United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, JULY 25, 2013 No. 108

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

Compassionate and merciful God, we give You thanks for giving us another day.

As this House comes together at the end of a busy week, bless the work of its Members. May their legislative actions bring about positive results which redound to the benefit of all citizens of our Nation.

As the Members return to their home districts, fill their hearts with charity, their minds with energy, their wills with courage to listen well and reflect back, with the expertise and knowledge they possess, greater insight for American voters.

The work that they have is difficult work. May they rise together to accomplish what is best for our great Nation, and indeed for all the world.

May all that is done in the days to come be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

Mr. GOSAR. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GOSAR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. KELLY) come forward and lead the House in the Pledge of Allegiance.

Ms. KELLY of Illinois led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 5 requests for 1-minute speeches on each side of the aisle.

MY POSSIBILITIES

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I proudly recognize the fifth anniversary and expansion of My Possibilities, a nonprofit organization serving disabled young adults in north Texas.

My Possibilities began with the vision of three dedicated mothers of special needs children. These mothers dreamed of something more for their kids beyond a high school education. After 2 years of hard work, they created the first full-day, full-year continuing education program for disabled Texans. In fact, last week, they commemorated the grand opening of a new facility in Plano so even more Texans could become lifelong learners.

My Possibilities stands as a testament to the American spirit of freedom and free enterprise. Three moms took an idea to fill a need in our community and made it a reality. That's truly remarkable. The folks at My Possibilities live up to their motto: ''Make every moment count.''

To the staff, board of directors, and Chairman Charmaine Solomon, thank you for your tireless efforts and your dedication.

STOP GUN VIOLENCE

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

Ms. KELLY of Illinois. Mr. Speaker, I rise today, as I have before, on behalf of the many families victimized daily by the persistent gun violence in their communities.

As a Nation, we shudder at tragedies like the Newtown shootings. The news coverage of Newtown left a mark on our collective conscience. Yet sadly, every day, equally devastating acts of gun violence occur in urban America, often without the same media coverage.

Since Newtown, over 6,000 Americans have lost their lives to gun violence. Still, Congress has yet to act on commonsense gun reforms that would save lives. Every life lost, regardless of ZIP code, is a tragedy. It's easy to get angry and frustrated over the relentless drumbeat of death in urban America, but instead we need to turn our anger and frustration into action.

In my 3 months in Congress, I've introduced three commonsense gun bills that will help make our communities safer. Though Federal legislation alone cannot solve the gun violence epidemic, it is a strong start and a step in the right direction.

So I urge my colleagues to cosponsor these bills and take a stand with me against gun violence.

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ATTORNEY GENERAL HOLDER ACCOUNTABILITY

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

Mr. GOSAR. Mr. Speaker, I rise today to shed light on Attorney General Eric Holder's less than glamorous tenure as Attorney General.

As the chief law enforcement officer of our Nation, Mr. Holder is expected to govern by the principle of seeking justice. As a sworn Federal official, he has one primary job: to enforce the laws of the United States fairly and impartially. It is for that reason that Lady Justice wears a blindfold. The blindfold represents objectivity and that justice should be dealt out without fear, favor, or impartiality.

How come Mr. Holder dispenses his version of justice impartially? How come the Attorney General overlooked injustices and with disregard for the rule of law?

As Supreme Court Justice Brandeis said:

> In a government of laws, the existence of the government will be imperiled if it fails to observe the law scrupulously. If government becomes a lawbreaker, it breeds contempt for law: it invites every man to become a law unto himself. It invites anarchy.

I ask you then, has the Attorney General invited anarchy?

I will continue to make my case here in the people's House at the people's pulpit. Folks, I will be back.

NATIONAL NIGHT OUT

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

Mr. MCNERNEY. Mr. Speaker, I rise today to acknowledge the 30th anniversary of National Night Out. ''America's Night Out Against Crime'' began those 30 years ago to encourage community-based crime prevention.

I've participated in many National Night Out events throughout my district over the years, meeting people who are committed to reducing crime in their neighborhoods and promoting community spirit by building relationships with their local civic leaders and law enforcement officials.

This year, I look forward to celebrating National Night Out in Stockton, California, a city in my district. National Night Out has made a difference in my district by bringing people together and making them more aware of how to keep their neighborhoods safe.

National Night Out has grown to over 37 million Americans participating in 15,000 communities across North America. National Night Out illustrates how partnerships between community members and local law enforcement can prevent crime. I encourage my colleagues to participate in National Night Out events in their own districts.

PIONEER DAY

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

Mr. STEWART. Mr. Speaker, like you, as a fellow Utahn, this week my heart is back in my district and my State as we celebrate our great pioneer heritage.

On July 24, 1847, Brigham Young stood over the great Salt Lake Valley, which was nothing but a desert, devoid of any green meadows, and uttered those famous words, ''This is the place.''

After traveling more than 1,300 miles crossing the Great Plains and the Rocky Mountains, the pioneers settled to begin a new life. Throughout this, they suffered great hardships: hunger, fatigue, cold, disease, and exhaustion. During their journeys, they quickly called Utah home as they reached this great valley, where they planted their crops and went to work building beautiful communities that grew into the wonderful city and State that we now know.

Our State has much to be proud of. We have the greatest snow on Earth. Our National Parks are truly magnificent. Our State is consistently rated among the top in job creation, education, and quality of life. Utah truly has some of the most honest, hardworking, and friendly people in the country.

Pioneer Day is celebrated to honor everyone who immigrated west to Utah during this pioneer era and who aided in creating this great State, which I'm proud to call my home.

KEEP COLLEGE AFFORDABLE

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

Mr. GARCIA. Mr. Speaker, just last week, I had the privilege of speaking to students who attend Florida International University in my district. These students included Democrats, Republicans, and Independents. But their message was clear: it is time for Congress to help keep college affordable.

That is why I have supported efforts to prevent and reverse the doubling of the Federal student loan rates that took effect on July 1. This issue is too important for us to delay any further.

I was very encouraged that the Senate yesterday passed a strong bipartisan compromise bill to lower these rates. I urge the House leadership, Mr. Speaker, to bring this bill to the floor and keep college rates affordable for our Nation's students.

RELEASE SAEED ABEDINI

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

Mr. FRANKS of Arizona. Mr. Speaker, it is my privilege to cochair the International Religious Freedom Caucus here in the Congress. In that capacity, it's also my privilege to participate in the Defending Freedoms Project, a bipartisan effort for Members of Congress to adopt a prisoner of conscience.

