I happen not to believe that is correct. What this amendment does is very simple. It basically says States that choose to go forward on this issue do have the right. It is not condemning GMOs or anything else. It is simply saying that States have the right to go forward.

There have been some arguments against this amendment, and let me briefly touch on them. Genetically engineered food labels will not increase costs to shoppers, as we all know. Companies change their labels every day. They market their products differently. Adding a label does not change this. Everybody looks at labels. They change all the time. This would simply be an addition, new information on that label. In fact, many products already voluntarily label their food as GMO-free.

Further, genetically engineered crops are not better for the environment. Some will say, well, this is good for the environment. The use of Monsanto Roundup-ready soybeans engineered to withstand exposure to the herbicide Roundup has caused the spread of Roundup-resistant weeds which now infest 22 States, 10 million acres in 22 States, with predictions for 40 million acres or more by mid-decade. Resistant weeds increase the use of herbicides and the use of older and more toxic herbicides.

Further, there are no international agreements that permit the mandatory identification of foods produced through genetic engineering.

As I mentioned earlier, throughout Europe and in dozens of other countries around the world, this exists. It is not a very radical concept. It exists throughout the European Union and I believe, very simply, that States in this country should be able to go forward in labeling genetically modified foods if they want, and this amendment simply makes it clear they have the right to do that.

I look forward to the support of my colleagues with that amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me say, for purposes of the Members, now that we have completed our official voting for today, I want to thank everyone for all of their hard work and the staff for all of their hard work. It is a continuing pleasure to work with my ranking member Senator COCHRAN. We are in the process of securing a time for a vote, hopefully in the morning, and then we have a number of votes tomorrow.

We are on a path to getting this done. With the cooperation of the Members, we are hopeful we will have a number of votes tomorrow and be able to complete this very important bill.

I would just remind colleagues that 16 million people work in this country because of agriculture. It is probably the biggest jobs bill that will come before this body, and we are very grateful for everyone's patience and willingness to work with us to bring this bill to completion.

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. MURPHY. 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. MURPHY. Mr. President, I would like to thank the chairwoman of the Committee on Agriculture, Nutrition, and Forestry for her great work in bringing a bill to the floor today that does a lot of justice for families in Connecticut and across the country who are fighting every single day to put food on the table for their loved ones.

The fact is, although people have an impression that our State is a wealthy one, we have a handful of the poorest cities in the country, and we have tens of thousands of people who have been ravaged by this economy. These nutrition programs funded in the underlying bill are an absolute lifeline for families who have been, largely temporarily, hit straight across the brow by this devastating recession.

In Connecticut, though, for some people who don't know our State, it is hard to imagine that 11 percent of the population is today receiving SNAP benefits. One out of every ten people—one out of every ten families in Connecticut—right now relies on food stamps to either pay for their food in whole or in part. That is over 400,000 people in Connecticut.

These are people such as the 87-year-old retiree from Southbury, CT, who lives in a small, very reasonable condo. She lives on about $1,100 a month. She has gone through a $100,000 home equity line of credit, but her condo fees and her electric bill—because she lives in a little condo that is heated by electricity alone—basically eat up the entirety of her budget. She couldn't eat without foods stamps. She couldn't eat without these benefits. They keep her alive, as they do for millions of seniors all across this country.

On the other end of the age spectrum is another Southbury resident. Southbury, frankly—Connecticut, in general—doesn't have a reputation as being a town in need, but they have hundreds of SNAP recipients, just as in every town across Connecticut. Mrs. Smith is an unemployed mother. She made a six-figure salary for decades. When her husband became disabled, she was the sole breadwinner for her family. The recession hit her, just as it has hit hundreds of thousands of others across the country, and she lost her job. It is now the $300 she gets per month in SNAP benefits that allows her to feed her kids.

She is out there doing everything we ask. She is looking for a job. She is trying to get back to work, but she has lost her unemployment benefits. They have been exhausted, and now she needs this money in order to live.

The fact is 61 percent of all SNAP participants are families with children, and 33 percent of all SNAP recipients are families with elderly or disabled members in their families. These are the most vulnerable in our country, and they need a strong SNAP program in this bill.

I am one of a handful of Senators who cast a vote yesterday to add some money back, but the fact is the real comparison is not the difference between the underlying bill and that amendment. The real comparison is between the bill we are debating now and the budget pending before the House of Representatives today.

The House Republican budget would absolutely devastate, eviscerate, obliterate the Food Stamp Program—basically rescinding this Nation's longstanding commitment to making sure kids have enough to eat when their families are out of work or have hit hard times.

One of the reasons Republicans in the House in particular have come so hard, so consistently against foods stamps is because they categorize it as an overly generous handout to people who don't need it. Well, this week I am testing that theory. This week, because we are debating this bill on the floor of the Senate, I decided to see what it would be like to live on the average food stamp benefit for people in my State of Connecticut.

That average benefit in Connecticut is about $4.80 a day. I am finding out—now 3 days into this—even on this budget for just a week, it is pretty hard to eat enough to just not be hungry, never mind eating healthy foods. I went to the grocery store to buy some fruit and vegetables for the week and could barely find anything that fit within that budget. I was able to buy some bananas for 69 cents a pound. I wanted to get some peanut butter, but the only kind of peanut butter I could get was the kind loaded with preservatives because the stuff that is better for you costs a lot more.

Over and over again, people who are right now on food stamps are going hungry, never mind the kind of hunger they would be confronted with if we further cut this program. They have to make choices every day when feeding their kids: Do I give them enough calories so they will go without hunger pains for the day or do I try to get them a smaller amount of food that is maybe a bit better for them? That is what these families have to think about every single day.

I am not suggesting doing this budget for a week allows me to walk more than a few steps in their shoes, but it is an education on how little one gets out of this benefit today, and it is a caution for this body to stand up to the House of Representatives, if the farm bill gets to conference, to make sure these cuts don't get any worse.

The stories of the senior citizen and the unemployed mother in Southbury, CT, are two of millions of stories all across this country. These are people who have paid their dues, who are playing by the rules, but who just need a little help from us in a bad economy. By no means is this program an overly luxurious handout.

Let me tell you, from a very brief anecdotal experience, it is pretty hard to go without hunger on $4.80 a day, never mind trying to provide a healthy meal for your kids.

I just wanted to come to the floor this evening and applaud the efforts of our colleagues who are trying to push through a bill that will get to conference so we can be in a strong position to defend the nutrition titles of this bill which are keeping people—kids, the disabled, and the elderly—alive today.

There are those of us who would have liked to have seen even more support in this bill for nutrition programs. We failed in that attempt earlier this week, but we are united in the fact that a farm bill that comes out of the House and the Senate and goes to the President's desk has to keep the promise we have made to generations of kids across this country—we are going to make sure you have enough to eat.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I ask unanimous consent that on Thursday, May 23, following the cloture vote on the Srinivasan nomination, and notwithstanding cloture having been invoked, if invoked, the Senate resume legislative session and consideration of S. 954; further, that the Senate then proceed to vote in relation to the pending Sanders amendment No. 965; that there be no second-degree amendments to the Sanders amendment prior to the vote; that the amendment be subject to a 60-affirmative vote threshold; finally, that the time consumed during consideration of S. 954 count postcloture.

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

Mr. GRASSLEY. Mr. President, I want to discuss my amendment regarding the Environmental Protection Agency's release of farmers' information. By now, many of my colleagues have heard about the Environmental Protection Agency's release of individual personal information to environmental activists.

This should not have happened. The EPA released information on over 80,000 farmers nationwide, and over 9,000 Iowans. I can't even characterize some of these Iowans as livestock producers; many of them are simply hobby farmers. There is a person on the list who has 12 horses; another gentleman on the list has one pig.

It is downright absurd that EPA would collect this kind of information and then hand it over to environmental activists. Given what we have seen recently with the egregious actions by the Internal Revenue Service, we should all be outraged by the continuing pattern of overreach by this administration.

This whole situation just doesn't pass the commonsense test. We have seen acts of eco-terrorism in the past against farmers. Farmers shouldn't have to fear their personal information being released to groups who may want to use the information to harass or terrorize family farmers. This amendment would restrict EPA's ability to release such data.

Since EPA can't put an end to this reckless behavior, then Congress needs to step in and fix the problem for EPA. I urge my colleagues to support this amendment.

Mr. SESSIONS. Mr. President, today I wish to discuss amendment No. 945, which was accepted by the Senate yesterday via unanimous consent. This is an important amendment, and I would like to thank the chairman of the Senate Agriculture Committee, Senator STABENOW, and the ranking member, Senator COCHRAN, for their willingness to work with me to see that this amendment was accepted.

My amendment will help farmers in Alabama and many other States benefit from Federal agricultural irrigation programs. Expanding irrigation can help protect against drought and can dramatically increase agricultural production, which is why I supported

the creation of the Agricultural Water Enhancement Program, AWEP, several years ago.

AWEP, which receives approximately $60 million annually, is a ''voluntary conservation initiative that provides financial and technical assistance to agricultural producers to implement agricultural water enhancement activities on agricultural land to conserve surface and ground water and improve water quality,'' according to the USDA. AWEP assists farmers with the use of upland water storage ponds, irrigation system improvements, water quality improvement, and other similar efforts. It is a good program. According to ALFA—the association representing Alabama's farmers:

Since 2009, the AWEP Initiative has made available over $3.5 million to benefit the local economy. In Alabama, 102 farmers have improved efficiency in their irrigation operations which resulted in savings of about 875 million gallons of water per year.

However, USDA currently limits access to AWEP to farms that have been irrigated previously a requirement that prevents most Alabama farmers from being eligible for this useful program. Farmers are often required to show past irrigation records, irrigation water management plan documentation, or a map showing farm acres with irrigation history. This prior history requirement prevents some worthwhile agricultural water enhancement projects from being eligible for AWEP assistance, particularly in States where irrigation has not been significantly used. According to data in the 2007 USDA Agriculture Census, many farm acres throughout the country do not have a history of agricultural irrigation. This is especially true in my State. According to ALFA, ''only about 5% of Alabama's farms have irrigated cropland,'' and this prior history requirement ''has prevented the program from being more widely utilized'' in Alabama.

My amendment No. 945, which was accepted, as modified, by unanimous agreement in the Senate yesterday, eliminates this unwarranted restriction and will help ensure that more farmers are eligible for USDA irrigation assistance programs. I thank the chairman and ranking member for their work in modifying my amendment to ensure that this clarification of law only applies ''in states where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary.'' As a State with relatively little agricultural irrigation in present use, Alabama and other similarly-situated States are clearly covered by the relief provided by my amendment.

MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO ADAM SCOTT

Mr. REID. Mr. President, I rise to honor Adam Scott, a former member of the University of Nevada, Las Vegas golf team, and the first Australian to win the Masters Tournament.

Through his determination and will to win, Adam was able to come back from a heartbreaking loss at the 2012 Open Championship to win the 2013 Masters in truly stunning fashion. In a tie for the lead heading into the 72nd hole, Adam birdied with a 20-foot putt. At that point, I thought Adam had clinched the title, but another great golfer, Angel Cabrera, was able to force a playoff with his own birdie. It was not until the second hole of that playoff that Adam, through yet another birdie, was able to call himself the Master's champion. This was his ninth PGA Tour win, but first major championship.

Adam hails from Adelaide, Australia, later moving to Queensland at the age of 9. In 1998, Adam came to my home State of Nevada to study and play golf at UNLV. While at UNLV, Adam was an All-American, finishing 11th at the 1999 NCAA Golf Championships. His victory at the Masters was the first major championship to be won by a former UNLV men's golfer.

UNLV's golf program has produced a lot of great players over the years, but until now, none had ever won a major championship. There have been several second-place and third-place showings, but never a champion. As a Nevadan, it is amazing to see a former UNLV player wearing the famous Augusta National Gold Club's green jacket.

On behalf of the Senate, I congratulate Adam Scott on his victory at the Masters Tournament and look forward to continuing to follow a career that has already made Australia and the University of Nevada, Las Vegas very proud.

MEMORIAL DAY

Mr. COCHRAN. Mr. President, today I pay tribute to the men and women of our Armed Forces who have given their lives in defense of the United States. Memorial Day has, since its inception in the years immediately after the end of the Civil War, been a special time for us to remember and honor all Americans who have died in military service. Nearly 150 years after the first ''Decoration Day'' was observed, it remains important that we as citizens of this great Nation take time to reflect on the brave servicemen and women who made the ultimate sacrifice on our behalf.

As I have noted, Memorial Day grew out of a practice started in April 1866 in Columbus, MS, with the decoration of the graves of Confederate and Union soldiers alike. The tradition of honoring both those who fell on both sides of that conflict evolved into our modern observance of this sacred day.

Today, tens of thousands of American men and women continue to put their lives on the line to preserve and perpetuate the freedoms and liberties established with the birth of our Nation. The freedoms we enjoy in this country have often been paid for with the lives of these servicemembers. Their selfless example of service, whether made at Bunker Hill, Vicksburg, Iwo Jima, Inchon or the remotest regions of Afghanistan, inspires us to sacrifice and work for the good of our Nation.

This Memorial Day, Mississippians will again honor all brave fallen warriors, including the men and women from our State who have recently died in the service of our nation in Afghanistan and around the world.

For the RECORD, I offer the names of three brave heroes with roots in Mississippi, who have fallen since the nation commemorated Memorial Day last year. They are:

SSG Ricardo Seija, 31, of Tampa, FL, who died July 9, 2012

SFC Coater B. DeBose, 55, of State Line, MS, died Aug. 19, 2012

Specialist Patricia L. Horne, 20, of Greenwood, MS, died Aug. 24, 2012

We mourn their loss and honor them for their courage, dedication and sacrifice, and resolve that their lives were not given in vain.

This Memorial Day, the people of my State and throughout our great Nation will rightly set aside their day-to-day tasks to remember and say a prayer of thanksgiving for those who have laid down their lives for their country. We will also think of their families who share most acutely in their loss. I join them in saying thank you to those who made these great sacrifices.

TRIBUTE TO RICHARD BENDER

Mr. HARKIN. Mr. President, when Richard Bender retires at the end of this month, the Senate will say farewell to one of its most respected, talented, and accomplished staff members. And I personally will be saying farewell to my longest serving legislative counselor.

They say that there are no indispensable people here in Washington. Don't believe it. For the last three and a half decades, Rich Bender has been my indispensable person—a staffer with an encyclopedic knowledge of parliamentary procedure, the legislative process, the Federal budget, as well as the rules and traditions of this body.

I am by no means the only Senator who has found Richard indispensable. In fact, he is a legend among Senators and staffers alike. Many times, the distinguished majority leader, Senator REID, has come to me with some version of this request: Tom, I am having trouble with this bill. Opponents are raising all kinds of legislative and parliamentary hurdles. Have Bender give me a call. And, by the way, Leader

REID asking you for advice on parliamentary procedure is about like Wynton Marsalis asking you for advice on how he can play the trumpet better.

In my Senate office, Richard has managed a broad portfolio, including budget and taxes, infrastructure, economic development, and a good share of appropriations. He has completed more than 37 years in public service in Congress, beginning in 1975 as a special assistant to Iowa Senator John Culver. In 1977, when I was still in the House of Representatives, he came to work in my congressional office in Ames, where he met his future wife, Laura Forman. Richard moved to my Washington office in 1980. He has been with me, now, for three and a half decades, making him the longest serving Harkin staffer on record.

Richard often says, with pride, that he is the guy in the office who handles asphalt and cement. What those two items translate into are new roads and bridges, revitalized downtowns, economic development, jobs and opportunity. Cities across Iowa, from Dubuque to downtown Des Moines and across to western Iowa, all bear abundant evidence of Richard's excellent work over the decades.

I have never encountered a staffer who can match Richard's mastery of the appropriations process—not just the know-how and know-who of appropriations, but even more importantly the tenacity and persistence required to advance specific projects over the course of many years and sometimes for more than a decade.

I don't know how many times folks in Iowa have thanked me for things that Richard played a huge role in getting done. Let me name just a few of them.

He deserves special credit for his many contributions to making downtown Des Moines the attractive, economically vibrant urban landscape it is today, including the downtown loop on the Martin Luther King, Jr., Parkway, as well as projects like Riverpoint and the Science Center, all of which have spurred development on the south side of town. He played a similar role in assisting the revitalization of Dubuque by securing funds for the brilliant development of the city's Mississippi waterfront.

Richard is fond of describing roads, rivers, and canals as the ''arteries and veins of commerce,'' and he has been devoted to securing robust investments in essential infrastructure projects all across Iowa. I would mention, for example, Federal funding for the Des Moines to Burlington four-lane highway, and Highway 61 improvement in eastern Iowa.

Twice during Richard's tenure in my office, he has played a critical role in helping Iowa to recover from catastrophic floods. Following the devastating weather and flooding in 1993, he helped to secure major Federal funding to help Iowa cities, towns, and farms to recover. Likewise, after the once-in-a-century flood of 2008, Richard dedicated himself to securing resources to help Cedar Rapids, Iowa City, and many other communities to rebuild better than ever.

Let me mention several other achievements:

Richard played a key role in defeating a 1994 appropriations amendment that would have severely damaged ethanol's expansion in the U.S. gasoline market. The vote on the motion to table was 50 to 50, with the Vice President casting the deciding ''aye'' vote.

He secured vital funding for airport expansion and upgrading in Des Moines and at other Iowa airports.

Richard played the key role in securing nearly one-half billion dollars to upgrade USDA's National Animal Disease Center at Ames.

He obtained Federal funds for the High Trestle Bridge over the Des Moines River on the recreational trail between Ankeny and Woodward.

Earlier this year, he successfully persuaded the Army Corps of Engineers to keep the lower Mississippi River open for navigation during a time of persistently low water.

Thanks to Richard's dogged efforts, we were able to secure funding for the new Federal courthouse in Cedar Rapids.

These accomplishments are Richard Bender's living legacy.

And no recounting of Richard's legacy in Iowa would be complete without mentioning his central role in devising and implementing the modern Iowa caucuses system. In 1971, Richard was working as a staffer for the Iowa Democratic Party, which was seeking a way to increase the active involvement of rank-and-file members in choosing our party's Presidential candidate. The party also needed a timely and effective way of reporting voting results. Richard's creativity, as well as his training in mathematics and statistics, made him the key player in developing the Iowa Democratic Party caucuses. Today, the caucuses are little changed from what he developed four decades ago.

Richard Bender is the quintessential selfless public servant. For him, it is never about personal gain or glory; it is about serving others. Nobody works harder. Nobody puts in longer hours. And nobody produces more consistent results than Richard.

Indeed, I also add a debt of gratitude to Richard's wonderful wife, Laura, and his beloved son, Michael. They, too, have sacrificed as Richard has spent such long hours both in the office and working at home on weekends and in the evening. Lots of people, when they retire, say that they are looking forward to spending much more time with their family. Richard really means it. I know that he has big plans for Laura and Michael, including travel, in the years ahead.

It is difficult to find words that do justice to how profoundly grateful I am to Richard for his wise counsel and loyal service on my staff over the last three and a half decades. In addition, on behalf of my colleagues here in the Senate as well as in the House, so many of whom have also benefited from his counsel, I want to thank him for his exceptional service to the Congress and the American people.

Richard, I am deeply grateful to you for a job extraordinarily well done. I join with the entire Senate family in wishing you, Laura, and Michael much happiness in the years ahead.

CONGRESSIONAL BADGES OF BRAVERY

Mrs. MCCASKILL. Mr. President, I rise today to honor six outstanding members of the U.S. Marshals Service—Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and John Perry—who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore Abegg, as well as St. Louis Police Officer Jeff Helbling.

I commend the heroic service and incredible sacrifice of all these marshals, four of whom are from my home State of Missouri: Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, and Nicholas Garrett. Deputy U.S. Marshal Jeremy Wyatt and fallen Deputy U.S. Marshal John Perry hail from Illinois. Last week, my colleague Senator DICK DURBIN of Illinois joined me at an awards ceremony in St. Louis to honor these distinguished U.S. marshals.