My office has adopted Saeed Abedini, a Christian pastor and an American citizen from Idaho who is currently imprisoned in Iran for his faith. Iran's tyrannical attempts to, in the words of Ronald Reagan, ''stifle the freedom and muzzle the self-expression of the people'' were again exposed to the world after the imprisonment of Pastor Abedini, who was sentenced to 8 years in prison while working to build an orphanage in Iran.

Mr. Speaker, Martin Luther King said:

> Injustice anywhere is a threat to justice everywhere.

Pastor Abedini's case is a demonstration to the world of the far-reaching implications of even a single instance of human rights abuse.

I would call again upon Iran to immediately release Pastor Abedini so he can return to Idaho to be with his family.

PRISON RAPE ELIMINATION ACT

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

Mr. SCOTT of Virginia. Mr. Speaker, 10 years ago today, this body unanimously passed PREA, the Prison Rape Elimination Act, which my colleague from Virginia, FRANK WOLF, and I sponsored.

PREA is designed to end sexual violence in our Nation's prisons. One focus of PREA is on reducing assaults on children in our criminal justice system. Youthful inmates are more likely than their adult counterparts to be victimized by prison staff and adult inmates. Under PREA, no youth under 18 years of age can be placed in a housing unit where contact with adult inmates may occur.

Furthermore, children in adult jails and prison are often placed in solitary confinement for their own protection, which turns out to be detrimental to their mental health. Due to this type of confinement and exposure to abuse, youth have the highest rates of suicide amongst all inmates. PREA urges agencies to avoid subjecting children to solitary confinement.

Mr. Speaker, I call on the Department of Justice to redouble its efforts to ensure that every State implements PREA to protect all inmates from sexual violence. The type of sexual violence that has plagued our prisons and jails is cruel and unusual punishment and should not be part of an inmate's prison term.

NO SUBSIDIES WITHOUT VERIFICATION ACT

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

Mrs. BLACK. Mr. Speaker, over the July 4th holiday, the Obama administration updated the Federal Register. And buried in more than 600 pages of new regulations was a controversial decision to delay verification of eligibility for ObamaCare's subsidies and instead use the honor system, which more accurately should be described as an open invitation for fraud and abuse.

In a desperate attempt to try to save the President's failing health care law, the administration is willing to give out billions of dollars in fraudulent payments, racking up even more debt for current and future generations. This is indefensible.

That is why I have introduced H.R. 2775, the No Subsidies Without Verification Act. My bill would stop this irresponsible action by requiring verification systems be put in place before any subsidy is paid with taxpayer money.

I urge my colleagues to join me in this fight and support H.R. 2775.

□ 0915

SAFE CLIMATE CAUCUS

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

Mr. WAXMAN. Mr. Speaker and my colleagues, every day a member of the Safe Climate Caucus has come to the floor to raise concern about climate change, and we know about climate change from hurricanes and tornadoes and droughts and all of the other things that we're seeing.

But yesterday, the prestigious science journal, Nature, published an analysis of the cost of the rapid warming in the Arctic. That analysis found that the cost could range from $10 trillion to over $200 trillion. The mean cost is $60 trillion. I'm not misspeaking. It's not $60 million, it's not $60 billion, but it's $60 trillion.

These enormous costs are the consequence of the release of 50 gigatons of methane now trapped in the Arctic ice shelves, which experts believe will be released into the air within the next 50 years, if not sooner, if we don't stop spewing carbon pollution into our atmosphere.

The Arctic is pivotal to the functioning of the Earth's systems, such as the oceans and the climate, but we're recklessly endangering it. We need to stop acting like members of the Flat Earth Society and start listening to the urgent warnings of the scientists.

RE-REFERRAL OF H.R. 2315, PRESERVING ACCESS TO ORPHAN DRUGS ACT OF 2013

Mr. SHIMKUS. Madam Speaker, I ask unanimous consent that H.R. 2315, Preserving Access to Orphan Drugs Act of 2013, be re-referred to the Committee on Ways and Means and, in addition, to the Committee on Energy and Commerce.

The SPEAKER pro tempore (Mrs. BLACK). Is there objection to the request of the gentleman from Illinois?

There was no objection.

COAL RESIDUALS REUSE AND MANAGEMENT ACT OF 2013

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2218.

The Chair appoints the gentleman from Utah (Mr. BISHOP) to preside over the Committee of the Whole.

□ 0917

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have spent much time talking about the need for Congress to consider jobs legislation. This is a piece of pro-jobs legislation. This bill is unique because it is also a pro-states' rights legislation and pro-environment legislation.

But focusing on jobs for a minute, let me explain why a ''no'' vote is anti-jobs, placing anywhere from 39,000 to 316,000 jobs at risk at a time when we can least afford it.

We are here because over 3 years ago the EPA put out three proposals on coal ash, including regulating coal ash as a hazardous waste. This caused massive uncertainty in the marketplace and created an unnecessary stigma on legitimate recycling of this product, and I have a piece of shingle that's made and produced by coal ash.

And the States agree. As highlighted in a letter from the State of Michigan in support of H.R. 2218:

> Enactment would end the regulatory uncertainty that has hindered our efforts to promote the beneficial use of coal combustion residuals.

EPA announced in litigation proceedings recently that it will not have a final coal ash rule before 2014. The fact that EPA continues to leave a ''hazardous waste'' designation on the table even though three decades of science and fact point the other way, that coal ash is not hazardous, it directly is contributing to the loss of current and future recycling.

Coal ash is not an abstract substance. It is used in important infrastructure in this country. The American Coal Ash Association informed us that uncertainty in the marketplace caused by EPA's proposal to regulate coal ash as hazardous waste is diminishing their economic prospects down to just 40 percent of eligible coal wastes—and they support this bill.

This bill establishes a solid framework for regulation of coal combustion residuals in a manner that is protective of human health and the environment, or the State environmental regulators—including the Environmental Council of States, ECOS, and the Association of State and Territorial Solid Waste Management officials—would not be endorsing this bill.

Coal ash makes concrete stronger, more durable, and cheaper. A ''no'' vote against this bill means that you support less durable, more expensive highways, schools, and green buildings. Don't take my word for it. The American Road and Transportation Builders Association and many other road and bridge builders, and also the Building and Construction Trades Union, want this bill because they want high-quality construction material for buildings, roads, and bridges.

For Members concerned about wall board from China, coal ash is a stable, domestic source for wall board and will control costs. Don't take my word for it. The American Forest and Paper Association supports this bill.

Mine workers across this country need a stable way of having America's energy future secured. This bill accomplishes that. Don't take my word for it. Ask the United Mine Workers, who supports this bill.

Coal ash is recycled and used as a raw material in making cement. Voting ''no'' means you choose to put coal ash in landfills rather than putting it back into roads and building projects. Don't take my word for it. Organizations like Portland Cement Association, the Phoenix Cement Company, the Wisconsin Ready Mix Concrete Association, and the Washington Aggregates and Concrete Association all support this bill.

A vote against this bill is a vote for prolonged regulatory uncertainty. A vote against this bill is a vote to increase costs on the Federal, State, and local governments and infrastructures. A vote against this bill is a vote to increase costs on all Americans and to dare unemployment to go even higher. A vote against this bill is a direct message to career State employees in States across this country that you do not trust them to do the right thing regarding regulation of coal ash.

This bill is a pro-jobs, pro-environment, anti-bureaucracy bill. If you want progress instead of process, protection instead of politics, and jobs instead of continued uncertainty, vote for this bill.

We find ourselves in this morass of regulatory uncertainty because of the existing approach to environmental regulation. This bill presents a new approach that will reduce the inefficiencies of the Federal rulemaking process by setting a national standard in the statute and charging the States with implementation.

If you support protecting jobs and preserving states' rights, and if you trust your State environmental regulators to protect your communities, you need to support this bill and vote ''yes'' on final passage.

With this, Mr. Chairman, I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

Today, the House is considering legislation to block EPA from acting to ensure that toxic coal ash is safely disposed of. Coal ash is the result of the coal that has been burned, and this coal ash needs to be disposed of.

Now, what the Republicans who are suggesting this bill be adopted are suggesting is that we remove public health protections in order to allow polluting disposal sites to continue with business as usual. That's a little tough to justify. As we led up to today's debate, we've heard some outlandish justifications, and I just want to set the record straight.

First of all, we've been told this is a states' rights bill because we need this legislation in order for the States to impose adequate regulation on dangerous coal ash disposal sites. Well, that's not true. The States can regulate coal ash disposal today and, in fact, many do. The problem is that many States are not doing a good job.

For example, in Ohio, four coal ash disposal sites have serious groundwater contamination problems. The coal ash at these sites has contaminated groundwater with arsenic, mercury, and radioactive levels of materials higher than allowed under the Safe Drinking Water Act. Well, in total, EPA has identified 133 cases of groundwater and surface water contamination at coal ash disposal sites. All of this has occurred under existing law, where State laws can be effective and States can act. The problem is they're not all acting.

Secondly, the proponents of this bill have argued that we have to pass this legislation to allow coal ash to be recycled. They argue that EPA wants to designate coal ash as ''hazardous.'' Well, that isn't what EPA proposed at all.

They say that this designation would be a stigma on coal ash and would ensure there would no longer be any market for recycled coal ash, but that argument is just plain wrong. Hazardous labeling and restrictions on beneficial reuse are simply not at issue.

When EPA issued its proposed coal ash rule, the agency offered a couple of alternatives. Neither of these proposals would involve labeling coal ash as ''hazardous.'' Quite frankly, even if it were designated ''hazardous,'' that doesn't mean it can't be reused. It can be reused.

Third, we've been told that we must pass this legislation because it's a careful compromise from the version of the last Congress. Well, I'm not sure who was in that compromise because the bill is even worse than the bill from the last Congress. The Republicans have refused to work with the Democrats on the committee. There's no bipartisan coal ash bill in the Senate. And the administration has identified five problems with the bill that cause it to fall short of protecting human health and the environment.

Let's focus on reality. This debate is not about a ''war on coal'' or putting a stigma on coal ash. It's not about whether State governments are inherently better than the Federal Government. It's not about job-killing regulations. This debate is about whether or not we're going to allow coal ash disposal sites to contaminate our water supplies and threaten human health.

If this bill is enacted, coal ash disposal sites will continue to pollute our groundwater; and once contamination is confirmed, well, this bill would allow it to continue for another 10 years—and do nothing. Then, after that, they might even continue it for another indefinite period of time. So it will continue to pollute groundwater, the water we drink, and our water supplies and our water sources.

This bill says that a dump site that is contaminating groundwater today can pollute for 10 years—more arsenic, more mercury, more lead. Is that what Members of the House want to vote for? If the owners of the polluting structure can't control their contamination within 10 years, this bill says States can give them even more time to keep polluting.

New information released yesterday reveals that three-quarters of existing unlined coal ash impoundments do not have the space at their existing location to construct an additional disposal facility. Those facts practically guarantee that if this legislation were to be enacted, communities across the country—many of them poor and minority—will simply have to endure contaminated water, polluted air, and the risk of catastrophic dam failure. And why? For states' rights, where the States already have the rights? It's really for polluter rights. And polluters do not have and should not have a right to pollute our water supplies.

This can be handled effectively through a serious piece of legislation that will make clear that public health protection must be enforced.

I urge my colleagues to tune out the special interest misinformation that seeks to weaken our laws and prolong pollution, and oppose this legislation.

No matter how you voted in the last Congress, this bill is worse; and I urge Members to vote against it today.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I would ask my colleague to look at the 11 additional changes that have been made in this bill versus the last bill and realize how much we have moved in the direction that he speaks of.

I now yield 7 minutes to the author of the legislation from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, I rise today in support of H.R. 2218.

For 33 years, Congress has wrestled unproductively with how to deal with coal ash, an unavoidable byproduct of burning coal.

□ 0930

After countless hearings, meetings, and amendments, we come here today with a solution. Over the past 2½ years, we've listened to environmental organizations, industry, Senators, the States, the EPA.

Now the bill has strong bipartisan support with Democrat cosponsors and a broad coalition of over 300 organizations and businesses, including State environmental officials, Governors, recyclers, manufacturers, coal miners, coal operators, and labor unions, just to name a few.

If we don't act decisively, Congress will once again kick the can down the road. That would mean the status quo continues.

At the Energy and Commerce subcommittee hearing on the draft legislation earlier this year, EPA Assistant Administrator Mathy Stanislaus testified that States have the ability to ensure proper management disposal of coal ash under this legislation. At that hearing, my good friend from Illinois, Mr. SHIMKUS, asked Mr. Stanislaus if the EPA was not opposed to this language in the bill. Stanislaus' response was, ''That is right.''