Before I talk about the bravery these law enforcement officials demonstrated in the line of duty, I need to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service plays several crucial roles, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since the Marshals Service's inception in 1789, over 200 federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of ''Justice, Integrity, Service.''

From my days as a prosecutor, I know how critically important the U.S.

Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Team Leader Deputy John Perry provided cover for Deputy Garrett, who used the shield to approach the second floor location of the fugitive. While ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. While other task force members engaged the fugitive, Supervisory Deputy James prompted Officer Anna Kimble to alert supporting officers of the shooting over the radio system.

With two task force members injured, Deputies Abegg and Franke entered the home, and Supervisory Deputy James authorized Deputy Abegg to launch a rescue operation to secure Deputy Perry. Using ballistic shields, Deputies Abegg and Garrett, followed closely by Deputies Franke, Wyatt, and Supervisory Deputy James, entered the residence in order to retrieve the wounded marshal. In the course of the rescue attempt, Deputy Abegg was wounded in the leg. Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover, allowing wounded Deputy U.S. Marshal Abegg to withdraw. In the end, task force team members subdued the fugitive, although, tragically, Deputy Perry's wounds later proved fatal.

The sincere dedication of these marshals to duty and their strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and John Perry for their distinguished service to the people of this country.

Mr. DURBIN. Mr. President, last week was National Police Week, and last Wednesday was National Peace Officers Memorial Day. On Monday, May 13, 2013, I joined my colleague, Senator CLAIRE MCCASKILL of Missouri, at a ceremony in St. Louis to honor six brave deputy U.S. marshals who were awarded the Federal Law Enforcement Congressional Badge of Bravery.

Fewer than two dozen of these badges have been awarded since Congress created them 2 years ago. In fact, these six deputy marshals honored in St. Louis are the first law enforcement officers from either Missouri or Illinois to receive the Congressional Badge of Bravery.

Two of the six men are from my State of Illinois. Deputy U.S. Marshal John Brookman Perry lived in Edwardsville; Jeremy Wyatt is from Granite City.

On March 8, 2011, they and four other deputy U.S. marshals, Theodore Abegg, Travis Franke, Nicholas Garrett, Supervisory Deputy Marshal Patrick James, joined members of the St. Louis Metropolitan Police Department to arrest a dangerous fugitive in south St. Louis. The officers knew there could be trouble that day when they went to serve the arrest warrant. The man they were looking for had a long criminal history and a record that included assaults on law enforcement officers. But they went anyway because that is their job: bringing in the bad guys so that others can feel safer walking down the street.

Deputy Perry was team leader for the Federal marshals. Tragically, though, he never made it home. He was killed and Deputy Marshal Abegg was wounded in a shootout with the man they went to arrest. His story deserves to be told, so that everyone can know the sort of man and law enforcement officer he was.

John Perry grew up in Glen Ellyn in northern Illinois. He had public service in his blood. His grandfather was the son of an Alabama coal miner who went on to be a Federal district judge in northern Illinois. His father was an administrative law judge. He earned a bachelor's degree in earth science and a master's degree in environmental science from SIU. But he wanted to work in law enforcement. He spent 16 years as a probation officer in Madison County, IL before joining the U.S. Marshals Service in 2001. The Federal marshals who worked with him said there was no one better when it came to tracking dangerous felons and bringing them in.

John was a great marshal, but apparently he had a little trouble with the ''good cop/bad cop'' style of interrogation. At his memorial service, one speaker recalled how, after what was supposed to have been a hard-core interrogation, the suspect emerged and told John's partner: ''Your partner is the nicest guy in the world.'' Just imagine what the world would be like if the worst thing people could say about us was, ''Sometimes he's too nice.''

One of his last gifts to his community was that he was an organ donor. After he died, his heart, lungs, liver, pancreas, and kidneys were donated to people who would have died without them, along with skin and bone tissue to help as many as 100 more people. His spirit—and his commitment to duty—lives on in those people. It lives on in his friends and family, especially his three children. It lives on in the countless law enforcement officers whose back he watched and with whom he shared his professional knowledge and bad jokes. And it continues to be exemplified every day by his fellow deputy marshals who successfully apprehended their suspect on that fateful March day.

John Perry didn't lose his life. He laid down his life to keep his fellow officers and our communities safe.

I hope my colleagues will join me in honoring Deputy U.S. Marshals John Perry, Jeremy Wyatt, Theodore Abegg, Travis Franke, Nicholas Garrett, and Supervisory Deputy U.S Marshal Patrick James. They and all the law enforcement officers who risk their lives to protect ours deserve our respect and gratitude this week and every week.

Mrs. MCCASKILL. Mr. President, I also wish honor three St. Louis Metropolitan Police Detectives who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore, Ted, Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these three officers, I have to mention the tremendous service the St. Louis Metropolitan Police Department provides to the people of St. Louis every day. As the principal law enforcement agency serving the City of St. Louis, the St. Louis Metropolitan Police Department, in addition to its routine functions, provides a variety of specialized services, including acting as a liaison with the U.S. Marshals Service Fugitive Task Force. Since its inception in 1836, over 160 St. Louis police officers have lost their lives in the line of duty. When the St. Louis Metropolitan Police Department's steadfast dedication to community involvement is considered alongside its traditional crime prevention and mitigation duties, the officers of this department truly exemplify the mission ''To Protect and Serve.''

I know how valuable police officers and other first responders are to communities across Missouri. While I was Jackson County prosecutor, I witnessed firsthand the essential skills and hands-on training needed to keep our neighborhoods safe from crime. I know that our first responders form the backbone of our communities, and I salute the countless acts of bravery performed by law enforcement officers across Missouri.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task

Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system and Officer Joe Kuster provided perimeter security. A rescue attempt was mounted by the U.S. Marshals, during which another deputy U.S. Marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these three officers hail from my home State of Missouri. Their sincere dedication to duty and endless compassion for the residents of the city they serve are an inspiration to the people of St. Louis. First responders like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring St. Louis Metropolitan Police Department Detectives Jeff Helbling, Anna Kimble, and Joe Kuster for their distinguished service to the people of St. Louis. I thank them, and I thank all of you for joining me in recognizing these outstanding Missourians.

Finally, Mr. President, I wish to honor two deputy U.S. marshals who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore ''Ted'' Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these two deputies, I have to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service provides a variety of crucial services, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since its inception in 1789, over 200 Federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of ''Justice, Integrity, Service.''

I know how critically important the Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system, Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover allowing wounded Deputy U.S. Marshal Abegg to withdraw. A rescue attempt was mounted by the U.S. marshals, during which another deputy U.S. marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these two deputies are based in my home State of Missouri. Their sincere dedication to duty and strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Deputy U.S. Marshals Melissa Duffy and Shawn Jackson for their distinguished service to the people of this country. I thank them, and I thank all of you for joining me in recognizing these outstanding individuals.

REMEMBERING JIM McCUSKER, JR.

Mr. BLUMENTHAL. Mr. President, today I wish to remember Jim McCusker of Clinton, CT. The State of Connecticut has lost a great public servant, former first selectman, and loyal Marine. Jim was an inspiring leader and model of public service, and I am grateful for our friendship. My heart goes out to Jim's wife, Judy, and their children and grandchildren, whom he loved tremendously. Countless friends, touched by his generosity and big heart, will also miss him deeply.

Jim will be remembered always for his lifelong dedication to the town and people of Clinton. As first selectman, he expertly managed the town budget and contributed tremendously in energy and spirit. He had a magnetic gift of connecting with his community and neighbors.

In addition to his leadership as first selectman, Jim spent more than a decade on both the Clinton Board of Finance and the Clinton Board of Selectmen. He was also involved with the Clinton Education Federation, Families Helping Families, Meals on Wheels, and St. Mary's Knights of Columbus.

In tribute to Jim's service to his country as a United States Marine, flags were hung at half staff. He was always there to give a smile and engage in earnest conversation. Jim loved to sing Irish songs on St. Patrick's Day. As a patriot and veteran, he will be particularly missed this Memorial Day. I ask my colleagues to join me in recognizing and honoring Jim McCusker's long-time, selfless service. Although missed, he will not be forgotten. Jim's sense of humor, warmth with others, and dedication to country will be felt throughout Clinton for years to come.

REMEMBERING LANCE CORPORAL LAWRENCE R. PHILIPPON

Mr. BLUMENTHAL. Mr. President, today I have the great privilege of presenting a poem in memory of LCpl Lawrence R. Philippon of West Hartford, CT, who gave his life 8 years ago this May while supporting Operation Iraqi Freedom as a courageous member of the United States Marines. In the Marine Corps color guard, Lance Corporal Philippon carried the flag at the funeral for President Reagan, but yearned to be on the front lines. It was there, as a brave member of the 3rd Battalion, 2nd Marine Division, 2nd Marine expeditionary force that he made the ultimate sacrifice for his country.

As Memorial Day nears, we dedicate ourselves in gratitude to our heroes—our servicemen and women, both recent and throughout history—who have sacrificed and served for our freedom, protecting the founding principles we hold dear.

This special poem was written by Albert Carey Caswell, a longtime member

of the Capitol Guide Service, and prolific poet whose work has been recited many times on the Senate floor. It is a privilege to present Bert's touching piece, written in memory of Lance Corporal Philippon. I invite my colleagues to remember and honor Lance Corporal Philippon and all current and former members of the military, and their families, today and always.

THIS IS MY BLOOD

This . . .
This Is My Blood,
that I so bled!
ALLELUIA!
And this is my life,
that I so led!
ALLELUIA!
And these are all of the moments,
which I no longer so have!
ALLELUIA!
As for you,
I so gave up all that I had!
ALLELUIA!
That Last Full Measure,
My Life . . .
The Greatest of All Treasures,
that one so has!
ALLELUIA!
And I'm so very sorry Sister and Brother,
My Dearest Mother and Dad!
ALLELUIA!
And I know that you all so miss me,
and so want to be with me so very bad!
ALLELUIA!
And I know that it make's you all so very sad!
ALLELUIA!
And these,
are all of your tears that you now so weep,
that you so have!
ALLELUIA!
All because your baby boy . . .
your son, your most precious joy . . .
your bother this one,
has so died hurting you all so very bad!
ALLELUIA!
All because,
in warm arms holding each other again we'll never have!
ALLELUIA!
But, find comfort . . .
Because,
one day up in Heaven we will all be together so very glad!
ALLELUIA!
For no Parent,
no Sister, nor Brother of another . . .
should so have to so watch their loved ones being buried in the ground!
ALLELUIA!
And these are,
the Sons and Daughters that I shall never so see!
ALLELUIA!
And this is the Wife,
that I'll never so grow old with so happy to be!
ALLELUIA!
But take heart,
for all that I've given up . . .
Heaven so awaits all so for me!
ALLELUIA!
So wipe away all of those tears now so very deep!
ALLELUIA!
Moments are all that we all so have!
ALLELUIA!
To Make A Difference!
To Change The World!
To March Off So Very Boldly,
With But Our Flags So Unfurled!
ALLELUIA!
So very proud,
wearing those most magnificent shades of green,
to so show the world what the word honor all so means!
ALLELUIA!
And to be One of The Few,
Hoo Rahhhh . . . A United States Marine!
Oh yes,
remember all of this my little boys and girls what all so means!
ALLELUIA!
For Heaven so holds a place,
for all of those of such honor and selfless grace!
ALLELUIA!
For it's far . . . far . . . better,
to have died for something!
Than,
to have lived for nothing at all!
ALLELUIA!
Because,
that's not really living,
no . . . no . . . not really living at all!
ALLELUIA!
As that's why,
I so answered that most noble of all calls!
ALLELUIA!
Because in life,
there is no higher height to which one can so be called!
ALLELUIA!
And no greater thing,
then while all in the face of death to so stand so very tall!
ALLELUIA!
Then,
but to lay down ones life but for The Greater Good of It All!
ALLELUIA!
As why up in Heaven with our Lord Larry,
your fine soul has now so been called!
ALLELUIA!
As an Angel In The Army of Our Lord,
to so watch over us and protect us one and all!
ALLELUIA!
For Larry,
we will hear you on the wind . . .
and we will feel you on the breeze . . .
As we carry you in our hearts,
all in our memories . . .
ALLELUIA!
And tonight in Connecticut,
as you so lay your heads down to sleep . . .
there comes a gentle rain . . .
ALLELUIA!
As it's our Lord's tears from up in Heaven,
washing down upon you to so ease your pain!
ALLELUIA!
Until,
up and heaven you and Larry will all so meet again . . .
And you won't have to cry no more!
ALLELUIA!
This Is My Blood!
ALLELUIA!
AMEN!

ADDITIONAL STATEMENTS

TRIBUTE TO WILLIAM LEE RICH

• Mr. TESTER. Mr. President, today I wish to honor William Lee Rich, a career Navy man. Bill, on behalf of all Montanans and all Americans, I stand to say thank you for your service to this Nation.

It is my honor to share the story of Bill Rich's service in the U.S. Navy, because no story of heroism should ever fall through the cracks.

Bill was born in Jamestown, NY, in 1947. After moving around the country with his family, he graduated from Spring Valley High School in New York and enlisted with the U.S. Navy in Poughkeepsie in 1966.

Bill trained with the Seabees in Davisville, RI, before transferring to Mobile Construction Battalion 121 at Seabee Headquarters in Gulfport, MS. From there he was deployed to Phu Bai with MCB 121, just south of Hue City in Vietnam. While in Vietnam, Bill's unit was responsible for transporting South Vietnamese refugees out of Hue.

In February 1968, his unit saw heavy action during the Tet Counter Offensive. They were responsible for transporting a group of South Vietnamese out of Hue to the refuge center at Phu Bai. It was for their time in Hue that the MCB 121 received the Presidential Unit Citation. Bill also earned his Combat Action Ribbon.

Bill's deployment ended after 9 months, and his unit returned to Gulfport, MS before going back to Vietnam, this time to Camp Eagle in the Gia Lai Province. During his 8 months at Camp Eagle, Bill worked on various construction and electrical projects, both around the camp and in Hue. He also worked with the American-Vietnamese Civic Action Program to help construct engineering projects in the region.

After his two tours in Vietnam, Bill transferred to Naval Reserve Construction Battalion 19 for 4 years before returning to Active Duty.

Back with the Seabees, Bill was assigned to Italy and New Zealand before spending a year in Antarctica as part of Operation Deep Freeze. He was then assigned to Harold E. Holt station in Australia where he married his wife, Debby, a Helena native.

From Australia, Bill went to Winter Harbor, ME, and then to MCB 74 in Gulfport. He deployed from Gulfport to Japan and Puerto Rico. From battalion he went to Manama, Bahrain, in the Persian Gulf as a contract inspector.

From Bahrain, Bill went to the Naval Headquarters in London, England, for 4 years where his daughter Mariah was born.

Bill's last assignment was part of a five-man Active-Duty staff for Reserve Construction Battalion 13 at Camp Smith, Peekskill, NY. Before he retired, Bill received both the New York State Conspicuous Service Cross and the Long and Faithful Service Medal.

Upon his retirement, he received both the Navy and Army Achievement Medals. Bill retired with the rank of E–6, construction electrician first class.

Bill transferred to Fleet Reserve and retired after a 30-year naval career.

Petty Officer Bill Rich moved to Helena to start his new life with his wife and daughter. He currently works for the State of Montana Department of Military Affairs here at Fort Harrison as an electrician.

After his service, Bill never received all of the medals he earned from the Navy.

Earlier this month, in the presence of his friends and family, it was my honor to finally present to Bill his Vietnam Campaign Medal with 1960 Device,

Navy Expert Rifle Medal with Three Bronze Stars, Navy Expert Pistol Medal, Humanitarian Service Medal, and his Navy & Marine Corps Overseas Service Ribbon with One Silver and Four Bronze Stars.

It was also my honor to present the Antarctica Service Medal with Bronze Clasp, the Vietnam Service Medal with One Silver and Two Bronze Stars, the Navy Good Conduct Medal with Four Bronze Stars, the Naval Reserve Meritorious Service Medal, and the National Defense Service Medal with One Bronze Star.

Earlier this month I also presented to Bill the Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation Ribbon with one Bronze Star, and the Meritorious Unit Commendation with One Bronze Star.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful nation.●

MESSAGES FROM THE HOUSE

At 9:46 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 982. An act 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.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 16. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

At 12:58 p.m., a message from the House of Representatives, delivered by Mr. Novotny, 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. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILL SIGNED

At 2:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

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.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

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

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1003. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1004. A bill to permit voluntary economic activity.

H.R. 45. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 22, 2013, she had presented to the President of the United States the following enrolled bill:

S. 982. An act 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.

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–1578. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methyl 5-(dimethylamino)-2-methyl-5-oxopentanoate; Exemption from the Requirement of a Tolerance'' (FRL No. 9385–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1579. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Triforine; Pesticide Tolerances'' (FRL No. 9387–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1580. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1-Naphthaleneacetic acid; Pesticide Tolerances'' (FRL No. 9386–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1581. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Kevin M. McCoy, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1582. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Ralph J. Jodice II, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1583. 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; Clarification of 'F' Orders in the Procurement Instrument Identification Number Structure'' ((RIN0750–AH80) (DFARS Case 2012–D040)) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC–1584. 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; Government Support Contractor Access to Technical Data'' ((RIN0750–AG38) (DFARS Case 2009–D031)) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC–1585. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC–1586. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ehiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–1587. A communication from the Secretary of Commerce, transmitting, pursuant

to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–1588. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–054); to the Committee on Foreign Relations.

EC–1589. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–061); to the Committee on Foreign Relations.

EC–1590. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–018); to the Committee on Foreign Relations.

EC–1591. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Middle East, U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on May 21, 2013; to the Committee on Foreign Relations.

EC–1592. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2014; to the Committee on Armed Services.

EC–1593. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two reports relative to sequestration entitled: ''OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014'' and ''OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2014''; to the Committees on the Budget; and Homeland Security and Governmental Affairs.

EC–1594. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Design Limits and Loading Combinations for Metal Primary Reactor Containment System Components'' (Regulatory Guide 1.57, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate on May 17, 2013; to the Committee on Environment and Public Works.

EC–1595. 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: Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan'' (FRL No. 9816–6) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1596. 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: Arizona; Motor Vehicle Inspection and Maintenance Programs'' (FRL No. 9780–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1597. 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; Wisconsin; Prevention of Significant Deterioration Greenhouse Gas Tailoring and Biomass Deferral Rule'' (FRL No. 9808–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1598. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9799–2) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1599. 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; Illinois; Air Quality Standards Revision'' (FRL No. 9805–5) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1600. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 56'' (FRL No. 9815–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1601. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking of Marine Mammals Incidental to Commercial Fishing Operations; False Killer Whale Take Reduction Plan'' (RIN0648–BA30) received during adjournment of the Senate in the Office of the President of the Senate on May 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1602. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Regulations Enabling Elections for Certain Transactions Under Section 336(e)'' (RIN1545–BD84) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1603. 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 ''Credit for Carbon Dioxide Sequestration 2013 Section 45Q Inflation Adjustment Factor'' (Rev. Proc. 2013–34) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1604. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—June 2013'' (Rev. Rul. 2013–12) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1605. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax'' (Notice 2013–26) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1606. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–28) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1607. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 2013–8) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1608. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Pre-Existing Condition Insurance Plan Program'' (RIN0938–AQ70) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1609. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Project Community Living and Participation, Health and Function, and Employment of Individuals with Disabilities'' (CFDA No. 84.133A–3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1610. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects—Traumatic Brain Injury Model Systems Centers Collaborative Research Project'' (CFDA No. 84.133A–7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1611. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1612. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research Training Centers'' (CFDA No. 84.133B–7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1613. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education,

transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Inclusive Cloud and Web Computing'' (CFDA No. 84.133A–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1614. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1615. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–68, ''Department of Health Grant-Making Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1616. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–70, ''Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1617. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–69, ''Health Benefit Exchange Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1618. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2012 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC–1619. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (49); Amdt. No. 3531'' (RIN2120–AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1620. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (59); Amdt. No. 3532'' (RIN2120–AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1621. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (170); Amdt. No. 3528'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1622. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (49); Amdt. No. 3529'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1623. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Temporary Reduction of Registration Fees'' (RIN2137–AE95) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1624. A communication from the Federal Register Liaison, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Boards and Committees'' (RIN2700–AD82) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1625. A communication from the Acting Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC–1626. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1627. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 15, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

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.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. James E. McClain, to be Brigadier General.

Air Force nomination of Lt. Gen. David L. Goldfein, to be Lieutenant General.

Air Force nomination of Col. Robert C. Bolton, to be Brigadier General.

Air Force nomination of Col. Andrew P. Armacost, to be Brigadier General.

Army nomination of Brig. Gen. John F. Wharton, to be Major General.

Army nomination of Col. Gabriel Troiano, to be Brigadier General.

Army nomination of Col. Jeffrey B. Clark, to be Brigadier General.

Army nominations beginning with Brig. Gen. James A. Adkins and ending with Col. James D. Campbell, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Wayne L. Black and ending with Colonel Robert E. Windham, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Brigadier General Mark E. Anderson and ending with Brigadier General William L. Smith, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Steven R. Beach and ending with Colonel Gary S. Yaple, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013. (minus 2 nominees: Colonel Christopher A. Rofrano; Colonel Timothy J. Sheriff)

Army nominations beginning with Brigadier General Louis H. Guernsey, Jr. and ending with Colonel Juan A. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2013. (minus 1 nominee: Brigadier General Matthew T. Quinn)

Army nomination of Col. Richard J. Torres, to be Brigadier General.

Army nomination of Col. Michael Dillard, to be Brigadier General.

Army nomination of Col. Donald E. Jackson, Jr., to be Brigadier General.

Army nomination of Lt. Gen. William T. Grisoli, to be Lieutenant General.

Army nomination of Col. John M. Cho, to be Brigadier General.

Army nomination of Col. Brian E. Alvin, to be Brigadier General.

Army nominations beginning with Brigadier General William F. Duffy and ending with Colonel Miyako N. Schanely, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Rear Adm. Terry J. Benedict, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Joseph W. Rixey, to be Vice Admiral.

Navy nominations beginning with Captain John W. V. Ailes and ending with Captain Richard L. Williams, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nomination of Capt. Timothy J. White, to be Rear Admiral (lower half).

Navy nomination of Capt. Nancy A. Norton, to be Rear Admiral (lower half).

Navy nomination of Capt. Robert D. Sharp, to be Rear Admiral (lower half).

Navy nomination of Capt. Louis V. Cariello, to be Rear Admiral (lower half).

Navy nomination of Mark I. Fox, to be Vice Admiral.

Navy nomination of Vice Adm. Michelle J. Howard, to be Vice Admiral.

Navy nomination of Rear Adm. Ted N. Branch, to be Vice Admiral.

Navy nomination of Rear Adm. Sean A. Pybus, to be Vice Admiral.

Navy nomination of Rear Adm. Paul A. Grosklags, to be Vice Admiral.

Navy nomination of Vice Adm. Scott H. Swift, to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Robert R. Ruark, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Glenn M. Walters, to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report

favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Matthew J. Gervais, to be Lieutenant Colonel.

Air Force nomination of Bradly A. Carlson, to be Major.

Air Force nominations beginning with Michael Lucas Ahmann and ending with Bernard John Yosten, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013. (minus 1 nominee: Robert Kenneth Henderson)

Army nominations beginning with James Acevedo and ending with D011666, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Garland A. Adkins III and ending with G010188, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Steven J. Ackerson and ending with G010128, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nomination of Michael B. Moore, to be Major.

Army nominations beginning with Thomas G. Behling and ending with Raymond G. Strawbridge, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Army nomination of Shercoda G. Smaw, to be Major.

Army nomination of Carl N. Soffler, to be Major.

Army nomination of Owen B. Mohn, to be Major.

Army nominations beginning with Carmelo N. Oterosantiago and ending with John H. Seok, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Brent E. Harvey and ending with Joohyun A. Kim, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Jerry M. Anderson and ending with Maureen H. Weigl, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Dennis R. Bell and ending with Kent J. Vince, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with David W. Admire and ending with D006281, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Christopher G. Archer and ending with D011779, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with James A. Adamec and ending with Vanessa Worsham, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Edward P. C. Ager and ending with John P. Zoll, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Marine Corps nomination of Darren M. Gallagher, to be Major.

Marine Corps nomination of Dusty C. Edwards, to be Major.

Marine Corps nomination of Sal L. Leblanc, to be Lieutenant Colonel.

Marine Corps nomination of Mauro Morales, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jessica L. Acosta and ending with Matthew S. Youngblood, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Rico Acosta and ending with Andrew J. Zetts, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nomination of Randolph T. Page, to be Colonel.

Navy nomination of Jeremy J. Aujero, to be Commander.

Navy nomination of John P. Newton, Jr., to be Captain.

Navy nomination of Daniel W. Testa, to be Commander.

Navy nomination of Kevin J. Parker, to be Captain.

Navy nomination of Maria V. Navarro, to be Commander.

Navy nomination of Shane G. Harris, to be Captain.

Navy nomination of Latanya A. Oneal, to be Lieutenant Commander.

Navy nominations beginning with Stephen J. Lepp and ending with John C. Rudd, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Sarah E. Niles, to be Lieutenant Commander.

Navy nomination of Richard Diaz, to be Lieutenant Commander.

Navy nomination of Tanya Wong, to be Lieutenant Commander.

Navy nomination of Karen R. Dallas, to be Lieutenant Commander.

Navy nominations beginning with Ronald G. Oswald and ending with Nikita Tihonov, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Craig S. Coleman and ending with William R. Volk, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

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

*Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

*Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

*Harry I. Johnson III, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2015.

*Philip Andrew Miscimarra, of Illinois, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2017.

*Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2018.

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

*Michael Kenny O'Keefe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*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 Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 1005. A bill to establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mr. INHOFE, Mr. BLUNT, Mr. COATS, Mr. RISCH, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. WICKER, Mr. RUBIO, Mr. ENZI, Mr. HELLER, Mr. ROBERTS, Mr. HATCH, Mr. MCCAIN, Mr. LEE, Mr. JOHNSON of Wisconsin, Mrs. FISCHER, Mr. CHAMBLISS, Mr. BURR, Mr. ISAKSON, Mr. SCOTT, Mr. FLAKE, Mr. CORNYN, and Mr. COBURN):

S. 1006. A bill to preserve existing rights and responsibilities with respect to waters of the United States; to the Committee on Environment and Public Works.

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, and Ms. MURKOWSKI):

S. 1008. A bill to prohibit the Secretary of Homeland Security from implementing proposed policy changes that would permit passengers to carry small, non-locking knives on aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. VITTER, Mrs. GILLIBRAND, Mr. CRAPO, Mr. DURBIN, Mr. ALEXANDER, Mr. SCHUMER, Mr. INHOFE, Mr. UDALL of New Mexico, Ms. COLLINS, Ms. LANDRIEU, Mr. RUBIO, Mr. MANCHIN, Mr. BOOZMAN, Mr. MENENDEZ, Mr. HOEVEN, and Mr. BEGICH):

S. 1009. A bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself and Mr. ALEXANDER):

S. 1010. A bill to establish the Commission on Effective Regulation and Assessment Systems for Public Schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 1011. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for

other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself and Mr. PRYOR):

S. 1012. A bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes; to the Committee on Finance.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Mr. RUBIO):

S. 1015. A bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans; to the Committee on Finance.

By Mr. PAUL:

S. 1016. A bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Ms. COLLINS):

S. 1017. A bill to permit flexibility in the application of the budget sequester by Federal agencies; to the Committee on the Budget.

By Mr. SANDERS (for himself, Mrs. BOXER, and Mr. BEGICH):

S. 1018. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself, Mr. BEGICH, Mr. CASEY, Mr. WHITEHOUSE, Mr. FRANKEN, and Mr. ROCKEFELLER):

S. 1019. A bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1020. A bill to improve energy performance in Federal buildings, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Mr. PORTMAN, Ms. LANDRIEU, and Mr. VITTER):

S. 1022. A bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Commerce, Science, and Transportation.

By Mr. CORKER (for himself, Ms. KLOBUCHAR, Mr. BLUNT, and Mrs. HAGAN):

S. 1023. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report on ways to increase the competitiveness of the United States in attracting foreign investment; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. KAINE):

S. 1024. A bill to provide for the inclusion of Lease Sale 220 in the outer Continental Shelf leasing program for fiscal years 2012–2017, to revise the map for the Mid-Atlantic planning area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 1025. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK:

S. 1026. A bill to assist survivors of stroke in returning to work; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself and Mr. JOHNSON of South Dakota):

S. 1027. A bill to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COWAN:

S. Res. 152. A resolution designating November 28, 2013, as ''National Holoprosencephaly Awareness Day'' to increase awareness and education of the disorder; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 210

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 382

At the request of Mr. SCHUMER, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 403

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. KIRK) 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. 562

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) 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. 579

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 596

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to

furnish remote patient monitoring services that reduce expenditures under such program.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 674

At the request of Mr. HELLER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Maine (Mr. KING) and the Senator from New Hampshire (Ms. AYOTTE) 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. 749

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from South Dakota (Mr. THUNE), the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. MURPHY) and the Senator from Utah (Mr. HATCH) 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. 815

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 837

At the request of Mr. HARKIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 837, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) 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 name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor 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. 917

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 951

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 951, a bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes.

S. 953

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) 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. 960

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 960, a bill to foster stability in Syria, and for other purposes.

S. 961

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 961, a bill to improve access to emergency medical services, and for other purposes.

S. 962

At the request of Mr. HELLER, the name of the Senator from Utah (Mr. LEE) 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. 965

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 965, a bill to eliminate oil exports from Iran by expanding domestic production.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of 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.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of 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.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 996

At the request of Ms. LANDRIEU, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 996, a bill to improve the National Flood Insurance Program, and for other purposes.

S. 999

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to

provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1001

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1001, a bill to impose sanctions with respect to the Government of Iran.

AMENDMENT NO. 934

At the request of Mr. BEGICH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 934 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 939

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 939 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 940

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 940 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 961

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 961 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 965

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 965 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 966

At the request of Mr. FRANKEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 966 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 971

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 971 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 986

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of amendment No. 986 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 992

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 992 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 998

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 998 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1011

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1011 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1011 intended to be proposed to S. 954, supra.

AMENDMENT NO. 1030

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1030 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

Mr. KING. Mr. President, I rise today in support of energy innovation, energy independence, national security, and local economies.

The legislation I am introducing, the Biomass Thermal Utilization Act of 2013—known as the BTU Act—would give tax parity to biomass heating systems under sections 25d and 48 of the Internal Revenue Code and would help to encourage a very promising industry.

By adding biomass heating systems to the eligible renewable technologies for residential and commercial tax credits, we can help make clean, homegrown heating more cost effective for hard-working Americans.

By way of example, Maine has the highest home heating oil dependence of any State in the country—and nearly 80 cents of every $1 spent on heating oil goes out of State. Much of this money also leaves the country and goes to nations that are less than friendly with the U.S. Yet we have plenty of renewable heating sources here at home.

In Maine, wood pellet boilers are the most widely used biomass heating systems. Wood pellet boilers run on trees grown in the State, cut by local loggers, processed into pellets in local mills, then purchased and used to heat local homes. Nearly every single heating dollar stays within the local economy. This supports good-paying jobs, working, productive forests, and it helps move the country toward energy independence.

We are not talking about traditional woodstoves here. These are highly innovative, clean-burning systems that are simple to run. They can even be integrated with your smart phone so you can turn the heat up on your way home from work.

In addition, thermal biomass systems—particularly wood pellet boilers—have very small carbon footprints. New trees are planted to replace the trees processed into pellets. These new trees capture the carbon released by the pellets. Compared to fossil fuels, such as home heating oil, this yields an extremely small carbon footprint.

I am excited to offer this legislation and to be joined by Senator COLLINS.

This bill could greatly benefit any State with a strong forestry industry but also States with industries that turn agricultural waste and nonfood stock plants into thermal biomass fuels. I look forward to working with colleagues from around the country to level the playing field for the biomass industry.

Let us work together to keep our energy dollars here at home and create jobs in our backyard.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

Mr. CORNYN. 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. 1013

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 ''Patent Abuse Reduction Act of 2013''.

SEC. 2. PLEADING REQUIREMENTS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by inserting after section 281 the following:

''§ 281A. Pleading requirements for patent infringement actions

''In a civil action arising under any Act of Congress relating to patents, a party alleging infringement shall include in the initial complaint, counterclaim, or cross-claim for patent infringement—

''(1) an identification of each patent allegedly infringed;

''(2) an identification of each claim of each patent identified under paragraph (1) that is allegedly infringed;

''(3) for each claim identified under paragraph (2), an identification of each accused apparatus, product, feature, device, method, system, process, function, act, service, or other instrumentality (referred to in this

section as an 'accused instrumentality') alleged to infringe the claim;

''(4) for each accused instrumentality identified under paragraph (3), an identification with particularity, if known, of—

''(A) the name or model number of each accused instrumentality; and

''(B) the name of each accused method, system, process, function, act, or service, or the name or model number of each apparatus, product, feature, or device that, when used, allegedly results in the practice of the claimed invention;

''(5) for each accused instrumentality identified under paragraph (3), an explanation of—

''(A) where each element of each asserted claim identified under paragraph (2) is found within the accused instrumentality;

''(B) whether each such element is infringed literally or under the doctrine of equivalents; and

''(C) with detailed specificity, how the terms in each asserted claim identified under paragraph (2) correspond to the functionality of the accused instrumentality;

''(6) for each claim that is alleged to have been infringed indirectly, a description of—

''(A) the direct infringement;

''(B) any person alleged to be a direct infringer known to the party alleging infringement; and

''(C) the acts of the alleged indirect infringer that contribute to or are inducing the direct infringement;

''(7) a description of the right of the party alleging infringement to assert each—

''(A) patent identified under paragraph (1); and

''(B) patent claim identified in paragraph (2);

''(8) a description of the principal business of the party alleging infringement;

''(9) a list of each complaint filed, of which the party alleging infringement has knowledge, that asserts or asserted any of the patents identified under paragraph (1);

''(10) for each patent identified under paragraph (1), whether such patent is subject to any licensing term or pricing commitments through any agency, organization, standard-setting body, or other entity or community;

''(11) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who—

''(A) owns or co-owns a patent identified under paragraph (1);

''(B) is the assignee of a patent identified under paragraph (1); or

''(C) is an exclusive licensee to a patent identified under paragraph (1);

''(12) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who has a legal right to enforce a patent identified under paragraph (1) through a civil action under any Act of Congress relating to patents or is licensed under such patent;

''(13) the identity of any person with a direct financial interest in the outcome of the action, including a right to receive proceeds, or any fixed or variable portion thereof; and

''(14) a description of any agreement or other legal basis for a financial interest described in paragraph (13).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 29 of title 35, United States Code, is amended by inserting after the item relating to section 281 the following:

''281A. Pleading requirements for patent infringement actions.''.

(c) REVIEW OF FORM 18.—Not later than 12 months after the date of enactment of this Act, the Supreme Court shall review and amend Form 18 of the Federal Rules of Civil Procedure to ensure that Form 18 is consistent with the requirements under section 281A of title 35, United States Code, as added by subsection (a).

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter existing law or rules relating to joinder.

SEC. 3. JOINDER OF INTERESTED PARTIES.

Section 299 of title 35, United States Code, is amended by adding at the end the following:

''(d) JOINDER OF INTERESTED PARTIES.—

''(1) DEFINITION.—In this subsection, the term 'interested party', with respect to a civil action arising under any Act of Congress relating to patents—

''(A) means a person described in paragraph (11) or (13) of section 281A; and

''(B) does not include an attorney or law firm providing legal representation in the action if the sole basis for the financial interest of the attorney or law firm in the outcome of the action arises from an agreement to provide that legal representation.

''(2) JOINDER OF INTERESTED PARTIES.—In a civil action arising under any Act of Congress relating to patents, the court shall grant a motion by a party defending an infringement claim to join an interested party if the defending party shows that the interest of the plaintiff in any patent identified in the complaint, including a claim asserted in the complaint, is limited primarily to asserting any such patent claim in litigation.

''(3) LIMITATION ON JOINDER.—The court may deny a motion to join an interested party under paragraph (2) if—

''(A) the interested party is not subject to service of process; or

''(B) joinder under paragraph (2) would deprive the court of subject matter jurisdiction or make venue improper.''.

SEC. 4. DISCOVERY LIMITS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by adding at the end the following:

''§ 300. Discovery in patent infringement suits

''(a) DISCOVERY LIMITATION PRIOR TO CLAIM CONSTRUCTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in a civil action arising under any Act of Congress relating to patents, if the court determines that a ruling relating to the construction of terms used in a patent claim asserted in the complaint is required, discovery shall be limited, until such ruling, to information necessary for the court to determine the meaning of the terms used in the patent claim, including any interpretation of those terms used to support the claim of infringement.

''(2) DISCRETION TO EXPAND SCOPE OF DISCOVERY.—

''(A) TIMELY RESOLUTION OF ACTIONS.—If, under any provision of Federal law (including the Drug Price Competition and Patent Term Restoration Act (Public Law 98–417)), resolution within a specified period of time of a civil action arising under any Act of Congress relating to patents will have an automatic impact upon the rights of a party with respect to the patent, the court may permit discovery in addition to the discovery authorized under paragraph (1) before the ruling described in paragraph (1) as necessary to ensure timely resolution of the action.

''(B) RESOLUTION OF MOTIONS.—When necessary to resolve a motion properly raised by a party before a ruling relating to the construction of terms (as described in paragraph (1)), the court may allow limited discovery in addition to the discovery authorized under paragraph (1) as necessary to resolve the motion.

''(b) SEQUENCE AND SCOPE; COST-SHIFTING.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'additional discovery' means discovery of evidence other than core documentary evidence; and

''(B) the term 'core documentary evidence', with respect to a civil action arising under any Act of Congress relating to patents—

''(i) subject to clause (ii), includes only documents that—

''(I) relate to the conception, reduction to practice, and application for the asserted patent;

''(II) are sufficient to show the technical operation of the instrumentality identified in the complaint as infringing the asserted patent;

''(III) relate to potentially invalidating prior art;

''(IV) relate to previous licensing or conveyances of the asserted patent;

''(V) are sufficient to show revenue attributable to any claimed invention;

''(VI) are sufficient to show the organizational ownership and structure of each party, including identification of any person that has a financial interest in the asserted patent;

''(VII) relate to awareness of the asserted patent or claim, or the infringement, before the action was filed; and

''(VIII) sufficient to show any marking, lack of marking, or notice of the asserted patent provided to the accused infringer; and

''(ii) does not include computer code or electronic communication, such as e-mail, text messages, instant messaging, and other forms of electronic communication, unless the court finds good cause for including such computer code or electronic communication as core documentary evidence of a particular party under clause (i).

''(2) DISCOVERY SEQUENCE AND SCOPE.—In a civil action arising under any Act of Congress relating to patents, the parties shall discuss and address in the written report filed under rule 26(f)(2) of the Federal Rules of Civil Procedure the views and proposals of the parties on—

''(A) when the discovery of core documentary evidence should be completed;

''(B) whether the parties will seek additional discovery under paragraph (3); and

''(C) any issues relating to infringement, invalidity, or damages that, if resolved before the additional discovery described in paragraph (3) commences, will simplify or streamline the case, including the identification of any key patent claim terms or phrases to be construed by the court and whether the early construction of any of those terms or phrases would be helpful.

''(3) DISCOVERY COST-SHIFTING.—

''(A) IN GENERAL.—In a civil action arising under any Act of Congress relating to patents, each party shall be responsible for the costs of producing core documentary evidence within the possession, custody, or control of that party.

''(B) ADDITIONAL DISCOVERY.—

''(i) IN GENERAL.—A party to a civil action arising under any Act of Congress relating to patents may seek additional discovery if the party bears the costs of the additional discovery, including reasonable attorney's fees.