Even the President has become engaged in this debate. The statement from the administration this past week noted they appreciate the efforts of the House and issued no veto threat; no opposition was expressed. That ought to tell you something.

The opponents of this legislation should read the last sentence of the administration's statement:

> The administration would like to work with Congress . . . to allow for development, implementation, and enforcement of appropriate standards for managing coal combustion residuals, while encouraging the beneficial use of this economically important material.

Let me show you what we are talking about here. This is a jar of fly ash. Every day, coal ash is produced in 48 of our 50 States across America. This is a national issue, not just one for coal States. Over 140 million tons of coal ash are produced annually. Approximately 40 percent of the material is recycled into everyday products used in households and the construction industry. The remaining 60 percent is disposed of in landfills.

Now, 2218 deals separately with both of these issues. The first part deals with recycling. Early in the Obama administration, the EPA proposed a rule to declare coal ash as a hazardous material, despite the fact that under the Bill Clinton administration the EPA had already determined in 1993 and 2000 that coal ash was not hazardous. Let me repeat that. They've already said it's not hazardous.

No industrialized nation in the world classifies fly ash as a hazardous material. Deeming it such would essentially destroy the ability to recycle coal ash, dramatically increase the cost of electricity, and crush hundreds of thousands of jobs across America.

The United States already has a much lower rate of recycling than other countries. Europe recycles over 90 percent of the fly ash; China over 65; and Japan, 95 percent of their coal ash is recycled. We should be encouraging recycling, not standing in the way.

The second part of the bill deals with processes for disposing of coal ash that is not recycled. This section has been significantly strengthened and provides for all new and existing landfills to be State-run, using the Federal law known as RCRA, which incorporates Federal standards and requirements for protecting ''human health and the environment.''

RCRA's primary goals are to ''protect human health and the environment, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner.''

Consequently, under his bill, disposal requirements will require ''composite liners, air quality and dust controls, groundwater protection standards, emergency action plans, corrective actions for deficiencies, inspections and structural stability.''

Let me make it clear. If a landfill ever becomes deficient, it must be fixed—no ifs, ands, or buts. It is just that simple.

For example, under the corrective action under section 4011, subsection (C)(2)(b):

> An owner/operator of a deficient facility is not relieved of their obligation to develop alternative disposal capability regardless of whether they have space available onsite.

For anyone to argue otherwise, perhaps they haven't read the bill.

For the first time, there will be a uniform, national standard for disposal. Or Congress can do nothing—it can—just as it has been for the last 33 years. But I don't think we should continue with the status quo. Working in this bipartisan fashion we've made progress.

After 30 years of debate, it is time for action. Our constituents deserve protection for their health and environment. This legislation makes it possible.

We often hear Congress isn't voting on a jobs bill. Mr. Chairman, there is not a clear jobs bill that we are going to deal with in this Congress protecting 316,000 jobs across America and preventing utility bills to increase. We must protect these jobs.

I encourage all my colleagues on both sides of the aisle to support this pro-health, pro-environment, and pro-jobs legislation.

Mr. WAXMAN. Mr. Chairman, the administration and I would like to work out a bill with the Republicans, but this bill has two problems. After all is said and done, there is no requirement that they protect public health and the environment. There's all sorts of language that says we want them to. But if the States don't do that, the second problem is there's no enforcement; there's nothing to make them do it.

Now, if you have no real clear standard to protect public health and no enforcement to make sure public health is being protected, that's a bill that's asking for continuation of pollution of our groundwater supplies.

We can work together and get a bill, but this administration has said it does not adequately protect public health and the environment; it doesn't address the real problems. Even some of the changes that they have made have made this bill worse. It is a bill that we should reject and then go back to the negotiating table.

Mr. Chairman, at this point, I wish to yield 5 minutes to the ranking member of the subcommittee on the Energy and Commerce Committee, the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman for yielding.

Mr. Chairman, here we go again with the Republicans spewing their shamelessly empty rhetoric concerning jobs. Jobs for the American people might be on their minds, jobs for the American people might be in their mouths, but jobs for the American people are not in their hearts.

Mr. Chairman, my colleagues on the other side of the aisle are arguing that we need to weaken our environmental laws to create jobs. That's incredibly shortsighted. Do we really want to say to the American people that they must suffer contaminated groundwater, drink dirty water? Is that what we are saying?

A study from Tufts University shows just the opposite. It's not a fight between jobs and clean environment, clean water, clean drinking water. The Tufts study says that we can create tens of thousands of new jobs by requiring safe disposal of coal ash.

Ensuring that coal ash disposal sites protect human health and the environment will take work, will create jobs. It will take construction workers, equipment operators, and engineers to do this work. Let me add that this is not just makeshift work. These jobs will provide tremendous benefits to the communities in which they take place. But these jobs won't happen if we pass this atrocious bill. This bill simply preserves the status quo and keeps Americans out of work.

Mr. Chairman, when it comes to protecting the public health and ensuring that all Americans have unhindered access to clean air, land, and water, I am very sensitive to the issue of ensuring that there are, at the very least, minimum State or Federal standards and that the U.S. EPA has the full authority to enforce those standards.

Mr. Chairman, due to a case in my district of Crestwood, Illinois, where contaminated drinking water was piped into the homes of my constituents for over 20 years between 1986 and 2007 and the State of Illinois refused to intervene, I cannot support legislation that bars the U.S. EPA from enforcing State or Federal standards, as this atrocious, shameful bill does.

Mr. Chairman, states' rights might mean States' inaction, as in the case of Crestwood, Illinois, where it was only the determined, courageous act of a citizen by the name of Tricia Krause, who had the courage to alert the media to this shameful act being committed by elected officials, those responsible for taking care of the public health and ensuring that the environment was safe and the water that in the morning and the evening during the day that they drank was safe. These officials, these local officials, had that responsibility, and they turned their backs on the people of the village of Crestwood.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I yield the gentleman an additional minute.

Mr. RUSH. Not only did they turn their backs, but the Illinois EPA, the State EPA, refused to even investigate this matter. I had to get the U.S. Justice Department and the U.S. EPA to end this atrocity.

If this bill is ever enacted, it will bar the Federal Government, at the very least, from serving as the last backstop for the American people against polluters who would seek to skirt the law without regard to the families and communities that they would harm.