''(ii) REQUIREMENTS.—A party shall not be allowed additional discovery unless the party—

''(I) at the time that such party seeks additional discovery, provides to the party from whom the additional discovery is sought payment of the anticipated costs of the discovery; or

''(II) posts a bond in an amount sufficient to cover the anticipated costs of the discovery.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) or (B) shall be construed to—

''(i) entitle a party to information not otherwise discoverable under the Federal Rules of Civil Procedure or any other applicable rule or order;

''(ii) require a party to produce privileged matter or other discovery otherwise limited under the Federal Rules of Civil Procedure; or

''(iii) prohibit a court from—

''(I) determining that a request for discovery is excessive, irrelevant, or otherwise abusive; or

''(II) setting other limits on discovery.''.

SEC. 5. COSTS AND EXPENSES.

(a) IN GENERAL.—Section 285 of title 35, United States Code, is amended to read as follows:

''§ 285. Costs and expenses

''(a) IN GENERAL.—The court shall award to the prevailing party reasonable costs and expenses, including attorney's fees, unless—

''(1) the position and conduct of the nonprevailing party were objectively reasonable and substantially justified; or

''(2) exceptional circumstances make such an award unjust.

''(b) PROHIBITION ON CONSIDERATION OF CERTAIN SETTLEMENTS.—In determining whether an exception under paragraph (1) or (2) of subsection (a) applies, the court shall not consider as evidence any license taken in settlement of an asserted claim.

''(c) RECOVERY.—If the non-prevailing party is unable to pay reasonable costs and expenses awarded by the court under subsection (a), the court may make the reasonable costs and expenses recoverable against any interested party, as defined in section 299(d).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 35, United States Code, is amended by striking the item relating to section 285 and inserting the following:

''285. Costs and expenses.''.

(2) CONFORMING AMENDMENTS.—Chapter 29 of title 35, United States Code, is amended—

(A) in section 271(e)(4), in the flush text following subparagraph (D), by striking ''attorney fees'' and inserting ''reasonable costs and expenses, including attorney's fees,'';

(B) in section 273(f), by striking ''attorney fees'' and inserting ''reasonable costs and expenses, including attorney's fees,''; and

(C) in section 296(b), by striking ''attorney fees'' and inserting ''reasonable costs and expenses (including attorney's fees)''.

By Mr. UDALL of New Mexico (for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, as parents, we can see the scrapes and cuts our children get—the unavoidable byproducts of growing up. A little bit of ointment and some bandages usually do the trick. But what of the injuries we can't see? The ones we can't readily tell, no matter how well we know our kids.

Each year, as many as 3.8 million Americans suffer sports- and recreation-related brain injuries. Some are horrific, deadly, and visible to the naked eye. But the vast majority are concussions caused by an awkward hit, a freak fall, or a routine blow to the head on the field. They cannot be seen, but the damage is there in the very place that houses our minds and for our children their future.

Most susceptible are our young athletes, whose bodies and brains are still growing, with each concussion increasing the likelihood of suffering yet another. This past school year alone, more than 300,000 of our high school athletes were diagnosed with concussions. Since 2005, over 1.3 million concussions have been diagnosed among high school athletes in just the top nine most common sports. However, researchers say these figures likely underestimate—vastly—the true extent of the epidemic because so many head injuries go unreported or ignored. And when a concussion occurs, few ever lose consciousness, and the telltale signs can seem minor in the immediate aftermath. It is only later on, perhaps the next day or weeks thereafter, when the consequences become clearer and more alarming.

The urgency to act only grows the more we learn about brain injuries. Concussions aren't minor bumps and dings. They aren't something kids should just ''play through,'' as some coaches advise. They are injuries to the brain that animate our very existence, and they can impair their cognitive abilities just when our children need a good head on their shoulders. And we, as a society, have already seen the potential tragedies that repeated concussions can bring to athletes—their limbs paralyzed or their lives cut short by the inner demons the injuries eventually bear.

The role of sports, and all of its innate benefits, is an important part of growing up in America. They teach us lessons that can't be taught in the classroom, they make us healthier, and they show us the value of teamwork, grit, and responsibility. But the pervasiveness of concussions and their effects, particularly among children, should no longer be disregarded. And, as policymakers and parents, we must ensure that we are doing everything we can to learn more and safeguard our kids and athletes.

Senator TOM UDALL and I are proud to introduce the Youth Sports Concussion Act, which will help ensure that protective sports equipment take heed of the latest science and are not sold based on false or deceptive premises.

As chairman of the Committee on Commerce, Science, and Transportation, we have already revealed and investigated bad actors who peddle products with false safety claims to parents of young athletes. Under this legislation, the Federal Trade Commission would be able to go after them with greater force and ensure this practice comes to an end.

This bill would also direct the Consumer Product Safety Commission to review a forthcoming study from the National Academies of Science on youth concussions. Based on the study's recommendations, the CPSC would then be permitted to consider new safety standards for sports equipment if manufacturers fail to come up with their own.

The legislation—I am happy to say—has the strong support of major sports leagues and players associations. Pediatricians, scientists, and consumer groups have endorsed it, too. Our athletes, whether peewee or professional, whether under the lights or on the pitch, inspire and bring Americans together, and their efforts to help pass this sensible bill will surely garner the appreciation of present and future athletes to come.

This fall, some 3 million children under the age of 14 will don their pads and snap on their helmets to play tackle football. For a sport so important—and for lives so precious—to our country, let us make sure we act as soon as we can. The lessons imparted and the fitness gained on the field are moot without the health of our children.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

Mrs. SHAHEEN. Mr. President, I rise today to discuss the threat posed by the proliferation of weapons of mass destruction around the globe and to introduce legislation aimed at modernizing the way the United States addresses this critical national security challenge. My bill, the Next Generation Cooperative Threat Reduction Act of 2013, requires the President to establish a multi-year comprehensive and well-resourced regional assistance strategy to coordinate and advance cooperative threat reduction and related nonproliferation efforts in one of the most critical regions to U.S. national security interests: the Middle East and North Africa.

Fifty years ago, in 1963, President Kennedy famously said that he was ''haunted'' by the possibility that the United States could soon face a rapidly growing number of nuclear powers in our world. At the time, he predicted that by 1975, there could be as many as twenty countries with nuclear weapons. However, thanks to strong, forward-thinking and innovative American leadership on the nonproliferation agenda, including efforts like the Nonproliferation Treaty and the Nunn-Lugar program, we have so far averted Kennedy's nuclear nightmare.

Recent WMD-related developments, including Syria's chemical weapons stockpile and Iran's nuclear program, have begun to test the limits of our nonproliferation regime. I am afraid we may be quickly reaching an important crossroads—one where we either prove President Kennedy wrong for a little while longer, or find out that his nightmare prediction was simply a half-century too soon.

As WMD-related materials and know-how continue to spread, the challenge of WMD proliferation is getting more

diffuse and harder to track. Our focus and our resource commitment need to match the severity of this emerging threat. Now is the time for us to recommit to an aggressive nonproliferation agenda and to demonstrate to the world that the U.S. will continue to lead in curbing the threat posed by nuclear, chemical and biological weapons around the world.

We should start in one of the most dangerous, most unstable regions in the world today: the Middle East and North Africa.

Nowhere is the proliferation challenge more glaring than in the countries of the Middle East and North Africa, where political instability and deeply-rooted violent extremism sit atop a complex web of ethnic differences, a history of violence and extremism, robust military capabilities, a growing collection of unsecured conventional and possible WMD-related weapons and a variety of inexperienced and potentially unstable governments brought into power by the Arab Spring.

Continued upheaval in Syria and the threat posed by the Assad regime's substantial chemical weapons stockpile pose a grave challenge to U.S. interests. Iran's continued illicit development of its nuclear program and its movement towards an advanced nuclear weapons capability threatens the U.S. and our allies and could lead to a nuclear arms race in the region. Terrorist groups like Hezbollah, Hamas, and al Qaeda continue to operate throughout the Middle East and North Africa, and their direct ties to the Iranian and Syrian regimes only exacerbates the threat posed by these groups as they seek to acquire weapons of mass destruction or know-how.

Add to these threats the fact that the Arab Spring and continued revolutions across the region have brought popularly elected, yet untested governments into power that possess minimal capability and very little experience in countering WMD proliferation.

In the face of this growing and complex challenge, it is obvious that the Middle East and North African region represents the next generation of WMD-related tests for the United States. Yet, our resources and our programming are not getting ahead of the threat. In fact, the nonpartisan ''Project on U.S. Middle East Nonproliferation Strategy'' estimates that, excluding programs in Iraq, only two percent of last year's nonproliferation-related programming, or approximately $20,000,000 of an estimated $1,000,000,000, was spent in Middle East and North Africa countries.

Luckily for us, we have a successful model for engagement on this issue that we can fall back on. Just over two decades ago, Senators Sam Nunn and Dick Lugar initiated what has proven to be one of the country's most effective foreign policy efforts. The Nunn-Lugar Cooperative Threat Reduction, CTR, Program has led to the successful deactivation of well over 13,000 nuclear warheads, as well as the destruction of over 1,400 intercontinental ballistic missiles and almost 40,000 metric tons of chemical weapon agents. Because of Nunn-Lugar, Ukraine, Kazakhstan, and Belarus are nuclear weapons free and Albania is chemical weapons free.

The principles of Nunn-Lugar can and should be more fully translated into the Middle East and North Africa. Congress has long supported expanding CTR into the Middle East, but it was only last fall that the Administration finally completed the bureaucratic changes necessary to more robustly engage in this region.

It is time we expand and ramp up our CTR efforts to prevent the potential proliferation of WMD-related weapons, technologies, materials, and know-how in this difficult and volatile part of the world. That is why I am introducing the Next Generation Cooperative Threat Reduction Act of 2013, which is aimed at modernizing our CTR and nonproliferation programs and expanding them more comprehensively throughout this region.

The bill calls for the President to develop and implement a multi-year comprehensive regional assistance strategy to coordinate and advance CTR and nonproliferation in the Middle East and North Africa. The strategy requires an integrated, whole-of-government commitment to building on the cooperative threat model demonstrated by Nunn-Lugar's successes, the initiation of new CTR programs with newly elected partners in the region, and plans to ensure burden-sharing and leveraging of additional outside resources.

The bill allows for the support of innovative and creative assistance programs aimed at enhancing the capacity of governments in the region to prevent, detect, and interdict illicit WMD-related trade. Activities could include:

Encouraging and assisting with security and destruction of chemical weapons stockpiles; Promoting the adoption and implementation of enhanced and comprehensive strategic trade control laws and strengthening export controls and border security, including maritime security; Promoting government-to-government engagement among emerging political and public policy leaders, including the possibility of training courses for parliamentarians and national technical advisors; Promoting activities that seek to work with civil society organizations, media representatives, and public diplomacy officials to help develop a culture of nonproliferation responsibility among the general public; The possible establishment of nuclear, chemical, or biological security Centers of Excellence in the Middle East; Supporting, enhancing, or building upon regional nonproliferation programs and institutions already in place, including such multilateral initiatives as the December 2010 Gulf Cooperation Council conference on the implementation of UNSCR 1540 or the Arab Atomic Energy Agency and its Arab Network of Nuclear Regulators; Supporting, enhancing, or building upon previous multilateral initiatives, including the Group of Eight's Global Partnership Against the Spread of Weapons and Materials of Mass Destruction or the White House-led Nuclear Security Summits in 2010 and 2012 to more fully incorporate and include countries of the Middle East and North Africa region; Encouraging countries to adopt and adhere to the IAEA Additional Protocol; Promoting and supporting WMD-related regional confidence-building measures and Track Two regional dialogues on nonproliferation and related issues; Working collaboratively with businesses, foundations, universities, think tanks and other sectors, including the possibility of prizes and challenges to spur innovation in achieving appropriate Middle East and North Africa nonproliferation objectives; Supporting and expanding successful existing Middle East and North Africa partnerships, including the Middle East Consortium for Infectious Disease Surveillance; Promoting the establishment of professional networks that foster voluntary regional interaction on weapons of mass destruction-related issues; or enhancing United States-Europe cooperation on combating proliferation in the Middle East and North Africa region.

The threat posed by WMD-related materials falling into the hands of terrorists remains our greatest and gravest threat. As former Defense Secretary Robert Gates said, ''Every senior leader, when you're asked what keeps you awake at night, it's the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear.''

To date, we have largely kept WMD materials out of terrorists' hands. Unfortunately, however, being successful ''to date'' is not good enough. When it comes to terrorism and WMD in our world, the reality is that the international community cannot afford to make a single mistake. We cannot be complacent because one miscalculation . . . one unprotected border . . . one unsecured facility . . . could all lead to a mushroom cloud somewhere in our world.

We need to remain vigilant, to think ahead, and to anticipate where the next threats will come from and adapt to get ahead of it.

That is why I would urge my colleagues in the Senate to take up and pass the Next Generation Cooperative Threat Reduction Act of 2013. We need to demonstrate that the United States will continue to lead the international community in curbing the threat posed by WMD proliferation. My legislation does just that. I hope the Senate will support this important effort.

Before yielding the floor, I want to thank my colleagues in the U.S. Senate, the U.S. House of Representatives, at the White House and at the Departments of State and Defense who contributed to this legislation. I also want

to give special thanks to the Co-Chairs of the Project on U.S. Middle East Nonproliferation Strategy, including David Albright, Mark Dubowitz, Orde Kittrie, Leonard Spector and Michael Yaffe, whose report, ''U.S. Nonproliferation Strategy for the Changing Middle East,'' served as the inspiration for this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 152—DESIGNATING NOVEMBER 28, 2013, AS ''NATIONAL HOLOPROSENCEPHALY AWARENESS DAY'' TO INCREASE AWARENESS AND EDUCATION OF THE DISORDER

Mr. COWAN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 152

Whereas Holoprosencephaly (commonly known as ''HPE'') is a birth defect of the brain in which the prosencephalon (also known as the ''embryonic forebrain'') does not sufficiently develop into 2 hemispheres resulting in a single-lobed brain structure and severe skull and facial defects;

Whereas in most cases of HPE, the malformations are so severe that babies die before birth;

Whereas in less severe cases of HPE, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip;

Whereas the 3 classifications of HPE that vary in severity and impairment to cognitive abilities are Alobar (in which the brain has not divided at all), Semilobar (in which the hemispheres of the brain have somewhat divided), and Lobar (in which there is considerable evidence of separate brain hemispheres);

Whereas HPE affects approximatley 1 out of every 250 pregnancies during early embryo development, with many of those pregnancies ending in miscarriage;

Whereas HPE affects 1 in 10,000-20,000 live births;

Whereas the prognosis for a child diagnosed with HPE depends on the severity of the brain and facial malformations and associated clinical complications, with the most severely affected children living several months or years and the least affected children living a normal life span;

Whereas there is no standard course of treatment for HPE because treatment must be individualized to the unique degree of malformations of each child;

Whereas the Federal Government, acting through the National Institutes of Health and the National Institute of Neurological Disorders and Strokes, supports and conducts a wide range of research on normal brain development and recent research has identified specific genes that cause HPE; and

Whereas November 28, 2013, would be an appropriate day to designate as 'National Holoprosencephaly Awareness Day': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of November 28, 2013, as ''National Holoprosencephaly Awareness Day'';

(2) urges Federal agencies—

(A) to continue supporting research to better understand the causes of HPE;

(B) to provide better counseling to families with the genetic forms of HPE; and

(C) to develop new ways to treat, and potentially prevent, HPE; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of HPE;

(B) to take an active role in the fight to end the devastating effects of HPE; and

(C) to observe ''National Holoprosencephaly Awareness Day'' with appropriate ceremonies and activities.

Mr. COWAN. Mr. President, I would like to take the opportunity to discuss a rare birth defect of the brain, known as holoprosencephaly or HPE.

I became aware of this rare disorder through the outreach of my constituent, Angel Marie Kelley from Bellingham, MA. Angel has a child living with HPE and has become a resource to others in her community who are touched by this disorder.

HPE occurs during the first few weeks of a pregnancy when the fetal brain does not sufficiently divide into two hemispheres, resulting in severe skull and facial defects. In most cases of HPE, the malformations are so severe that babies die before birth. In less severe cases, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip.

HPE affects about 1 out of every 250 pregnancies during early embryo development, with many of these pregnancies ending in miscarriage. The disorder affects between 1 in 10,000 to 1 in 20,000 live births.

There is no cure or standard course of treatment for HPE. The prognosis for a child diagnosed with the disorder depends on the severity of the brain and facial malformations and associated clinical complications. The most severely affected children could live several months or years and the least affected children are capable of achieving a normal life span. Treatment is symptomatic and supportive and must be individualized to each child's unique degree of malformations.

I would like to recognize the ongoing work of the Federal Government through the National Institutes of Health, NIH, and the National Institute of Neurological Disorders and Strokes, NINDS, on HPE. These agencies support and conduct a wide range of innovative and promising research on HPE—recently identifying the specific genes that cause HPE.

I am submitting this resolution today to designate November 28, 2013 as National Holoprosencephaly Awareness Day. This resolution urges Federal agencies to support HPE research, to provide better counseling to families with the genetic forms of HPE, and to develop new ways to treat, and potentially prevent this disorder. It also calls on the people of the United States to promote awareness of this birth defect and to observe National Holoprosencephaly Awareness Day with appropriate ceremonies and activities.

I look forward to working with my colleagues in the Senate to pass this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1068. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1069. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1070. Mr. JOHANNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1079. Mr. COONS (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNS) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, supra; which was ordered to lie on the table.

SA 1102. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1103. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. LAUTENBERG, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 19 and 20, insert the following:

SEC. 40___. BAN ON RECRUITMENT ACTIVITIES EFFORTS BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

''(g) BAN ON RECRUITMENT BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that forbid entities (including contractors of the entities) that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of the compensation would be based on the number of individuals who apply to receive the benefits.

''(h) REPAYMENT OF BENEFITS GIVEN TO INELIGIBLE INDIVIDUALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that require, except as provided in paragraph (2), that any entity receiving funds under this Act that has been determined in accordance with criteria established by the regulations to have purposefully recruited individuals ineligible for benefits under the supplemental nutrition assistance program or to have failed to verify the eligibility of individuals recruited to apply to receive benefits under the supplemental nutrition assistance program, to deposit in the general fund of the Treasury an amount equal to 200 percent of the amount of benefits provided by the State agency or benefit issuer to the individual later found to be ineligible to receive benefits under the program.

''(2) EXCEPTION FOR FRAUD.—The amount of benefits provided to ineligible individuals described in paragraph (1) shall not include any benefits received as a result of fraud by the individual.''.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12_____. REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs

through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11_____. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

''(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

''(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term 'average adjusted gross income' has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

''(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.''.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122____. AMOUNTS OWED TO ELIGIBLE COUNTIES.

Not later than 7 days after the date of enactment of this Act, the Secretary of the Treasury shall pay to each eligible county (as defined in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) an amount equal to the amount elected by the eligible county under section 102(b) of that Act (16 U.S.C. 7112(b)) for fiscal year 2013.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 15 and 16, insert the following:

SEC. 40____. PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 4001(b)) is amended by adding at the end the following:

''(m) PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to increase the number of work registrants who—

''(A) obtain unsubsidized employment;

''(B) increase earned income;

''(C) obtain or make progress toward a credential, certificate, or degree; and

''(D) reduce reliance on public assistance, including the supplemental nutrition assistance program.

''(2) SELECTION CRITERIA.—The Secretary shall select a pilot project to carry out under this subsection based on such criteria as the Secretary may establish, including—

''(A) enhancing existing employment and training programs in a State;

''(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participant employment activities and postparticipation employment, earnings, and receipt of public benefits;

''(C) collaborating with State and local workforce boards and other job training programs in a State or local area;

''(D) the extent to which the components of the project can be easily replicated by other States or political subdivisions; and

''(E) such additional criteria as are necessary to ensure that all selected pilot projects—

''(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

''(ii) are selected from a range of existing employment and training programs, including programs that provide—

''(I) skills development and support services for work registrants with limited employment history;

''(II) postemployment support services necessary for maintaining employment; and

''(III) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or equivalent that has value in the labor market of the region;

''(iii) are located in a range of geographical areas, including rural and urban areas and Indian reservations; and

''(iv) have a plan for sustaining the program after the pilot phase has concluded.

''(3) EVALUATION.—The Secretary shall provide for an independent evaluation of pilot projects selected under this subsection to measure the impact of the projects on the ability of each pilot project target population to find and retain employment that leads to increased household income, compared to what would have occurred in the absence of the pilot project.

''(4) REPORT TO CONGRESS.—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes a description of—

''(A) the results of each pilot project carried out under this subsection, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

''(B) the Federal, State, and other costs of each pilot project;

''(C) the planned dissemination among State agencies of the findings of the report; and

''(D) the measures and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

''(5) FUNDING.—Of the amounts made available under section 18(a)(1), the Secretary shall use to carry out this subsection $16,000,000 for each of fiscal years 2014 through 2016, to remain available until expended.

''(6) USE OF FUNDS.—

''(A) IN GENERAL.—Funds made available under this subsection shall be used only for—

''(i) pilot projects that comply with the requirements of this Act;

''(ii) the cost and administration of the pilot projects;

''(iii) the costs incurred in providing information for the evaluation under paragraph (3); and

''(iv) the costs of the evaluation under paragraph (3).

''(B) LIMITATION.—Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.''.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by paragraph (1) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after December 31, 2013.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle D—Defense of Environment and Property

SEC. 12301. NAVIGABLE WATERS.

(a) IN GENERAL.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by striking paragraph (7) and inserting the following:

''(7) NAVIGABLE WATERS.—

''(A) IN GENERAL.—The term 'navigable waters' means the waters of the United States, including the territorial seas, that are—

''(i) navigable-in-fact; or

''(ii) permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.

''(B) EXCLUSIONS.—The term 'navigable waters' does not include (including by regulation)—

''(i) waters that—

''(I) do not physically abut waters described in subparagraph (A); and

''(II) lack a continuous surface water connection to navigable waters;

''(ii) man-made or natural structures or channels—

''(I) through which water flows intermittently or ephemerally; or

''(II) that periodically provide drainage for rainfall; or

''(iii) wetlands without a continuous surface connection to bodies of water that are waters of the United States.

''(C) EPA AND CORPS ACTIVITIES.—An activity carried out by the Administrator or the Corps of Engineers shall not, without explicit State authorization, impinge upon the traditional and primary power of States over land and water use.

''(D) AGGREGATION; WETLANDS.—

''(i) AGGREGATION.—Aggregation of wetlands or waters not described in clauses (i) through (iii) of subparagraph (B) shall not be used to determine or assert Federal jurisdiction.

''(ii) WETLANDS.—Wetlands described in subparagraph (B)(iii) shall not be considered to be under Federal jurisdiction.

''(E) JUDICIAL REVIEW.—If a jurisdictional determination by the Administrator or the Secretary of the Army would affect the ability of a State or individual property owner to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, the State or individual property owner may obtain expedited judicial review not later than 30 days after the date on which the determination is made in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

''(F) TREATMENT OF GROUND WATER.—Ground water shall—

''(i) be considered to be State water; and

''(ii) not be considered in determining or asserting Federal jurisdiction over isolated or other waters, including intermittent or ephemeral water bodies.

''(G) PROHIBITION ON USE OF NEXUS TEST.—Notwithstanding any other provision of law, the Administrator may not use a significant nexus test (as used by EPA in the proposed document listed in section 3(a)(1)) to determine Federal jurisdiction over navigable waters and waters of the United States.''.

(b) APPLICABILITY.—Nothing in this section or the amendments made by this section affects or alters any exemption under—

(1) section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)); or

(2) section 404(f) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)).

SEC. 12302. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The following regulations and guidance shall have no force or effect:

(1) The final rule of the Corps of Engineers entitled ''Final Rule for Regulatory Programs of the Corps of Engineers'' (51 Fed. Reg. 41206 (November 13, 1986)).

(2) The proposed rule of the Environmental Protection Agency entitled ''Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of 'Waters of the United States' '' (68 Fed. Reg. 1991 (January 15, 2003)).

(3) The guidance document entitled ''Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in 'Rapanos v. United States' & 'Carabell v. United States' '' (December 2, 2008) (relating to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)).

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term ''navigable waters''.

(b) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

SEC. 12303. STATE REGULATION OF WATER.

Nothing in this subtitle affects, amends, or supersedes—

(1) the right of a State to regulate waters in the State; or

(2) the duty of a landowner to adhere to any State nuisance laws (including regulations) relating to waters in the State.

SEC. 12304. CONSENT FOR ENTRY BY FEDERAL REPRESENTATIVES.

Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) ENTRY BY FEDERAL AGENCY.—A representative of a Federal agency shall only enter private property to collect information about navigable waters if the owner of that property—

''(A) has consented to the entry in writing;

''(B) is notified regarding the date of the entry; and

''(C) is given access to any data collected from the entry.

''(2) ACCESS.—If a landowner consents to entry under paragraph (1), the landowner shall have the right to be present at the time any data collection on the property of the landowner is carried out.''.

SEC. 12305. COMPENSATION FOR REGULATORY TAKING.

(a) IN GENERAL.—If a Federal regulation relating to the definition of navigable waters or waters of the United States diminishes the fair market value or economic viability of a property, as determined by an independent appraiser, the Federal agency issuing the regulation shall pay the affected property owner an amount equal to twice the value of the loss.

(b) ADMINISTRATION.—Any payment provided under subsection (a) shall be made from the amounts made available to the relevant agency head for general operations of the agency.

(c) APPLICABILITY.—A Federal regulation described in subsection (a) shall have no force or effect until the date on which each landowner with a claim under this section relating to that regulation has been compensated in accordance with this section.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. PERMANENT SUSPENSION OF PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to crops of wheat.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. PROTECTION OF PRODUCER INFORMATION.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(2) PRODUCER.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(b) PROHIBITION OF PUBLIC DISCLOSURE OF PROTECTED INFORMATION.—Except as provided in subsection (c), no officer or employee of the Department of Agriculture, contractor or cooperator of the Department, or officer or employee of another Federal agency shall disclose—

(1) to the Federal Government any information submitted by a producer or owner of agricultural land under this Act; or

(2) any other information provided by a producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land to participate in any program administered by the Department or any other Federal agency.

(c) EXCEPTIONS.—The information described in subsection (a) may be disclosed if—

(1) the information is required to be made publicly available under any other provision of Federal law;

(2) the producer or owner of agricultural land who provided the information has lawfully publicly disclosed the information;

(3) the producer or owner of agricultural land who provided the information consents to the disclosure; or

(4)(A) the information is disclosed to the Attorney General; and

(B) the disclosure is necessary to ensure compliance with and enforcement of Federal law.

(d) NOTICE OF DISCLOSURE.—Not later than 24 hours after information is disclosed pursuant to an exception provided in subsection (b), the officer or employee of the Department of Agriculture, contractor or cooperator of the Department, or officer or employee of another Federal agency shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee of Agriculture in the House of Representatives a report on the disclosed information.

SA 1068. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

SEC. ____. REPORT ON FARM RISK MANAGEMENT PROGRAMS.

(a) IN GENERAL.—Not later than December 1, 2014, and each December 1 thereafter until

December 1, 2017, the Secretary, acting through the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(1) the impact of the agriculture risk coverage program under section 1108;

(2) the interaction of that program with—

(A) the adverse market payment program under section 1107;

(B) the marketing loan program under subtitle B of title I;

(C) the supplemental coverage option under section 508(c)(3)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)(B)) (as added by section 11001); and

(D) other Federal crop insurance programs;

(3) any distortion caused by the programs described in paragraphs (1) and (2), and any other farm programs as determined by the Chief Economist, on planting and production decisions; and

(4) any overlap or substitution caused by the programs described in paragraphs (1) and (2)(A) with Federal crop insurance.

(b) SUMMARY.—Not later than June 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary report that analyzes the issues described in subsection (a) over the period of crop years 2014 through 2017.

SA 1069. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 1615. PROHIBITION ON USE OF FUNDS TO DELAY COMPLIANCE WITH WTO DECISIONS.

The Secretary shall not use any funds (including funds of the Commodity Credit Corporation) to make payments or influence a foreign government or organization (including the Brazilian Cotton Institute) for the purpose of delaying compliance with a decision of the World Trade Organization.

SA 1070. Mr. JOHANNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 355, between lines 7 and 8, insert the following:

SEC. 40___. CATEGORICAL ELIGIBILITY LIMITATIONS.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) by striking the section designation and heading and all that follows through ''(a) PARTICIPATION.—'' and inserting the following:

''SEC. 5. ELIGIBLE HOUSEHOLDS.

''(a) REQUIREMENTS.—

''(1) IN GENERAL.—Participation'';

(2) in subsection (a)—

(A) by striking the second sentence and inserting the following:

''(2) RECIPIENTS OF OTHER FEDERAL BENEFITS.—Except as provided in section 3(n)(4) and subsections (b), (d)(2), (g), and (r) of section 6, a household shall be eligible to participate in the supplemental nutrition assistance program if each member of the household receives—

''(A) cash assistance in the form of ongoing basic needs benefit payments for financially needy families under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(B) cash assistance under the supplemental security income program established under title XVI of that Act (42 U.S.C. 1381 et seq.); or

''(C) aid to the aged, blind, or disabled under title I, X, XIV, or XVI of that Act (42 U.S.C. 301 et seq.).'';

(B) in the third sentence, by striking ''Except for sections 6, 16(e)(1), and section 3(n)(4), households'' and inserting the following:

''(3) GENERAL ASSISTANCE.—Except as provided in sections 3(n)(4), 6, and 16(d), a household''; and

(C) in the fourth sentence, by striking ''Assistance'' and inserting the following:

''(4) APPLICATIONS.—Assistance''; and

(3) in subsection (j)—

(A) by inserting ''cash assistance in the form of'' before ''supplemental security income benefits''; and

(B) by striking ''or who receives benefits'' and inserting ''or who receives cash assistance''.

On page 358, line 11, strike ''(a) IN GENERAL.—''.

On page 359, strike lines 11 through 15.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1051, strike line 5 and all that follows through page 1055, line 13.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 16____. STUDY ON OFFSETS FOR PAYMENTS TO BRAZILIAN COTTON INSTITUTE.

Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies and recommends $147,300,000 in annual savings for each of 2013 through 2018 from payments, loans, assistance, and plans provided to producers of upland cotton and extra long staple cotton under this title and section 508B of the Federal Crop Insurance Act to offset annual payments of $147,300,000 for each of 2013 through 2018 to be made to the Brazilian Cotton Institute.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1066, strike line 23 and all that follows through page 1071, line 16.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SECTION 122___. PROHIBITION OF GASOLINE BLENDS WITH GREATER THAN 10-VOLUME-PERCENT ETHANOL.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not, including by granting a waiver under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), authorize or otherwise allow the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol.

(b) PROHIBITION OF WAIVERS.—

(1) IN GENERAL.—Any waiver granted under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before the date of enactment of this Act that allows the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol for use in motor vehicles shall have no force or effect.

(2) CERTAIN WAIVERS.—The waivers described in subsection (a) include the following:

(A) The waiver entitled, ''Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 75 Fed. Reg. 68094 (November 4, 2010).

(B) The waiver entitled, ''Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 76 Fed. Reg. 4662 (January 26, 2011).

(c) MISFUELING RULE.—The portions of the rule entitled, ''Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs'', 76 Fed. Reg. 44406 (July 25, 2011) (including amendments to those portions of the rule) to mitigate misfueling shall have no force and effect 60 days after the date of enactment of this Act.

(d) CONFORMING VOLUMETRIC REQUIREMENTS.—Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) is amended—

(1) in paragraph (3)(C)—

(A) in clause (i), by striking ''and'';

(B) in clause (ii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) to limit the applicable percentage of renewable fuel required under this subsection to an amount that would ensure that no refiner, blender, or importer be required directly or indirectly to produce, blend, import, or otherwise enter into commerce any gasoline that contains, on an average annual basis, greater than 10-volume percent ethanol.''; and

(2) by adding at the end the following:

''(13) LIMITATIONS.—No entity required to comply with a provision of this section shall be required either by the applicable volumes under paragraph (2)(B) or by the operation of any other authority in this section (including regulations promulgated under this section) to introduce into commerce gasoline that contains, on an average annual basis, greater than 10 volume percent ethanol.''.

(e) CERTIFICATION FUELS.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by adding at the end the following:

''(w) CERTIFICATION FUELS.—The Administrator shall ensure that the fuel used for certification of vehicles and engines for compliance with emissions standards promulgated under this title corresponds in all respects to the fuel used by 75 percent or more of the vehicles and engines in use at the time the specifications for the certification fuel are promulgated for vehicles and engines that use the certification fuel.''.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42___. FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking ''**FRESH**'';

(2) in subsection (a), by striking ''fresh'';

(3) by striking subsection (b) and inserting the following:

''(b) PROGRAM.—A school participating in the program—

''(1) shall make free fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school;

''(2) may make the free fruits and vegetables available in any form (such as fresh, frozen, dried, or canned) that meets any nutrition requirement prescribed by the Secretary and consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

''(3) shall purchase, to the maximum extent practicable, domestic commodities or products in compliance with section 12(n) (including any implementing regulations).''; and

(4) in subsection (e), by striking ''fresh''.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12213. PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

(a) DEFINITIONS.—In this section—

(1) the terms ''agency'' and ''career appointee'' have the meanings given such terms in section 5381 of title 5, United States Code; and

(2) the term ''sequestration period'' means a period—

(A) beginning on the later of—

(i) the date on which a sequestration order is issued under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a); and

(ii) the first day of the fiscal year to which the sequestration order applies; and

(B) ending on the last day of the fiscal year to which the sequestration order applies.

(b) PROHIBITION.—Notwithstanding any other provision of law, an agency may not pay a performance award under section 5384 of title 5, United States Code, to a career appointee—

(1) during a sequestration period; or

(2) that relates to any period of service performed during a fiscal year during which a sequestration order under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a) is in effect.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12_____. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking ''on the date of enactment of this Act was'' and inserting ''is'';

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking ''(as in effect on the date of enactment of this Act)''; and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking ''96–568'' and inserting ''96–586''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting ''Public Law 105–263;'' before ''112 Stat.''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

''(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

''(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

''(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

''(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

''(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).''.

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. _____. WILDFIRE MITIGATION ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) POST DISASTER MITIGATION ASSISTANCE.—The President may provide hazard mitigation assistance in accordance with section 404 in any area in which assistance was provided under this section, whether or not a major disaster had been declared.''.

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a))—

(A) by inserting before the first period '', or any area in which assistance was provided under section 420''; and

(B) in the third sentence, by inserting ''or event under section 420'' after ''major disaster'' each place that term appears; and

(2) in section 322 (e)(1) (42 U.S.C. 5165(e)(1)), by inserting ''or event under section 420'' after ''major disaster'' each place that term appears.

SA 1079. Mr. COONS (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 339, line 13, strike ''$40,000,000'' and insert ''$60,000,000''.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 902, strike lines 12 and 13 and insert the following:

(5) by redesignating subsections (h) and (j) as subsections (k) and (*l*), respectively;

On page 918, strike lines 7 through 11 and insert the following:

2014 through 2018.

''(j) CONVENTIONAL BREEDING INITIATIVE.—

''(1) DEFINITIONS.—

''(A) CONVENTIONAL BREEDING.—The term 'conventional breeding' means the development of new varieties of an organism through controlled mating and selection without the use of transgenic methods.

''(B) PUBLIC BREED.—The term 'public breed' means a breed that is the commercially available uniform end product of a publicly funded breeding program that—

''(i) has been sufficiently tested to demonstrate improved characteristics and stabile performance; and

''(ii) remains in the public domain for research purposes.

''(C) PUBLIC CULTIVAR.—The term 'public cultivar' means a cultivar that is the commercially available uniform end product of a publicly funded breeding program that—

''(i) has been sufficiently tested to demonstrate improved characteristics and stabile performance; and

''(ii) remains in the public domain for research purposes.

''(2) ESTABLISHMENT.—Beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall carry out an initiative to address research needs in conventional breeding for public cultivar and public breed development, as described in paragraph (3).

''(3) PURPOSES.—The purposes of the initiative established by paragraph (2) are—

''(A) to fund public cultivar and public breed development through conventional breeding, with no requirement or preference for the use of marker-assisted or genomic selection methods; and

''(B) to conduct research on—

''(i) selection theory;

''(ii) applied quantitative genetics;

''(iii) conventional breeding for improved food quality;

''(iv) conventional breeding for improved local adaptation to biotic stress and abiotic stress; and

''(v) participatory conventional breeding.

''(4) ELIGIBLE ENTITIES.—The Secretary may carry out the initiative established by paragraph (2) through grants to—

''(A) institutions of higher education;

''(B) research institutions or organizations;

''(C) private organizations or corporations;

''(D) State agricultural experiment stations;

''(E) individuals; or

''(F) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (E).

''(5) RESEARCH PROJECT GRANTS.—In carrying out this subsection, the Secretary shall—

''(A) seek and accept proposals for grants;

''(B) award grants on a competitive basis;

''(C) determine the relevance and merit of proposals through a system of peer review, in consultation with experts in conventional breeding;

''(D) award grants on the basis of merit, quality, and relevance; and

''(E) award grants for a term that is practicable for conventional cultivar development.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2014 through 2018.'';

(7) in subsection (k) (as redesignated by paragraph (5)), by striking ''2012'' each place it appears and inserting ''2018''; and

(8) in subsection (*l*) (as redesignated by para-

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 998, strike lines 11 through 20 and insert the following:

(A) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (C), by striking ''and'' at the end;

(II) by redesignating subparagraph (D) as subparagraph (E); and

(III) by inserting after subparagraph (C) the following:

''(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and''; and

(ii) by striking paragraph (4) and inserting the following:

''(4) USE OF GRANT FUNDS.—

''(A) IN GENERAL.—A recipient of a grant under paragraph (1) shall use the grant funds to assist agricultural producers and rural small businesses by—

''(i) conducting and promoting energy audits; and

''(ii) providing recommendations and information on how—

''(I) to improve the energy efficiency of the operations of the agricultural producers and rural small businesses; and

''(II) to use renewable energy technologies and resources in the operations.

''(B) CERTIFICATION.—Before a recipient of a grant under paragraph (1) uses the grant funds to build a wind turbine, the Secretary shall certify that the wind turbine will not injure—

''(i) any species listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(ii) any migratory bird covered by the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); or

''(iii) any bald or golden eagle covered by the Act entitled 'An Act for the protection of the bald eagle', approved June 8, 1940 (16 U.S.C. 668 et seq.).''; and

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SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 975, between lines 12 and 13, insert the following:

''(7) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this section, the Chief and the Director shall issue for use in all contracts and agreements under subsection (b) fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

''(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

''(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON MANDATORY OR COMPULSORY CHECK OFF PROGRAMS.

Notwithstanding any other provision of law, no program to promote and provide research and information for a particular agricultural commodity without reference to 1 or more specific producers or brands (commonly known as a ''check-off program'') shall be mandatory or compulsory.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12_____. REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12_____. ADMINISTRATION.

Notwithstanding any other provision of law, the carrying out of this Act and the amendments made by this Act shall not be done in a manner that targets any individuals or groups on the basis of ideology or political affiliation.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 378, between lines 15 and 16, insert the following:

SEC. 4_____. INTERVIEW AUTHORITY.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(v) INTERVIEW AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall give each participating State the option to carry out the supplemental nutrition assistance program by allowing nonprofit organizations and area agencies on aging to conduct the eligibility interview for applicant households, in accordance with the interview process of the State.