Mr. Chairman, I ask that the people who are Members of this Congress who have a heart and a mind to not only put the American people back to work, but also to protect the environment, to resist this effort and vote ''no'' on this bill.

Mr. SHIMKUS. Mr. Chairman, I remind my colleagues that the administration has not issued a veto threat on this bill.

I now yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I thank the gentleman from West Virginia for his outstanding work on this legislation, and also to Mr. SHIMKUS, who is the chairman of the subcommittee, for his leadership on the issue.

I do rise today in support of the Coal Residuals Reuse and Management Act of 2013. I am an original cosponsor on that legislation.

Now, I think it comes as no surprise to anybody that this administration has declared their war on coal. You can

listen to the comments that are coming out of the President and his advisers there at the White House. They've done everything in their power to shut down coal plants and to put American coal miners on the unemployment line.

The EPA has targeted everything from existing coal-fired plants to new plants, coal mining operations, and has been looking at labeling coal ash as a hazardous waste since 2010.

□ 0945

Now, unbeknownst to so many individuals and to so many of my constituents is the fact that the same coal ash that has been used safely to make—and get this—bricks, cement, asphalt, plastics, and is used as a filler in wood products is, all of a sudden, a hazardous waste.

I would like the administration to explain to me if coal ash were a hazardous waste when they used TARP funding for shovel-ready projects to repair roads with asphalt containing—guess what—coal ash.

Was coal ash a hazardous waste last winter when it was used in snow and ice control products to keep roads and pedestrians in Chicago safe? Or was coal ash a hazardous waste when it was used to build the EPA's new headquarters?

While I am sure most of my constituents would like to label the EPA's headquarters as a Superfund site, I would say let's support this bill.

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

Mr. Chairman, if coal ash is reused, it is not a hazardous waste. If it is stored and leaks into our groundwater or into our drinking water, it can be very hazardous.

The problem with the Republican bill is that it doesn't clearly state that public health must be protected, and when they state it, there is no clear enforcement. The EPA cannot be sure that the job is being done, and even citizens cannot file lawsuits to require it to be done. This is a special interest bill that does not serve the interests of the American people.

I now yield 5 minutes to the gentleman who is the ranking member of one of our energy subcommittees, the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from California.

Mr. Chair, once again, the House will consider a bill that will provide the States with what they already have—the authority to regulate the disposal of coal ash.

H.R. 2218 also virtually eliminates any regulatory role for the Environmental Protection Agency. Although the bill's title suggests that it is about the beneficial reuse of coal combustion residuals, it has little, if anything, to do with promulgating that worthy goal.

No one has disputed that it is preferable to reduce the amount of coal ash that ends up in disposal facilities. It saves money and lengthens the productive life of that disposal facility, and it means that a waste product is put to productive use in cement, in wallboard and in other products. All of those things happen now, and they will happen whether this bill passes or not. Actually, if the bill encouraged stronger standards for disposal, it would likely spur increased recycling—another opportunity squandered, in my opinion.

So, if it is not about recycling, what is this bill about?

It is about maintaining the status quo. The bill virtually ensures that deficient facilities will, indeed, remain deficient.

What does that mean?

It means that communities in States with weak programs and lax enforcement remain at risk.

This bill does not set credible standards to ensure that public health and the environment are protected. Communities whose groundwater sources are known today to be contaminated by toxins leaching from unlined disposal ponds will have to wait at least 10 years before a State would have to act, and even then there are provisions for granting additional time for an operator to upgrade or repair a leaking facility. We know from recent experience that some of these facilities are structurally unsound. A breach in the dam in Kingston, Tennessee, in 2008, in eastern Wisconsin in 2011, and in Martins Creek, Pennsylvania, in 2005 all sent coal ash spilling out into waterways and onto the land.

H.R. 2218 is not going to help us avoid adding accidents to this list. Very similar bills to this one passed the House several times in the last Congress. They failed to become law, and H.R. 2218, in my opinion, is going to follow that same path.

Communities living in the shadows of these facilities deserve to be protected. There is no reason to allow deficient facilities to pollute our water and our air and to jeopardize the health of people in communities across this great Nation. We can do better. We should do better. My colleagues and I will offer several amendments this morning that, if adopted, would improve this bill. A better legislative effort could resolve the uncertainty surrounding this issue and, more importantly, could ensure that our citizens' health and safety are protected.

We cannot afford more Kingstons. We do not have to. Without improvements, this legislation will proceed no further in the legislative process. Without improvements, it should not proceed any further. I oppose H.R. 2218 in its present form, and I encourage my colleagues to do the same.

Mr. SHIMKUS. Mr. Chairman, let me remind my colleagues of some of the special interests: United Mine Workers of America, Building and Construction Trades, and the Transportation Workers of America.

I yield 2 minutes to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Thank you, Mr. Chairman.

I rise today in strong support of H.R. 2218, the Coal Residuals Reuse and Management Act, an important and bipartisan jobs bill.

Mr. Chairman, today's vote is the culmination of over a 2-year pursuit of a thoughtful, sensible and transparent solution to a serious regulatory challenge; and while the coal ash bill has continued to improve since we first debated and passed the legislation back in 2011, we have stayed true to our original principles.

First, the bill sets out strict standards for coal ash management, but it leaves the permitting program to the States. This approach is important because it ensures consistent environmental protection but gives the day-to-day implementation to the States, which have the combination of expertise and dedication to get the job done right for their States.

Second, it takes EPA's 3-year-old proposal to regulate coal ash as a hazardous waste off the table. When EPA first published this proposal, it knew that it had overreached, but EPA faced a very tough dilemma. It wanted a permit program for coal ash, but, in fact, the Solid Waste Disposal Act did not give EPA the authority over coal ash unless it were labeled ''hazardous.'' This legislation offers a solution.

The administration has stopped asking for the ''hazardous'' designation—and good thing. Beginning this year, EPA stopped seeking that the Agency, instead of the States, do the permitting. The administration has come a long way, and we certainly commend it for that, but, meanwhile, we've been listening to and working with EPA.

On April 11 of this year, EPA testified before our committee. By moving past the notion that EPA should write regulations for each State, the administration finally acknowledged that the States are in the best position to implement coal ash permit programs. After our hearing, we had additional meetings with EPA to discuss the bill, and we ultimately made changes that EPA recommended, including adding tough deadlines for State action.

The CHAIR. The time of the gentleman has expired.

Mr. SHIMKUS. I yield the gentleman an additional 30 seconds.

Mr. UPTON. This is how the legislative process is supposed to work. The bill reflects crucial input over the last 2 years from House and Senate Republicans, Democrats and the administration.

The time has come to put our pencils down and enact this law so that we can close the regulatory gap. States, utilities, and hundreds of thousands of workers in the recycling industry have been waiting in limbo for a resolution. This bill meets those needs, and I urge a ''yes'' vote.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how much time is left on both sides.

The CHAIR. The gentleman from California has 13 minutes remaining. The gentleman from Illinois has 15½ minutes remaining.

Mr. WAXMAN. I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to a member who has been very helpful on this legislation, the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the chairman for yielding.

I rise today, Mr. Chairman, in support of the Coal Residuals Reuse and Management Act.

Designating coal ash as a hazardous waste, which the EPA proposed in June 2010, would not only raise energy prices for families and businesses, but it would also destroy a large coal ash recycling industry and all of the jobs that go with it. H.R. 2218 will protect these jobs by setting minimum Federal standards that the States will be charged with implementing and by providing regulatory certainty that has ceased to exist within the coal ash industry since 2009.

If this legislation is not signed into law, the EPA will overturn 30 years of precedent and designate coal ash a hazardous waste despite findings from the Department of Energy, the Federal Highway Administration, State regulatory authorities, and the EPA itself, that the toxicity levels in coal ash are well below the criteria that require a ''hazardous waste'' designation. In fact, in the EPA's May 2000 regulatory determination, the EPA concluded that coal ash does not warrant regulation as a hazardous waste and that doing so would be environmentally counterproductive.

It is estimated that meeting the regulatory disposal requirements under the EPA's proposal would cost between $250 and $450 per ton as opposed to about $100 per ton under the current system. In 2008, 136 million tons of coal ash were generated. That means not passing this bill could put an additional $20- to $47 billion burden on the electricity generators that use coal.

Energy costs aside, about 45 percent of the coal ash generated is recycled, being used as an additive in cement, concrete, wallboard, roofing materials, road-based fill materials, and snow and ice control. Designating coal ash as a hazardous waste could halt these beneficial uses, which the EPA estimates will lead to $16.7 billion in increased costs per year.

It will provide certainty in the coal ash industry, and it strikes the appropriate balance of strong environmental protection without all of the economic consequences of a ''hazardous waste'' designation. I urge support of the legislation.

Mr. WAXMAN. Mr. Chairman, I yield 2 minutes to a very distinguished member of our committee, the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I would like to thank the ranking member for allowing me time.

Mr. Chairman, I rise to express my strong support for H.R. 2218, the Coal Residuals Reuse and Management Act.

Last Congress, this Chamber twice passed legislation on a bipartisan basis that was weaker than the bill before us today. Last Congress, the effort resulted in legislation that would create a State-run waste disposal program with minimal Federal requirements while assuring that coal ash can continue to be reused and recycled in everyday products.

The legislation before the House today continues that model but with even greater environmental protections, including: accelerated requirements for groundwater monitoring; fixed deadlines for when problems at an impoundment must be cured; and periodic inspections for the structural integrity of impoundments.

Currently, there is a patchwork of State programs to regulate the disposal of coal combustion waste with no Federal oversight.

H.R. 2218 would for the first time establish comprehensive, minimum Federal standards for coal ash management and disposal and give EPA the authority to enforce compliance if a State does not establish a coal residuals permit program or if a State's program does not conform to Federal requirements.

This legislation would assure that coal ash can continue to be reused beneficially, which puts billions of dollars in our economy annually and protects tens of thousands of jobs in the beneficial reuse industry. Encouraging the beneficial reuse of coal ash ensures that less of it ends up in landfills, which is good for the environment and good for our economy.

I know some Members have concerns about the legislation, but we have worked diligently with the majority and stakeholders to make improvements in the bill. The assertions by some of my colleagues that this legislation does nothing to protect the environment are making the perfect the enemy of the good. Part of legislating is moving the ball forward, and we cannot continue to work on legislation that simply will die in the Senate. This bill is a reasonable compromise and a win-win for the American people, as it will help protect the environment and create jobs. I urge my colleagues to support it.

Mr. WAXMAN. Mr. Chairman, before I yield back my time, I want to point out to my colleagues that this bill will not make it into law. The Senate will not accept it, and the President will not support it in its present form because it doesn't protect public health.

Coal ash contains arsenic, barium, cadmium, lead, mercury, hexavalent chromium, and other toxic materials. It's a threat, not when the coal ash is used for other purposes, but when it's in a disposal site and leaks into our drinking water, and that's what this issue is all about.

I reserve the balance of my time.

Mr. SHIMKUS. I want to thank my colleague from Texas, who has helped us move the bill forward.

I would remind my colleagues that the President has not issued a veto signal on this piece of legislation.

Mr. Chairman, I now yield 2 minutes to my friend and colleague from Florida (Mr. BILIRAKIS).

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Mr. BILIRAKIS. Mr. Chairman, I rise today to express my support for the Coal Residuals Reuse and Management Act.

I want to thank Mr. MCKINLEY and his staff for their hard work on this very important issue.

This commonsense legislation will empower States to safely regulate coal combustion products by fixed standards without overwhelming State budgets or customers' wallets. The recycling and reuse of coal combustion products has great economic and environmental benefits—creating jobs, reducing emissions, extending the life and durability of the Nation's roads and bridges, and reducing deposits in landfills and surface impoundments.

This legislation will provide the certainty States, utilities, and businesses depend on, all while giving the EPA the authority to protect the public should a State fail to enforce these strong standards.

I urge my colleagues to support this important legislation.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON), a neighbor to my congressional district.

Mr. BUCSHON. Mr. Chairman, I rise today in support of this legislation.

Every single coal mine in the State of Indiana is in my congressional district. Coal not only provides thousands of jobs for Hoosiers, but provides over 90 percent of our State's energy. Coal is a vital part of Indiana's economy, helping to keep energy prices low and supporting a robust manufacturing sector.

I disagree with the EPA's position that coal ash should be treated as a hazardous material. Coal ash has been used in all kinds of other materials like concrete and has been proven safe when used correctly and when stored correctly. In fact, the EPA's own studies, as has also been mentioned, in 1993 and 2000 have stated that coal ash is not a hazardous material. This legislation allows States to establish their own regulations for managing coal ash as long as it meets minimum Federal standards.