''(2) CRITERIA.—Any nonprofit organization or area agency on aging allowed to conduct an interview under paragraph (1) shall be selected at the discretion of the head of the State agency responsible for administering the supplemental nutrition assistance program in the State.''.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 846, line 22, insert ''unless the Secretary determines at least 25 percent of the households in a proposed service area that is capable of receiving broadband service are not purchasing the minimum acceptable level of broadband service'' after ''under subsection (e)''.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 380, strike line 24 and all that follows through page 381, line 13, and insert the following:

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) by striking subclause (I) and inserting the following:

''(I) to create or implement a coordinated community plan to meet the food security needs of low-income individuals;'';

(II) in subclause (II), by inserting ''and effectiveness'' after ''self-reliance'';

(III) in subclause (III), by inserting ''food access,'' after ''food,''; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

''(I) infrastructure improvement and development;''; and

On page 381, between lines 20 and 21, insert the following:

(2) in subsection (b)(2)(B), by striking ''$5,000,000'' and inserting ''$10,000,000'';

On page 381, line 21, strike ''(2)'' and insert ''(3)''.

On page 381, strike lines 22 through 24 and insert the following:

(A) in the matter preceding paragraph (1), by inserting ''or a nonprofit entity working in partnership with a State, local, or tribal government agency or community health organization'' after ''nonprofit entity'';

On page 382, strike lines 7 through 10 and insert the following:

''(C) efforts to reduce food insecurity in the community, including increasing access to food services or improving coordination of services and programs;'';

Beginning on page 382, strike line 19 and all that follows through page 383, line 12, and insert the following:

(4) in subsection (d), by striking paragraphs (3) and (4) and inserting the following:

''(3) develop innovative linkages between the for-profit, nonprofit, and public sectors;

''(4) encourage long-term planning activities and multisystem interagency approaches with multistakeholder collaborations (such as food policy councils, food planning associations, and hunger-free community coalitions) that build the long-term capacity of communities to address the food, food security, and agricultural problems of the communities;

''(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future; or

''(6) achieve goal 2 or 3 of the hunger-free communities goals.'';

On page 383, strike lines 13 through 16 and insert the following:

(5) in subsection (f)(2), by striking ''3 years'' and inserting ''5 years'';

(6) by striking subsection (h) and inserting the following:

On page 384, line 2, strike the period at the end and insert ''; and''.

On page 384, between lines 2 and 3, insert the following:

(7) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''and recommend to the targeted entities'' and inserting ''create a nationally accessible web-based clearinghouse of regulations, zoning provisions, and best practices by government and the private and nonprofit sectors that have been shown to improve community food security, and provide to targeted entities training, technical assistance, and''; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

''(C) health disparities;

''(D) food insecurity;''; and

(B) in paragraph (4), by striking ''$200,000'' and inserting ''$500,000''.

On page 396, strike lines 8 through 12 and insert the following:

SEC. 4202. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by striking subsection (a) and inserting the following:

''(a) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers' market nutrition program—

''(1) $2,500,000 for fiscal year 2014; and

''(2) $5,000,000 for each of fiscal years 2015 through 2018.''.

On page 420, strike lines 13 through 16 and insert the following:

''(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

''(A) $1,000,000 for fiscal year 2014;

''(B) $2,000,000 for fiscal year 2015;

''(C) $3,000,000 for fiscal year 2016;

''(D) $4,000,000 for fiscal year 2017; and

''(E) $5,000,000 for fiscal year 2018.

Beginning on page 636, strike line 21 and all that follows through page 639, line 2, and insert the following:

''(A) FAMILY FARM.—The term 'family' farm has the meaning given the term in section 761.2 of title 7, Code of Federal Regulations (as in effect on December 30, 2007).

''(B) MID-TIER VALUE CHAIN.—The term 'mid-tier value chain' means a local and regional supply network (including a network that operates through food distribution centers that coordinate agricultural production and the aggregation, storage, processing, distribution, and marketing of locally or regionally produced agricultural products) that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

''(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

''(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

''(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term 'value-added agricultural product' means any agricultural commodity or product—

''(i) that—

''(I) has undergone a change in physical state;

''(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

''(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

''(IV) is a source of farm-based renewable energy, including E–85 fuel; or

''(V) is aggregated and marketed as a locally produced agricultural food product or as part of a mid-tier value chain; and

''(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

''(I) the customer base for the agricultural commodity or product is expanded; and

''(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

On page 639, line 5, insert ''on a competitive basis'' after grants.

On page 640, strike lines 12 through 21 and insert the following:

''(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall—

''(I) in the case of a grant under subparagraph (A)(i), give priority to—

''(aa) operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) beginning farmers and ranchers or socially disadvantaged farmers or ranchers; and

''(II) in the case of a grant under subparagraph (A)(ii), give priority to projects (including farmer cooperative projects) that best contribute to—

''(aa) increasing opportunities for operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) creating opportunities for beginning farmers and ranchers or socially disadvantaged farmers and ranchers.

On page 642, line 21, strike ''June 30 of'' and insert ''the date on which the Secretary completes the review process for applications submitted under this section for''.

On page 643, line 4, strike ''$12,500,000'' and insert ''$20,000,000''.

On page 663, strike lines 8 through 23 and insert the following:

''(ii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that would—

''(I) result in increased access to locally or regionally grown food in underserved communities;

''(II) create new market opportunities for agricultural producers; or

''(III) support strategic economic and community development regional economic development plans on a multijurisdictional basis.

''(iii) GUARANTEE LOAN FEE AND PERCENTAGE.—In making or guaranteeing a loan under clause (i) the Secretary may waive, incorporate into the loan, or reduce the guarantee loan fee that would otherwise be imposed under this paragraph.

On page 1025, line 8, strike ''$20,000,000'' and insert ''$30,000,000''.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 167, line 18, strike ''$750,000'' and insert ''$500,000''.

On page 384, line 22, strike ''$22,000,000'' and insert ''$28,000,000''.

On page 384, line 24, strike ''$18,000,000'' and insert ''$44,000,000''.

On page 385, line 2, strike ''$10,000,000; and'' and insert ''$24,000,000;''.

On page 385, line 4, strike ''$4,000,00.''; and'' and insert ''$18,000,000; and''.

On page 385, between lines 4 and 5, insert the following:

''(v) for fiscal year 2018 and each fiscal year thereafter, $10,000,000.''; and

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SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 921, line 3, strike ''shall'' and insert ''may''.

On page 921, line 24, strike ''$10,000,000'' and insert ''$20,000,000''.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 are repealed:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) Section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 are repealed:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), is repealed.

(d) PROHIBITION.—Notwithstanding any other provision of law, including the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), beginning on October 1, 2018, the Secretary shall have no authority

to support the price of commodities through payments or purchases.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike sections 1104 through 1110 and insert the following:

SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) ACTUAL CROP REVENUE.—The term ''actual crop revenue'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(3).

(2) AGRICULTURE RISK COVERAGE GUARANTEE.—The term ''agriculture risk coverage guarantee'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(4).

(3) AGRICULTURE RISK COVERAGE PAYMENT.—The term ''agriculture risk coverage payment'' means a payment under section 1105(c).

(4) AVERAGE INDIVIDUAL YIELD.—The term ''average individual yield'' means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(5) COUNTY COVERAGE.—For the purposes of agriculture risk coverage under section 1105, the term ''county coverage'' means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average county yield described in subsection (c) of that section.

(6) COVERED COMMODITY.—

(A) IN GENERAL.—The term ''covered commodity'' means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) POPCORN.—The Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

(ii) if the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(7) ELIGIBLE ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term ''eligible acres'' means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) MAXIMUM.—Except as provided in subparagraph (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(C) ADJUSTMENT.—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) EXCLUSION.—The term ''eligible acres'' does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(8) EXTRA LONG STAPLE COTTON.—The term ''extra long staple cotton'' means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) INDIVIDUAL COVERAGE.—For purposes of agriculture risk coverage under section 1105, the term ''individual coverage'' means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average individual yield of the producer described in subsection (c) of that section.

(10) MEDIUM GRAIN RICE.—The term ''medium grain rice'' includes short grain rice.

(11) OTHER OILSEED.—The term ''other oilseed'' means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(12) PAYMENT YIELD.—The term ''payment yield'' means the yield established for adverse market payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952) as in effect on the date of enactment of this Act for a farm for a covered commodity.

(13) PRODUCER.—

(A) IN GENERAL.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(14) PULSE CROP.—The term ''pulse crop'' means dry peas, lentils, small chickpeas, and large chickpeas.

(15) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(16) REFERENCE PRICE.—The term ''reference price'' means the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the actual crop revenue under section 1105(c)(3).

(17) TRANSITIONAL YIELD.—The term ''transitional yield'' has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(18) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

SEC. 1105. AGRICULTURE RISK COVERAGE.

(a) PAYMENTS REQUIRED.—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) COVERAGE ELECTION.—

(1) IN GENERAL.—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) EFFECT OF ELECTION.—The election made under paragraph (1) shall be binding on the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) DUTIES OF THE SECRETARY.—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering or reversing the election made under paragraph (1).

(c) AGRICULTURE RISK COVERAGE.—

(1) PAYMENTS.—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, beginning October 1, or as soon as practicable

thereafter, after the end of the applicable marketing year for the covered commodity, the Secretary shall make the agriculture risk coverage payments.

(3) ACTUAL CROP REVENUE.—The amount of the actual crop revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(ii) if applicable, the reference price for the covered commodity under paragraph (4).

(4) REFERENCE PRICE.—The reference price for a covered commodity shall be determined as follows:

(A) IN GENERAL.—Subject to subparagraph (B), the reference price for a covered commodity shall be the product obtained by multiplying—

(i) 55 percent; by

(ii) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(B) ALTERNATIVE PRICE FOR RICE AND PEANUTS.—In the case of long and medium grain rice and peanuts, the reference price shall be—

(i) in the case of long and medium grain rice, $13.00 per hundredweight; and

(ii) in the case of peanuts, $530.00 per ton.

(5) AGRICULTURE RISK COVERAGE GUARANTEE.—

(A) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 88 percent of the benchmark revenue.

(B) BENCHMARK REVENUE.—

(i) IN GENERAL.—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (i)(I)(aa)—

(I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and

(II) for the 2014 crop year and any subsequent crop year, is less than 65 percent of the applicable transitional yield, the Secretary shall use 65 percent of the applicable transitional yield for that crop year.

(6) PAYMENT RATE.—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of the covered commodity; or

(B) 10 percent of the benchmark revenue for the crop year of the covered commodity.

(7) PAYMENT AMOUNT.—If agriculture risk coverage payments under this subsection are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (5); and

(B)(i) in the case of individual coverage the sum of—

(I) 65 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or

(ii) in the case of county coverage—

(I) 80 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.

(8) DUTIES OF THE SECRETARY.—In carrying out the program under this subsection, the Secretary shall—

(A) to the maximum extent practicable, use all available information and analysis to check for anomalies in the determination of payments under the program;

(B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(C) differentiate by type or class the national average price of—

(i) sunflower seeds;

(ii) barley, using malting barley values; and

(iii) wheat; and

(D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (5)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (5) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

SEC. 1106. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive agriculture risk coverage payments, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments are made shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to an agriculture risk coverage payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) REPORTS.—

(1) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PRODUCTION REPORTS.—As a condition on the receipt of any benefits under section 1105, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) PENALTIES.—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) DATA REPORTING.—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of agriculture risk coverage payments among the producers on a farm on a fair and equitable basis.

SEC. 1107. PERIOD OF EFFECTIVENESS.

Sections 1104 through 1106 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike ''and'' at the end.

On page 217, strike line 21 and insert the following:

habitat.''; and

(6) in subsection (i)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNS) submitted an amendment

intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 1001D(b)(1)(A) of the Food Security Act of 1985 (7 U.S.C. 1308–3a) (as amended by section 1605(a)), strike ''$750,000'' and insert ''$500,000''.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 131 strike ''Secretary'' on line 22 and all that follows through page 132, line 9, and insert the following: ''Secretary—

(i) assumes the production and market risks associated with the agricultural production of crops or livestock; or

(ii) experiences revenue losses under a production contract due to a disaster.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States;

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law; or

(v) a contract grower.

On page 133, line 21, insert ''that are prohibited from replacing livestock due to Federal or State quarantine orders or'' after ''on farms''.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122___. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term ''farm'' has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term ''gallon'' means a United States liquid gallon.

(4) OIL.—The term ''oil'' has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term ''oil discharge'' has the meaning given the term ''discharge'' in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—The term ''reportable oil discharge history'' has the meaning used to describe the legal requirement to report a discharge of oil under applicable law.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term ''Spill Prevention, Control, and Countermeasure rule'' means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than 20,000 gallons; or

(iii) a reportable oil discharge history; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity not more than 20,000 gallons and not less than the lesser of—

(I) 6,001 gallons; or

(II) the adjustment described in subsection (d)(2); and

(ii) no reportable oil discharge history of oil; and

(2) not require a certification of a statement of compliance with the rule—

(A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and

(B) no reportable oil discharge history; and

(3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant rise of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, insert the following:

SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.

(a) FINDINGS.—Congress finds that—

(1) United States livestock producers supply a vital link in the food supply of the United States, which is listed as a critical infrastructure by the Secretary of Homeland Security;

(2) domestic terrorist attacks have occurred at livestock operations across the United States, endangering the lives and property of people of the United States;

(3) livestock operations in the United States are largely family owned and operated with most families living at the same location as the livestock operation;

(4) State governments and agencies are the primary authority in almost all States for the protection of water quality under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) State agencies maintain records on livestock operations and have the authority to address water quality issues where needed; and

(6) there is no discernible environmental or scientifically research-related need to create a database or other system of records of livestock operations in the United States by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term ''Agency'' means the Environmental Protection Agency.

(3) LIVESTOCK OPERATION.—The term ''livestock operation'' includes any operation involved in the raising or finishing of livestock and poultry.

(c) PROCUREMENT AND DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor or cooperator of the Agency, shall not disclose the information described in subparagraph (B) of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is—

(i) names;

(ii) telephone numbers;

(iii) email addresses;

(iv) physical addresses;

(v) Global Positioning System coordinates; or

(vi) other identifying information regarding the location of the owner, operator, or employee.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the livestock producer consents to the disclosure;

(B) the authority of any State agency to collect information on livestock operations; or

(C) the authority of the Agency to disclose the information on livestock operations to State or other Federal governmental agencies.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the livestock producer under paragraph (2)(A)(ii).

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

Subtitle D—Congressional Review of Agency Rulemaking in Cases of Negative Effect on Access to Affordable Food

SEC. 12301. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING IN CASES OF NEGATIVE EFFECT ON ACCESS TO AFFORDABLE FOOD.

Effective beginning on the date of enactment of this Act, if the Secretary determines that a rule promulgated by any Federal agency could have a negative effect on access by any individual to affordable food the procedures described in this subtitle shall take effect and supercede the provisions of chapter 8 of title 5, United States Code.

SEC. 12302. CONGRESSIONAL REVIEW.

(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule;

(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 12305(2);

(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

(v) the proposed effective date of the rule.

(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 12303(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 12303 or as provided for in the rule following enactment of a joint resolution of approval described in section 12303, whichever is later.

(4) A nonmajor rule shall take effect as provided by section 12304 after submission to Congress under paragraph (1).

(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this subtitle in the same Congress by either the House of Representatives or the Senate.

(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 12303.

(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

(A) necessary because of an imminent threat to health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security; or

(D) issued pursuant to any statute implementing an international trade agreement.

(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 12303.

(d)(1) In addition to the opportunity for review otherwise provided under this subtitle, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(A) in the case of the Senate, 60 session days, or

(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 12303 and 12304 shall apply to such rule in the succeeding session of Congress.

(2)(A) In applying sections 12303 and 12304 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

(i) such rule were published in the Federal Register on—

(I) in the case of the Senate, the 15th session day, or

(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

SEC. 12303. CONGRESSIONAL APPROVAL PROCEDURE FOR MAJOR RULES.

(a)(1) For purposes of this section, the term ''joint resolution'' means only a joint resolution addressing a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii) that—

(A) bears no preamble;

(B) bears the following title (with blanks filled as appropriate): ''Approving the rule submitted by _____ relating to _____.'';

(C) includes after its resolving clause only the following (with blanks filled as appropriate): ''That Congress approves the rule submitted by _____ relating to _____.''; and

(D) is introduced pursuant to paragraph (2).

(2) After a House of Congress receives a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

(A) in the case of the House of Representatives, within three legislative days; and

(B) in the case of the Senate, within three session days.

(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint

resolution described in subsection (a) shall be decided without debate.

(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 12302(b)(2), then such vote shall be taken on that day.

(h) This section and section 12304 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 12304. CONGRESSIONAL DISAPPROVAL PROCEDURE FOR NONMAJOR RULES.

(a) For purposes of this section, the term ''joint resolution'' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 12302(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ''That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.'' (The blank spaces being appropriately filled in).

(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

(2) For purposes of this section, the term submission or publication date means the later of the date on which—

(A) the Congress receives the report submitted under section 12302(a)(1); or

(B) the nonmajor rule is published in the Federal Register, if so published.

(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

(2) if the report under section 12302(a)(1)(A) was submitted during the period referred to in section 12302(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

(1) The joint resolution of the other House shall not be referred to a committee.

(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

SEC. 12305. DEFINITIONS.

In this subtitle:

(1) The term ''Federal agency'' means any agency as that term is defined in section 551(1) of title 5, United States Code.

(2) The term ''major rule'' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of $100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(3) The term ''nonmajor rule'' means any rule that is not a major rule.

(4) The term ''rule'' has the meaning given such term in section 551 of title 5, United States Code, except that such term does not include—

(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(B) any rule relating to agency management or personnel; or

(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

SEC. 12306. JUDICIAL REVIEW.

(a) No determination, finding, action, or omission under this subtitle shall be subject to judicial review.

(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this subtitle for a rule to take effect.

(c) The enactment of a joint resolution of approval under section 12303 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

SEC. 12307. EXEMPTION FOR MONETARY POLICY.

Nothing in this subtitle shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

SEC. 12308. APPLICABILITY.

This subtitle shall only apply to a rule that the Secretary determines to have a negative effect on access by any individual to affordable food.

SEC. 12309. EFFECTIVE DATE OF CERTAIN RULES.

Notwithstanding section 12302—

(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42____. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term ''food service program'' includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f (b));

(C) food service at a hospital, clinic, or long-term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE.—The terms ''Indian'' and ''Indian tribe'' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term ''traditional food'' means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term ''traditional food'' includes—

(i) wild game meat;

(ii) fish;

(iii) seafood; and

(iv) plants.

(4) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public or nonprofit facility, including a facility operated by an Indian tribe or tribal organization, that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNS) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. USE OF AUTHORIZED PESTICIDES; DISCHARGES OF PESTICIDES; REPORT.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in subsection (s) of section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), the Administrator or a State shall not require a permit under that Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under this Act; or

''(B) the residue of such a pesticide, resulting from the application of the pesticide.''.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); or

''(B) the residue of such a pesticide, resulting from the application of the pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) relating to protecting water quality if—

''(i) the discharge would not have occurred without the violation; or

''(ii) the quantity of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Agriculture, shall submit to the Committee on Environment and Public Works and the Committee on Agriculture of the Senate and the Committee on Transportation and Infrastructure and the Committee on Agriculture of the House of Representatives a report that includes—

(1) the status of intra-agency coordination between the Office of Water and the Office of Pesticide Programs of the Environmental Protection Agency regarding streamlining information collection, standards of review, and data use relating to water quality impacts from the registration and use of pesticides;

(2) an analysis of the effectiveness of current regulatory actions relating to pesticide registration and use aimed at protecting water quality; and

(3) any recommendations on how the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) can be modified to better protect water quality and human health.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 12, strike lines 6 and 7, and insert the following:

''shall be used for any 1 project;

''(IV) no portion of the proposed service territory is already served by ultra-high speed service;

''(V) the entity receiving the grant, loan, or loan guarantee—

''(aa) does not already provide ultra-high speed service in any State in which the entity operates; and

''(bb) has not received any funding under the broadband technologies opportunity program established under section 6001 of division B of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305) or the programs funded under the heading 'DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM' under the heading 'DEPARTMENT OF AGRICULTURE' under title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 119); and

''(VI) paragraph (2)(A)(i) shall

SA 1102. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 13 and all that follows through page 40, line 4, and insert the following:

(c) REFERENCE PRICE.—The reference price for a covered commodity shall be the product obtained by multiplying—

(1) 55 percent; by

(2) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the high est and lowest prices.