Coal is necessary for an all-of-the-above energy plan and is vital to our Nation's energy production that sustains good-paying jobs, and I urge all of my colleagues to support this legislation.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, the Indiana Department of Environmental Management wrote a letter in support of this bill and its safety and protection.

Now I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I rise in strong support of H.R. 2218.

I heard some comments today about coal ash. Let me be very clear: coal ash maybe at one point was energetic, but the coal ash we're discussing here today is inert. It's a lot like dirt, to be quite honest. As a cochair of the Congressional Cement Caucus, I have the largest cement producing district in America.

The cement and concrete folks, the industry, is by far the Nation's largest recycler of coal combustion residuals, or CCRs or coal ash as it's better known. Each year, more than 11 million tons of coal ash is recycled in the production of concrete. So this is essential to our manufacturing sector. Domestic manufacturers typically reuse an additional 3 million tons of coal ash annually as a raw material in cement production. The coal ash used in the process serves as a substitute for key ingredients in cement, which would otherwise be mined.

Without H.R. 2218, the EPA would be able to classify coal ash as a hazardous material, which in turn would put an end to this very useful recycling. Even the continued regulatory uncertainty generated by the stalled EPA rulemaking would dramatically inhibit the recycling of coal ash in domestic cement and concrete production.

This recycling includes all kinds of infrastructure products, including our roads, bridges, homes, schools, and other critical structures. Coal ash continues to be recycled in a safe and responsible manner. Whatever issues there have been with coal ash, they have largely been related to storage. This bill thoroughly addresses coal ash storage issues, which is really where we should be focused.

Again, H.R. 2218 provides the clarity needed by top recyclers to continue their efforts and to potentially increase coal ash recycling. So, again, I ask my colleagues to support passage of this important piece of legislation that will ensure the beneficial reuse of coal ash. A ''yes'' vote is the right vote. It is pro-manufacturing. Vote for the legislation.

Mr. WAXMAN. Mr. Chairman, I yield myself such time as I may consume.

When coal ash is recycled, it is not a waste; and, therefore, EPA has no jurisdiction. It is not a problem. When coal ash is put into a landfill or disposal site and leaches into the water, then it is a problem. This bill doesn't address that problem. It doesn't adequately ensure protection of the public health; or if they have a law at the State level that seems to talk about public health, there's no clear enforcement of it. That is our problem with the legislation.

Recycling coal ash for any purpose doesn't make it hazardous, doesn't make it toxic. It can be reused, and we want to encourage that. But we don't want public health threatened. That's what our concern is all about.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, to my colleague from California, we're waiting for a few Members. I'm not sure they are going to get here. I'm willing to have you close, and then I'll close after you're finished.

I reserve the balance of my time.

Mr. WAXMAN. Knowing that we want to wrap up this general debate, I yield myself the balance of my time.

I will just repeat that the EPA proposed to act, and that is what has caused this whole furor. Rather than to discuss what is the appropriate balance between the EPA and the States, the Republican bill would take this away from EPA, keep them from regulating, and turn it over to the States, where the States can already act and many have. They don't need us to give them the power to act. This bill says it's up to the States. It doesn't have a uniform standard of protecting public health. It doesn't require States to have the goal of protecting the public health. And if the States achieve the goal in their legislation to protect public health, there's no guarantee of it being enforced because EPA cannot come back in and enforce the State law and citizens cannot file lawsuits. That's one of the so-called ''improvements'' that has been made since the last time this bill was before us. It has weakened the ability to enforce protection of public health.

So I urge my colleagues to oppose this bill, and in doing so tell us to go back and work on the problem and get a real, true bipartisan bill that can be supported by the majority of the Democrats and by the President of the United States.

I urge Members to vote against the bill, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

It's been a great debate. It's been a great process. I'll just summarize some of the issues. Yes, the issue is about beneficial reuse, like this shingle here; but it's also about the storage.

We were very close to passing this legislation the last Congress, as the ranking member knows. This bill is better, as my colleague from Texas says. There are 12 additional changes made in this bill versus last year's bill that addresses many of the concerns that the minority asked and also concerns by the Environmental Protection Agency. We worked very closely with them. That is why—and I'll say it again—the administration has not issued a veto threat on this bill. That's a signal that they may have issues, but there's not an outright veto threat on this bill. That's a signal that we've worked with them to address some of the major concerns.

Again, I want to highlight some of the special interest groups that are forcing this legislation, like the United Mine Workers, the building and construction trades, the transportation workers. Those who are historically considered in the minority's coalition are now moving to the pro-job coalition of this bill and hopefully other bills in the future.

I want to reemphasize that the EPA in 1993 and 2000 stated that coal ash does not have the characteristics of hazardous waste, including toxicity, and should not be regulated under subtitle C. That's not us. That's the EPA, and that's the EPA making that ruling twice.

We believe that the Federal Government can set standards. We believe that the Federal Government can enforce that the State do certification, and we trust the States to be able to monitor and meet the standards. That's why I listed in support the Environmental Council of the States and Indiana's Department of Environmental Management, because what they want to do is get a handle on this. And let's not confuse the issue. If the EPA is able to label fly ash as toxic, it does depress the beneficial use. So the cheap concrete that's mixed with fly ash will not be put in. The road mitigation issues which we've done will not be put in. My colleague, MARSHA BLACKBURN, did a great job talking about how we use today coal ash and fly ash.

So I want to thank my colleague, Mr. MCKINLEY, for moving this bill and my colleagues on the subcommittee, who have made the changes and moved it forward. We look forward to the debates on the amendment, and we look forward to passing the bill and sending it to the other Chamber and eventually a signature by the President of the United States.

I yield back the balance of my time.

Mr SENSENBRENNER. Mr. Speaker, I rise today in strong support of H.R. 2218, the Coal Residuals Reuse and Management Act. This bipartisan legislation accomplishes the safe regulation of coal ash without jeopardizing job growth, raising energy costs, or burdening industry with costly rulemaking.

H.R. 2218 establishes minimum federal requirements for the disposal of coal combustion residuals, which would be enforced by state-based permit programs. Rigid and costly EPA rulemaking will be avoided, tens of thousands of jobs will be saved, and health and environmental concerns will be addressed in a measured, responsible way.