SA 1103. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122___. REDUCING REGULATORY BURDENS.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or

use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 62, line 14, insert ''and section 1207'' after ''this section''.

On page 73, between lines 17 and 18, insert the following:

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on August 1, 2013, and ending on July 31, 2019, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture or other data are available.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term ''demand'' means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture (as determined by the Secretary) are available; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term ''supply'' means, using the latest official data of the Department of Agriculture—

(i) the carryover of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, between lines 9 and 10, insert the following:

SEC. 3210. IMPORT PROHIBITION ON OLIVE OIL.

Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the matter preceding the first proviso in the first sentence by inserting ''olive oil,'' after ''clementines,''.

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

SEC. 83_____. FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service (referred to in this section as the ''Secretary''), may establish a large airtanker and aerial asset lease program in accordance with this section.

(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to 5 aircraft that meet the criteria—

(1) described in the Forest Service document entitled ''Large Airtanker Modernization Strategy'' and dated February 10, 2012, for large air tankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to 5 years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. WORK REQUIREMENTS.

(a) DECLARATION OF POLICY.—Section 2 of the Food and Nutrition Act of 2008 (7 U.S.C. 2011) is amended by adding at the end the following: ''Congress further finds that it should also be the purpose of the food stamp program to increase employment, to encourage healthy marriage, and to promote prosperous self-sufficiency, which means the ability of households to maintain an income above the poverty level without services and benefits from the Federal Government.''.

(b) DEFINITIONS.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended by adding at the end the following:

''(w) ABLE-BODIED, WORK-ELIGIBLE ADULT.—

''(1) IN GENERAL.—The term 'able-bodied, work-eligible adult' means an individual who—

''(A) is more than 18, and less than 63, years of age;

''(B) is not physically or mentally incapable of work; and

''(C) is not the full-time caretaker of a disabled adult dependent.

''(2) PHYSICALLY OR MENTALLY INCAPABLE OF WORK.—For purposes of paragraph (1)(B), the term 'physically or mentally incapable of work' means an individual who—

''(A) currently receives benefits under the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work; or

''(B) has been medically certified as physically or mentally incapable of work and who has a credible pending application for enrollment in the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work.

''(x) FAMILY HEAD.—The term 'family head' means—

''(1) a biological parent who is lawfully present in the United States and resides within a household with 1 or more dependent children who are the biological offspring of the parent; or

''(2) in the absence of a biological parent, a step parent, adoptive parent, guardian, or adult relative who resides with and provides care to the 1 or more children and is lawfully present in the United States.

''(y) FAMILY UNIT.—The term 'family unit' means—

''(1) an adult residing without dependent children;

''(2) a single-headed family with dependent children; or

''(3) a married couple family with dependent children.

''(z) FAMILY WITH DEPENDENT CHILDREN.—

''(1) IN GENERAL.—The term 'family with dependent children' means a unit consisting of a family head, 1 or more dependent children, and, if applicable, the married spouse of the family head, all of whom share meals and reside within a single household.

''(2) MULTIPLE FAMILIES IN A HOUSEHOLD.—There may be more than 1 family with dependent children in a single household.

''(aa) MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term 'married couple family with dependent children' means a family with dependent children that has both a family head and the married spouse of the family head residing with the family.

''(bb) MARRIED SPOUSE OF THE FAMILY HEAD.—The term 'married spouse of the family head' means the lawfully married spouse of the family head who—

''(1) resides with the family head and dependent children; and

''(2) is lawfully present in the United States.

''(cc) MEMBER OF A FAMILY.—The term 'member of a family' means the family head, married spouse if present, and all dependent children within a family with dependent children

''(dd) MONTHLY POTENTIAL WORK ACTIVATION POPULATION.—The term 'monthly potential work activation population' means the sum of—

''(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained less than 60 hours of paid employment during a month;

''(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and have maintained less than 120 hours of paid employment by the family head during the month; and

''(3) all work-eligible married couples with dependent children that have received food stamp benefits during the month and have maintained less than 120 combined hours of paid employment between the family head and the married spouse, summed together and counted jointly, during the month.

''(ee) MONTHLY WORK ACTIVATION PARTICIPANTS.—The term 'monthly work activation participants' means the sum of—

''(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained—

''(A) less than 60 hours of paid employment during a month; and

''(B) more than 60 hours of combined paid employment and work activation activity during the month;

''(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and include a family head who has maintained—

''(A) less than 120 hours of paid employment during the month; and

''(B) more than 120 hours of combined paid employment and work activation activity during the month; and

''(3) all work-eligible married couples with dependent children who have received food stamp benefits during the month, and have maintained—

''(A) less than 120 combined hours of paid employment between the family head and the spouse, combined, during the month; and

''(B) more than 120 hours of combined paid employment and work activation activity between the family head and the married spouse, combined, during the month.

''(ff) SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term 'single-headed family with dependent children' means a family with dependent children that—

''(1) contains a family head residing with the family; but

''(2) does not have a married spouse of the family head residing with the family.

''(gg) WORK ACTIVATION.—

''(1) IN GENERAL.—The term 'work activation' means—

''(A) supervised job search;

''(B) community service activities;

''(C) education and job training for individuals who are family heads or married spouses of family heads;

''(D) workfare under section 20; or

''(E) drug or alcohol treatment.

''(2) SUPERVISED JOB SEARCH.—For purposes of paragraph (1)(A), the term 'supervised job search' means a job search program that has the following characteristics:

''(A) The job search occurs at an official location where the presence and activity of the recipient can be directly observed, supervised, and monitored.

''(B) The recipient's entry, time on site, and exit from the official job search location are recorded in a manner that prevents fraud.

''(C) The recipient is expected to remain and undertake job search activities at the job search center, except for brief, authorized departures for specified off-site interviews.

''(D) The quantity of time the recipient is observed and monitored engaging in job search at the official location is recorded for purposes of compliance with section 29.

''(hh) WORK ACTIVATION RATIO.—The term 'work activation ratio' means the quotient obtained by dividing—

''(1) the number of work activation participants in a month; by

''(2) the monthly potential work activation population for the month.

''(ii) WORK ACTIVITIES.—The term 'work activities' means—

''(1) paid employment;

''(2) work activation; or

''(3) a combination of both paid employment and work activation.

''(jj) WORK-ELIGIBLE ADULT WITHOUT DEPENDENT CHILDREN.—The term 'work-eligible adult without dependent children' means an individual who—

''(1) is an able-bodied, work-eligible adult; and

''(2) is not a family head or the married spouse of a family head.

''(kk) WORK-ELIGIBLE FAMILY UNIT.—The term 'work-eligible family unit' means—

''(1) an able-bodied, work-eligible adult without dependent children;

''(2) a work-eligible single-headed family with dependent children; or

''(3) a work-eligible married couple family with dependent children.

''(ll) WORK-ELIGIBLE MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term 'work-eligible married couple family with dependent children' means a married couple with dependent children that contains at least 1 work-eligible, able-bodied adult who is—

''(1) the family head; or

''(2) the married spouse of the family head.

''(mm) WORK-ELIGIBLE SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term 'work-eligible single-headed family with dependent children' means a single-headed family with dependent children that has a family head who is an able-bodied, work-eligible adult.''.

(c) CONDITIONS OF PARTICIPATION.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is amended by striking subsection (d) and inserting the following:

''(d) CONDITIONS OF PARTICIPATION.—

''(1) WORK REQUIREMENTS.—

''(A) IN GENERAL.—No able-bodied, work-eligible adult shall be eligible to participate in the food stamp program if the individual—

''(i) refuses, at the time of application and every 12 months thereafter, to register for employment in a manner prescribed by the Secretary;

''(ii) refuses without good cause to accept an offer of employment, at a site or plant not subject to a strike or lockout at the time of the refusal, at a wage not less than the higher of—

''(I) the applicable Federal or State minimum wage; or

''(II) 80 percent of the wage that would have applied had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) been applicable to the offer of employment;

''(iii) refuses without good cause to provide a State agency with sufficient information to allow the State agency to determine the employment status or the job availability of the individual; or

''(iv) voluntarily—

''(I) quits a job; or

''(II) reduces work effort and, after the reduction, is working less than 30 hours per week, unless another adult in the same family unit increases employment at the same time by an amount that is at least equal to the reduction in work effort by the first adult.

''(B) FAMILY UNIT INELIGIBILITY.—If an able-bodied, work-eligible adult is ineligible to participate in the food stamp program because of subparagraph (A), no other member of the family unit to which that adult belongs shall be eligible to participate.

''(C) DURATION OF INELIGIBILITY.—An able-bodied, work-eligible adult who becomes ineligible under subparagraph (A), and members of the family unit who become ineligible under subparagraph (B), shall remain ineligible for 3 months after the date on which ineligibility began.

''(D) RESTORATION OF ELIGIBILITY.—At the end of the 3-month period of ineligibility under subparagraph (c), members of a work-eligible family unit may have their eligibility to participate in the food stamp program restored, if—

''(i) the family unit is no longer a work-eligible family unit; or

''(ii) the adult members of the family unit begin and maintain any combination of paid employment and work activation sufficient to meet the appropriate standards for resumption of benefits in section 29(c)(2).

''(2) STRIKE AGAINST A GOVERNMENT.—For the purpose of subparagraph (A)(iv), an employee of the Federal Government, a State, or a political subdivision of a State, who is dismissed for participating in a strike against the Federal Government, the State, or the political subdivision of the State shall be considered to have voluntarily quit without good cause.

''(3) STRIKING WORKERS INELIGIBLE.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C) and notwithstanding any other provision of law, no member of a family shall be eligible to participate in the food stamp program at any time that any able-bodied, work-eligible adult member of the household is on strike as defined in section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142), because of a labor dispute (other than a lockout) as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152).

''(B) PRIOR ELIGIBILITY.—

''(i) IN GENERAL.—Subject to clauses (ii), a family unit shall not lose eligibility to participate in the food stamp program as a result of 1 of the members of the family unit going on strike if the household was eligible immediately prior to the strike.

''(ii) NO INCREASED ALLOTMENT.—A family unit described in clause (i) shall not receive an increased allotment as the result of a decrease in the income of the 1 or more striking members of the household.

''(C) REFUSAL TO ACCEPT EMPLOYMENT.—Ineligibility described in subparagraph (A) shall not apply to any family unit that does not contain a member on strike, if any of the members of the family unit refuses to accept employment at a plant or site because of a strike or lockout.''.

(d) ELIGIBILITY OF STUDENTS WITH DEPENDENT CHILDREN.—Section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)) is amended by striking paragraph (8) and inserting the following:

''(8) is enrolled full-time in an institution of higher education, as determined by the institution, and—

''(A) is a single parent with responsibility for the care of a dependent child under 12 years of age; or

''(B) is a family head or married spouse of a family head in a married couple family with dependent children and has a dependent child under age 12 residing in the home.''.

(e) WORK REQUIREMENT.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by striking subsection (o) and inserting the following:

''(o) FULFILLMENT OF EMPLOYMENT AND WORK ACTIVATION REQUIREMENTS.—

''(1) IN GENERAL.—If 1 or more adults within a work-eligible family unit are required by the State agency to participate in work activation under section 29, no member of the family unit shall be eligible for food stamp benefits unless the family unit complies with the employment and work activation standards.

''(2) SANCTIONS AND RESUMPTION OF BENEFITS.—If 1 or more adults within a work-eligible family unit who are required by the State agency to participate in work activation under section 29 during a given month fail to comply with the work activation standards, benefits for all members of the family unit—

''(A) shall be terminated in accordance with section 29(c)(1); and

''(B) may be resumed upon compliance with section 29(c)(2).''.

(f) EXCLUSION.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

''(r) MINOR CHILDREN.—No child less than age 18 years of age may participate in the food stamp program unless the child is a member of a family with dependent children and resides with an adult who is—

''(1) the family head of the same family of which the child is also a member;

''(2) eligible to participate, and participating, in the food stamp program as a member of the same household as the child; and

''(3) lawfully residing, and eligible to work, in the United States.''.

(g) HEARING AND DETERMINATION.—Section 11(e)(10) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(10)) is amended by striking '': *Provided*'' and all that follows through ''hearing;'' at the end and inserting a semicolon.

(h) WORK REQUIREMENTS AND ACTIVATION PROGRAM.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

''SEC. 29. WORK REQUIREMENTS AND ACTIVATION PROGRAM.

''(a) EMPLOYMENT AND WORK ACTIVATION STANDARDS.—

''(1) IN GENERAL.—A family unit with adult members that is required to participate in work activation under subsection (b) during a full month of participation in the food stamp program shall fulfill the following levels of work activity during that month:

''(A) Each able-bodied, work-eligible adult without dependent children shall be required to perform work activities for at least 60 hours per month.

''(B) Each family head of a work-eligible single-headed family with dependent children shall be required to perform work activities for at least 120 hours per month.

''(C) Subject to paragraph (2), in each work-eligible married couple family with dependent children, the family head and married spouse shall be required to perform work activities that when added together for the 2 adults equal at least 120 hours per month.

''(2) REQUIREMENTS.—

''(A) SINGLE JOINT OBLIGATION.—The 120-hour requirement under paragraph (1)(C) shall be a single joint obligation for the married couple as a whole in which the activities of both married partners shall be combined together and counted jointly.

''(B) RELATIONSHIP TO PAID EMPLOYMENT AND WORK ACTIVATION.—For purposes of meeting the 120-hour requirement, the paid employment and work activation of the family head shall be added to the paid employment and work activation of the married spouse, and the requirement shall be fulfilled if the sum of the work activities of the 2 individuals equals or exceeds 120 hours per month.

''(C) OPTIONS.—The work requirement for a work-eligible married couple family with dependent children may be fulfilled—

''(i) by 120 or more hours of work activity by the family head;

''(ii) by 120 or more hours of work activities by the married spouse; or

''(iii) if the combined work activities of the family head and married spouse which when added together equal or exceed 120 hours.

''(D) NO SEPARATE WORK ACTIVATION REQUIREMENT.—Neither the family head nor the married spouse in a married couple with dependent children shall be subject to a separate work activation requirement as individuals.

''(b) PRO RATA REDUCTION IN EMPLOYMENT AND WORK ACTIVATION STANDARD DURING A PARTIAL MONTH.—

''(1) IN GENERAL.—A work-eligible family unit shall be subject to a pro-rated work activity standard, if the family unit—

''(A) receives a pro-rated monthly allotment during the initial month of enrollment under section 8(c); and

''(B) is required by the State to participate in the work activation program during that month.

''(2) PRO-RATED WORK ACTIVITY STANDARD.—For purposes of paragraph (1), the term 'pro-rated work activity standard' means a standard that equals a number of hours of work activity of a family unit that bears the same proportion to the employment and work activation requirement for the family unit for a full month under subsection (a) as the proportion that—

''(A) the pro-rated monthly allotment received by the household for the partial month under section 8(c); bears to

''(B) the full allotment the same household would receive for a complete month.

''(3) REQUIREMENT.—For purposes of fulfilling the pro-rated work activity requirement during an initial month of enrollment in the food stamp program, only those hours of adult work activity that occurred during the portion of the month in which the family unit was participating in the food stamp program shall be counted.

''(c) SANCTION FOR NONCOMPLIANCE.—

''(1) STANDARD.—

''(A) IN GENERAL.—If 1 or more members of a work-eligible family unit are required to participate in the work activation program under subsection (e) in a calendar month and the 1 or more individuals fail to fulfill the work activity standard under subsection (a) or (b) for that month—

''(i) no member of the family unit shall be eligible to receive food stamp benefits during the subsequent calendar month; and

''(ii) except as provided in subparagraph (B), the State agency shall not provide the food stamp benefit payment for all members of the family unit that otherwise would have been issued at the beginning of the next month.

''(B) ADMINISTRATIVE DELAY OF SANCTION.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), if it is administratively

infeasible for the State to not provide the food stamp benefit that would be issued at the beginning of the first month after the month of noncompliance, the State shall not provide the payment to all members of the family unit that otherwise would have been made at the beginning of the second month after the month of noncompliance.

''(ii) DEADLINE.—The sanction of benefits shall occur not later than 32 days after the end of the month of noncompliance.

''(iii) RELATIONSHIP OF PAYMENTS TO MEMBERS OF THE FAMILY UNIT.—At least 1 monthly payment to all members of the family unit shall be not provided for each month of noncompliance under subparagraph (A).

''(2) RESUMPTION OF BENEFITS AFTER SANCTION.—

''(A) IN GENERAL.—If a family unit has had the monthly benefit of the family unit not provided due to noncompliance with a work activity requirement under subsection (b), the family unit shall not be eligible to receive future benefits under the food stamp program, until—

''(i) the 1 or more work-eligible members of the family unit have participated in the work activation program under subsection (e) for at least 4 consecutive subsequent weeks and fulfilled the work activity standard for the family unit for that same 4-week period; or

''(ii) the family unit no longer contains any able-bodied, work-eligible adults.

''(B) LIMITATION.—The resumed benefits cannot restore or compensate for the benefits that were not provided due to the sanction imposed under paragraph (1).

''(d) WORK ACTIVATION IS NOT EMPLOYMENT.—Participation in work activation activities under this section shall—

''(1) not be considered to be employment; and

''(2) not be subject to any law pertaining to wages, compensation, hours, or conditions of employment under any law administered by the Secretary of Labor.

''(e) WORK ACTIVATION PROGRAM.—

''(1) PROGRAM.—Each State participating in the food stamp program shall carry out a work activation program.

''(2) PURPOSE.—

''(A) IN GENERAL.—The goal of each work activation program shall be to increase the employment of able-bodied, work-eligible adult food stamp recipients.

''(B) REQUIREMENT.—To accomplish the goal, each State shall require able-bodied adult food stamp recipients who are unemployed or under-employed to engage in work activation.

''(3) TARGET WORK ACTIVATION RATIOS.—

''(A) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this section, a State shall engage able-bodied food stamp recipients in work activation each month in sufficient numbers to meet the following monthly target work activation ratios:

''(i) In 2014, the monthly target work activation ratio shall be 4 percent.

''(ii) In 2015 and each subsequent year, the monthly target work activation ratio shall be 7 percent.

''(B) LIMITATION ON EDUCATION AND TRAINING AS A COMPONENT OF WORK ACTIVATION.—For purposes of compliance by the State with the work activation ratios, not more than 20 percent of the monthly work activation participants counted by the State may be engaged in employment and training as a means of fulfilling the employment and work activation standards of the participants.

''(4) WORK ACTIVATION PRIORITY POPULATIONS.—

''(A) IN GENERAL.—In carrying out the work activation programs, a State shall give priority to participation by the following recipient groups:

''(i) Work-eligible adults without dependent children.

''(ii) Work-eligible adults who are also recipients of housing assistance.

''(iii) Other work-eligible recipients at the time of initial application for food stamp benefits.

''(B) PARTICIPATION SHARE.—Except as provided in subparagraph (C), at least 80 percent of the participants in a work activation program shall belong to at least 1 of the 3 priority groups listed in subparagraph (A).

''(C) EXCEPTION.—

''(i) IN GENERAL.—The percentage requirement in subparagraph (B) shall not apply if the number of recipients in the 3 priority groups in the State is insufficient to meet that requirement.

''(ii) PRIORITY.—In circumstances described in clause (i), the State shall continue to give priority to any recipients who belong to 1 of the 3 priority groups.

''(5) REIMBURSABLE EXPENSES OF PARTICIPANTS.—

''(A) IN GENERAL.—A State agency shall provide payments or reimbursements to participants in work activation carried out under this section for—

''(i) the actual costs of transportation and other actual costs (other than dependent care costs) that are reasonably necessary and directly related to participation in the work activation components of the program; and

''(ii) the actual costs of such dependent care expenses as are determined by the State agency to be necessary for the participation of an individual in the work activation components of the program (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) in a local area in which an employment, training, or education program under title IV of that Act (42 U.S.C. 601 et seq.) is in operation, on the condition that no such payment or reimbursement shall exceed the applicable local market rate.

''(B) VOUCHERS.—

''(i) IN GENERAL.—In lieu of providing reimbursements for dependent care expenses under subparagraph (A)(ii), a State agency may, at the option of the State agency, arrange for dependent care through providers by providing vouchers to the household to allow the recipient to choose between all lawful providers.

''(ii) VALUE OF VOUCHERS.—The value of a voucher shall not exceed the average local market rate.

''(C) VALUE OF SERVICES.—The value of any dependent care services provided for or arranged under subparagraph (A) or (B), or any amount received as a payment or reimbursement under subparagraph (A), shall—

''(i) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

''(ii) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986.

''(6) PENALTIES FOR INADEQUATE STATE PERFORMANCE.—

''(A) DEFINITIONS.—In this paragraph:

''(i) NON-PERFORMANCE MONTH.—The term 'non-performance month' means a month in which a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate target work activation ratio under paragraph (3).

''(ii) PENALTY MONTH.—The term 'penalty month' means a month in which a State is penalized for the failure.

''(B) PENALTY.—If, in a month, a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate work activation ratio under paragraph (3), the Federal food stamp funding provided to the State in a subsequent penalty month shall be reduced in accordance with this paragraph.

''(C) TIMING.—The penalty month shall be not later than 4 months after the non-performance month.

''(D) REDUCTION.—The amount of Federal food stamp funding a State shall receive for the penalty month shall equal the product obtained by multiplying—

''(i) the amount of Federal food stamp funds the State would otherwise have received; and

''(ii) the quotient obtained by dividing—

''(I) the actual monthly work activation ratio achieved by the State in the penalty month; by

''(II) the target monthly work activation ratio for the penalty month.

''(7) REWARDS TO STATES FOR REDUCING GOVERNMENT DEPENDENCE.—

''(A) IN GENERAL.—If, in any future year, a State reduces the food stamp caseload of the State below the levels that existed in calendar year 2006, the State shall receive a financial reward for reducing dependence.

''(B) AMOUNT.—The reward shall equal ¼ of the savings to the Federal Government for that year that resulted from the caseload reduction.

''(C) USE OF REWARD.—A State may use reward funding under this paragraph for any purpose chosen by the State that—

''(i) provides benefits or services to individuals with incomes below 200 percent of the Federal poverty level;

''(ii) improves social outcomes in low-income populations;

''(iii) encourages healthy marriage; or

''(iv) increases self-sufficiency and reduces dependence.

''(8) AUTHORIZATION OF FUNDING.—

''(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to provide funds to State governments for the purpose of carrying out work activation programs in accordance with this section $2,500,000,000 for fiscal year 2014 and each subsequent fiscal year.

''(B) ALLOCATION AMONG STATES.—The total amount appropriated under subparagraph (A) for a fiscal year shall be allocated among the States in accordance with the proportion of each State's share of total funding for the food stamp program under this Act in fiscal year 2007.''.

(i) CONFORMING AMENDMENTS.—

(1) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (a), in the second sentence, by striking '', 6(d)(2),'';

(B) in subsection (d)(14), by striking ''section 6(d)(4)(I)'' and inserting ''section 29'';

(C) in subsection (e)(3)(B)(ii), by striking ''subsection (d)(3)'' and inserting ''section 29''; and

(D) in the first sentence of subsection (g)(3), by striking ''section 6(d)'' and inserting ''section 29''.

(2) Section 7(i)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by striking ''section 6(o)(2)'' and inserting ''section 6(o)''.

(3) Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(A) by striking paragraph (19); and

(B) by redesignating paragraphs (20) through (23) as paragraphs (19) through (22), respectively.

(4) Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (b)(4), by striking ''section 6(d)'' and inserting ''section 29''; and

(B) by striking subsection (h).

(5) Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(B)(iv)(III)—

(I) by striking item (bb); and

(II) by redesignating items (cc) through (jj) as items (bb) through (ii), respectively;

(ii) in paragraph (2), by striking the second sentence; and

(iii) in paragraph (3)(B), in the first sentence, by striking ''section 6(d)'' and inserting ''section 29,''; and

(B) by striking subsection (g).

(6) Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended—

(A) in subsection (b)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively;

(B) by striking subsection (f); and

(C) by redesignating subsection (g) as subsection (f).

(7) Section 22(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)) is amended by striking paragraph (4).

(8) Section 26(f)(3)(E) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(f)(3)(E)) is amended by striking ''(22), and (23)'' and inserting ''(21), and (22)''.

(9) Section 501(b)(2)(E) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(b)(2)(E)) is amended by striking ''section 6(d)'' and all that follows through the end and inserting ''section 29 of the Food and Nutrition Act of 2008.''.

(10) Section 112(b)(8)(A)(iii) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(8)(A)(iii)) is amended by striking ''section 6(d)(4)'' and all that follows through ''(7 U.S.C. 2015(d)(4))'' and inserting ''section 29 of the Food and Nutrition Act of 2008''.

(11) Section 121(b)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(2)(B)(ii)) is amended by striking ''section 6(d)(4)'' and all that follows through the end and inserting ''section 29 of the Food and Nutrition Act of 2008;''.

SEC. _____. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the second sentence of subsection (a), by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance''; and

(2) in subsection (j), by striking ''who receives benefits'' and inserting ''who receives cash assistance''.

SEC. _____. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C), by striking clause (iv), and

(2) in subsection (k), by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))'', and

(2) in subparagraph (A), by inserting before the semicolon the following: '', except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 929, between lines 2 and 3, insert the following:

SEC. 73___. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

Subtitle A of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 is amended by adding after section 604 (7 U.S.C. 7642) the following:

''SEC. 605. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

''(a) IN GENERAL.—Funds made available under this section shall be used to provide regional collaborations, technology transfer and commercialization, and innovative venture development training under the Agricultural Technology Innovation Partnership program of the Office of Technology Transfer in the Agricultural Research Service.

''(b) FUNDING.—Of the funds made available to the Agricultural Research Service, the Secretary shall use to carry out this section $500,000 for each of fiscal years 2014 through 2018.''.

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122_____. GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE.

(a) FINDINGS.—Congress finds that—

(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104–182) authorized technical assistance for small and rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(2) technical assistance and compliance training—

(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to most effectively assist small and rural communities, the Environmental Protection Agency should prioritize the types of technical assistance that are most beneficial to those communities, based on input from those communities; and

(2) local support is the key to making Federal assistance initiatives work in small and rural communities to the maximum benefit.

(c) FUNDING PRIORITIES.—Section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)) is amended—

(1) by designating the first through seventh sentences as paragraphs (1) through (7), respectively;

(2) in paragraph (5) (as so designated), by striking ''1997 through 2003'' and inserting ''2014 through 2019''; and

(3) by adding at the end the following:

''(8) NONPROFIT ORGANIZATIONS.—

''(A) IN GENERAL.—The Administrator may use amounts made available to carry out this section to provide technical assistance to nonprofit organizations that provide to small public water systems onsite technical assistance, circuit-rider technical assistance programs, onsite and regional training, assistance with implementing source water protection plans, and assistance with implementation monitoring plans, rules, regulations, and water security enhancements.

''(B) PREFERENCE.—To ensure that technical assistance funding is used in a manner that is most beneficial to the small and rural communities of a State, the Administrator shall give preference under this paragraph to nonprofit organizations that, as determined by the Administrator, are the most qualified and experienced and that the small community water systems in that State find to be the most beneficial and effective.''.

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 83, strike line 16 and all that follows through page 84, line 18, and insert the following:

Subtitle C—Sugar Program Repeal

SEC. 1301. REPEAL OF SUGAR PROGRAM.

Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 1302. ELIMINATION OF SUGAR PRICE SUPPORT AND PRODUCTION ADJUSTMENT PROGRAMS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) a processor of any of the 2014 or subsequent crops of sugarcane or sugar beets shall not be eligible for a loan under any provision of law with respect to the crop; and

(2) the Secretary of Agriculture may not make price support available, whether in the form of a loan, payment, purchase, or other operation, for any of the 2014 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.

(b) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) IN GENERAL.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by

striking ''sugar cane for sugar, sugar beets for sugar,''.

(c) GENERAL POWERS.—

(1) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph—

(A) in paragraph (1), by inserting ''(other than sugar beets and sugarcane)'' after ''commodities''; and

(B) in paragraph (3), by inserting ''(other than sugar beets and sugarcane)'' after ''commodity''.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting '', sugar beets, and sugarcane'' after ''tobacco''.

(3) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking ''milk, sugar beets, and sugarcane'' and inserting '', and milk''.

(4) COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.—Section 167 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7287) is repealed.

(5) SUSPENSION AND REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.—Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended—

(A) by striking subparagraph (E); and

(B) by redesignating subparagraphs (F) through (I) as subparagraphs (E) through (H), respectively.

(6) STORAGE FACILITY LOANS.—Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971) is repealed.

(d) TRANSITION PROVISIONS.—This section and the amendments made by this section shall not affect the liability of any person under any provision of law as in effect before the application of this section and the amendments made by this section.

SEC. 1303. ELIMINATION OF SUGAR TARIFF AND OVER-QUOTA TARIFF RATE.

(a) ELIMINATION OF TARIFF ON RAW CANE SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.13 through 1701.14.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.13, as in effect on the day before the date of the enactment of this section:

''	1701.13.00	Cane sugar specified in subheading note 2 to this chapter	Free		39.85¢/kg	
	1701.14.00	Other cane sugar	Free		39.85¢/kg	''.

(b) ELIMINATION OF TARIFF ON BEET SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.12 through 1701.12.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12, as in effect on the day before the date of the enactment of this section:

''	1701.12.00	Beet sugar	Free		42.05¢/kg	''.

(c) ELIMINATION OF TARIFF ON CERTAIN REFINED SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking the superior text immediately preceding subheading 1701.91.05 and by striking subheadings 1701.91.05 through 1701.91.30 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12.05, as in effect on the day before the date of the enactment of this section:

''	1701.91.02	Containing added coloring but not containing added flavoring matter	Free		42.05¢/kg	'';

(2) by striking subheadings 1701.99 through 1701.99.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.99, as in effect on the day before the date of the enactment of this section:

''	1701.99.00	Other	Free		42.05¢/kg	'';

(3) by striking the superior text immediately preceding subheading 1702.90.05 and by striking subheadings 1702.90.05 through 1702.90.20 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1702.60.22:

''	1702.90.02	Containing soluble non-sugar solids (excluding any foreign substances, including but not limited to molasses, that may have been added to or developed in the product) equal to 6 percent or less by weight of the total soluble solids	Free		42.05¢/kg	'';

and

(4) by striking the superior text immediately preceding subheading 2106.90.42 and by striking subheadings 2106.90.42 through 2106.90.46 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 2106.90.39:

''	2106.90.40	Syrups derived from cane or beet sugar, containing added coloring but not added flavoring matter	Free		42.50¢/kg	''.

(d) CONFORMING AMENDMENT.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking additional U.S. note 5.

(e) ADMINISTRATION OF TARIFF-RATE QUOTAS.—Section 404(d)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(1)) is amended—

(1) by inserting ''or'' at the end of subparagraph (B);

(2) by striking ''; or'' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 1304. APPLICATION.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle shall apply beginning with the 2014 crop of sugar beets and sugarcane.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 858, strike line7 and all that follows through page 860, line 9, and insert the following:

''(k) BROADBAND BUILDOUT DATA.—

''(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—

''(A) the date of completion of any project milestone established by the Secretary; or

''(B) the date of completion of the project.

''(2) ADDRESS-LEVEL DATA.—The Secretary shall make accessible to each State and provide to the Administrator of the National Broadband Map the address-level broadband buildout data described in paragraph (1) for inclusion, to the extent practicable, in the National Broadband Map.'';

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 123, between lines 13 and 14, insert the following:

Subpart D—Dairy Block Grant Program

SEC. 14___. ESTABLISHMENT OF PILOT DAIRY BLOCK GRANT PROGRAM.

(a) PURPOSE.—The purpose of this section is to require the Secretary to make grants to States to be used by State departments of agriculture solely to enhance the competitiveness of dairy farms, specifically by providing technical assistance to promote farm productivity, profitability, and environmental stewardship.

(b) ESTABLISHMENT.—The Secretary shall establish and administer a pilot program to achieve the purpose of this section under

which the Secretary shall make block grants in amounts to be determined by the Secretary to eligible States, as determined by the Secretary.

(c) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State department of agriculture shall prepare and submit, for approval by the Secretary, an application at such time, in such a manner, and containing such information as the Secretary shall require, including—

(A) a State plan that meets the requirements described in paragraph (2);

(B) an assurance that the State will comply with the requirements of the plan; and

(C) an assurance that grant funds received under this section shall supplement, and not supplant, the expenditure of State funds in support of dairy farms in the State.

(2) PLAN REQUIREMENTS.—A State plan shall—

(A) identify the lead agency charged with the responsibility of carrying out the plan; and

(B) indicate the manner in which grant funds will be use to enhance the competitiveness of dairy farms.

(d) ADMINISTRATION.—Grants made to an eligible State under subsection (b) shall be administered by the department of agriculture of the State.

(e) STATE PROGRAM AUTHORITY.—In carrying out the block grant program in a State, an eligible State may determine participant eligibility.

(f) REPORT.—At the conclusion of the block grant program, the Secretary shall submit to Congress a report describing the results of the program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available until expended.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—National Flood Insurance Program

SEC. 12301. DELAY IN IMPLEMENTATION OF SECTION 100207 OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012.

Notwithstanding any other provision of law, section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)), as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 919), shall have no force or effect until the date that is 3 years after the date of enactment of this Act.

SEC. 12302. AFFORDABILITY STUDY.

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking ''Not'' and inserting the following: ''Subject to subsection (e), not'';

(2) in subsection (d)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) NATIONAL FLOOD INSURANCE FUND.—Notwithstanding''; and

(B) by adding at the end the following:

''(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.''; and

(3) by adding at the end the following:

''(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

''(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

''(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

''(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.''.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1096, between lines 15 and 16, insert the following:

SEC. 110__. MARKET LOSS PILOT ENDORSEMENT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

''(i) MARKET LOSS PILOT ENDORSEMENT PROGRAM.—

''(1) IN GENERAL.—To the extent practicable starting with the 2014 reinsurance year, notwithstanding subsection (a)(1) and the limitation on premium increases in section 508(i)(1), the Corporation shall establish and carry out a market loss pilot endorsement program for producers of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)).

''(2) LOSSES COVERED.—The endorsement authorized under this subsection shall cover losses of a defined commodity due to a quarantine imposed under Federal law, pursuant to the terms of which the commodity is destroyed, may not be marketed, or otherwise may not be used for its intended purpose (as determined by the Secretary).

''(3) BUY-UP REQUIREMENT.—An endorsement authorized under this subsection shall be purchased as part of a policy or plan of insurance at the additional coverage level.

''(4) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

''(A) protects the interest of producers;

''(B) is actuarially sound; and

''(C) requires the payment of premiums and administrative fees by a producer obtaining the insurance.''.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, insert the following:

SEC. 6208. GAO REPORT ON UNIVERSAL SERVICE REFORMS.

(a) PURPOSE.—The purpose of the report required under subsection (b) is to aid Congress in monitoring and measuring the effects of a series of reforms by the Federal Communications Commission (in this section referred to as the ''FCC'') intended to promote the availability and affordability of broadband service throughout the United States.

(b) REPORT.—The Comptroller General of the United States shall prepare a report providing detailed measurements, statistics, and metrics with respect to—

(1) the progress of implementation of the reforms adopted in the FCC's Report and Order and Further Notice of Proposed Rulemaking adopted on October 27, 2011 (FCC 11–161) (in this section referred to as the ''Order'');

(2) the effects, if any, of such reforms on retail end user rates during the applicable calendar year for—

(A) local voice telephony services (including any subscriber line charges and access recovery charges assessed by carriers upon purchasers of such services);

(B) interconnected VoIP services;

(C) long distance voice services;

(D) mobile wireless voice services;

(E) bundles of voice telephony or VoIP services (such as local and long distance voice packages);

(F) fixed broadband Internet access services; and

(G) mobile broadband Internet access services;

(3) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) to consumers (including both residential and business users) located in rural areas and urban areas;

(4) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) as between incumbent local exchange carriers subject to rate-of-return regulation;

(5) the effects, if any, of those reforms adopted in the Order on average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, during the applicable calendar year;

(6) any disparities or trends detectable during the applicable calendar year with respect to the relative average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, in rural areas and urban areas;

(7) the effects, if any, of those reforms adopted in the Order on the magnitude and pace of investments in broadband-capable networks in rural areas, including such investments financed by the Department of Agriculture's Rural Utilities Service under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.);

(8) any disparities or trends detectable during the applicable calendar year with respect to the relative magnitude and pace of investments in broadband-capable networks in rural areas and urban areas;

(9) any disparities or trends detectable during the applicable calendar year with respect to the magnitude and pace of investments in broadband-capable networks in areas served by carriers subject to rate-of-return regulation;

(10) the effects, if any, of those reforms adopted in the Order on adoption of broadband Internet access services by end users;

(11) the effects, if any, of such reforms on State universal service funds or other State universal service initiatives, including carrier-of-last-resort requirements that may be enforced by any State; and

(12) the effects, if any, of such reforms in minimizing consumer payment burdens, curbing the growth of the universal service fund, and improving the economic efficiency of the universal service program.

(c) TIMING.—On or before December 31, 2013, and annually thereafter for the following 5 calendar years, the Comptroller General shall submit the report required under subsection (b) to the following:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives.

(4) The Committee on Agriculture of the House of Representatives.

(d) DATA INCLUSION.—The report required under subsection (b) shall include all data that the Comptroller General deems relevant to and supportive of any conclusions drawn with respect to the effects of the FCC's reforms and any disparities or trends detected in the items subject to the report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant the Comptroller General of the United States with any new or additional authority, or to aggrandize, add, or expand any authority currently vested in the Comptroller General.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 6, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to danielle_deraney@energy.senate.gov.

For further information, please contact Cisco Minthorn at (202) 224–4756 or Danielle Deraney at (202) 224–1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, June 6, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the programs and activities of the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to john_assini@energy.senate.gov.

For further information, please contact David Brooks (202) 224–9863 or John Assini (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Senate Building.

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

COMMITTEE ON FINANCE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on, May 22, 2013, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''S. 662, the Trade Facilitation and Trade Enforcement Act of 2013.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 22, 2013, at 10:30 a.m., to hold a International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps subcommittee hearing entitled, ''Different Perspectives on International Development.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on, May 22, 2013, at 10 a.m. in SC–430.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. to conduct a hearing entitled ''Performance Management and Congressional Oversight: 380 Recommendations to Reduce Overlap and Duplication to Make Washington More Efficient.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 5 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. UDALL of Colorado. 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 22, 2013, at 10 a.m. in room 428A Russell Senate Office Building to conduct a roundtable entitled ''Bridging the Skills Gap: How the STEM Education Pipeline Can Develop a High-Skilled American Workforce for Small Business.

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

SPECIAL COMMITTEE ON AGING

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 22, 2013, to conduct a hearing entitled ''10 Years Later: A Look at the Medicare Prescription Drug Program.''

The Committee will meet in room 366 of the Dirksen Senate Office Building beginning at 2:30 p.m.

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

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on May 22, 2013, at 2 p.m. to conduct a hearing entitled, ''Oversight and Business Practices of Durable Medical Equipment Companies.''

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

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Nutrient Trading and Water Quality.''

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

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that Ian Mulcahy, Emily Smail, and Donald Rausch, legislative fellows on my staff, be granted

the privilege of the floor during the remainder of this Congress.

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

STOLEN VALOR ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 258, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The bill (H.R. 258) was ordered to a third reading, was read the third time, and passed.

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 JOHN BOOZMAN of Arkansas.

ORDERS FOR THURSDAY, MAY 23, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 23, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, 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 10:30 a.m. with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. There will be two votes at 10:30 a.m. tomorrow. The first vote will be a cloture vote on the D.C. Circuit Court of Appeals nomination, and the second vote will be on the Sanders amendment to the farm bill. We will continue to work through more amendments on the farm bill tomorrow. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Thursday, May 23, 2013, at 9:30 a.m.