According to a recent nonpartisan study, the Environmental Protection Agency's latest attempt to regulate coal ash as hazardous waste could lead to net job losses of between 184,000 and 316,000. At a time of anemic economic growth, this is unacceptable.

Of course, this most recent push is part of a broader "War on Coal" by the Obama Administration, which adheres to a radical, dogmatic notion of environmentalism at the expense of American jobs. It also proves that the President's claim of an "all of the above" approach to energy policy is an empty promise to the American people.

Like my colleagues, I care deeply about the environment—Wisconsin has some of the most beautiful hills, lakes and farmland in the country. But I also believe we should be mindful of enacting environmental policies that will have an adverse effect on jobs and economic growth. Rather than rely on stale partisan talking points, which result in inflexible, overreaching policy prescriptions, the President should work with businesses and other affected stakeholders to craft workable solutions to climate change.

We owe it to the American people to offer viable alternatives to the President's agenda. The Coal Residuals Reuse and Management Act is a tremendous starting point for a bipartisan discussion on environmental issues. I urge my colleagues on both sides of the aisle to support this commonsense alternative to the President's War on Coal.

Mr. VAN HOLLEN. Mr. Chair, our country has 676 existing coal ash impoundments in 46 States, and an unknown number of ''legacy sites'' that continue to pose risk to our communities—risk of contaminating the groundwater with arsenic, lead, and mercury or of experiencing catastrophic failure like we saw in the 2008 Kingston disaster. That is why action must be taken to ensure that coal ash is either recycled responsibly or disposed of properly.

However, instead of taking steps to protect the public health and prevent groundwater contamination around storage sites, today's legislation authorizes each State to create its own coal waste management permitting program, with no legal standard to ensure a minimum level of public safety. Moreover, the nonpartisan Congressional Research Service has found that the bill would give EPA ''no federal backstop authority'' to ensure that States enforce their standards.

Mr. Chair, rather than addressing the real danger of improperly managed coal ash, this bill risks a regulatory race to the bottom, threatening the safety of all of our citizens. I urge a no vote.

Mr. DEFAZIO. Mr. Chair, in December 2008 an impoundment holding disposed ash waste generated by the Tennessee Valley Authority broke open, creating a massive spill in Kingston, TN. The spill covered the surrounding land and Clinch River with one billion gallons of coal ash, displaced residents, and resulted in $1.2 billion in cleanup costs.

The accident underscored the need for rules to ensure structural stability and safety of coal ash impoundments given that U.S. electric utilities generate 130 million tons of coal ash every year.

In response, the Environmental Protection Agency proposed the first-ever regulations to ensure the safe disposal and management of coal ash from coal-fired power plants under the Nation's primary law for regulating solid waste, the Resource Conservation and Recovery Act, RCRA.

In June 2010, the EPA presented two regulatory options: regulating coal ash as hazardous waste under Subtitle C or regulating coal ash as a non-hazardous waste under Subtitle D. The EPA has not established a deadline for the final rule.

I have serious concerns that designating coal ash as a hazardous material, the result of regulating coal ash under Subtitle C, could have major impacts on the recycling and reuse of coal ash to manufacture wallboard, roofing materials and bricks, and especially concrete.

In 2008 alone, the concrete industry used 15.8 million tons of coal ash in the manufacturing of ready mixed concrete making it the most widely used supplemental cementing material. When combined with cement, coal ash improves the durability, strength, constructability, and economy of concrete.

It also has huge environmental benefits. Using coal ash—an industrial byproduct—in concrete results in longer lasting structures and reduction in the amount of waste materials sent to landfills, raw materials extracted, energy required for production, and air emissions, including carbon dioxide.

A ''hazardous'' designation of coal ash could put these benefits in jeopardy. It could make coal ash storage and transportation more expensive, and create a legal environment that would deter cement manufacturers from recycling coal ash in cement production.

The result would not only be devastating for the cement manufacturing industry and American jobs, it could also divert millions of tons of coal ash from beneficial uses to surface impoundments like the one that broke open in Kingston, Tennessee.

For these reasons, my preference is for EPA to regulate coal ash under Subtitle D of the Resources Conservation and Recovery Act. This would ensure we have strong regulations for surface impoundments of coal ash needed to protect public health and the environment without inhibiting the recycling and reuse of coal ash.

To ensure EPA gets that message, I supported H.R. 2273 in 2011. The Coal Residuals Reuse and Management Act was not a perfect bill. In fact, this bill could have been much simpler and likely noncontroversial if my Republican colleagues had just legislated Subtitle D of RCRA. It was my hope that the U.S. Senate would take this more targeted approach.

Thankfully, in June of 2013, the EPA published a Federal Register notice indicating a preference for regulating coal ash under subtitle D. I appreciate EPA's willingness to be pragmatic and balance the needs of recyclers to achieve greater environmental protection.

Today we are voting on H.R. 2218, the latest version of the Coal Residuals Reuse and Management Act. While the bill has been marginally improved, I believe it is no longer necessary. Assuming the EPA regulates coal ash under Subtitle D, the recycling and reuse of coal ash will not be jeopardized, eliminating the need for legislation. By voting against H.R. 2218, I am thanking EPA for its pragmatic reconsideration of the June 2010 draft rule and for providing certainty for coal ash recyclers.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2218

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Coal Residuals Reuse and Management Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Management and disposal of coal combustion residuals.
Sec. 3. 2000 regulatory determination.
Sec. 4. Technical assistance.
Sec. 5. Federal Power Act.

SEC. 2. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

''SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

''(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt, implement, and enforce a coal combustion residuals permit program if such State provides the notification required under subsection (b)(1), and the certification required under subsection (b)(2).

''(b) STATE ACTIONS.—

''(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

''(2) CERTIFICATION.—

''(A) IN GENERAL.—Not later than 36 months after the date of enactment of this section (except as provided in subsection (f)(1)(A)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State implementing agency shall submit to the Administrator a certification that such coal combustion residuals permit program meets the requirements described in subsection (c).

''(B) CONTENTS.—A certification submitted under this paragraph shall include—

''(i) a letter identifying the lead State implementing agency, signed by the head of such agency;

''(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

''(iii) an explanation of how the State coal combustion residuals permit program meets the requirements of this section, including a description of the State's—

''(I) process to inspect or otherwise determine compliance with such permit program;

''(II) process to enforce the requirements of such permit program;

''(III) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program;

''(IV) statutes, regulations, or policies pertaining to public access to information, such as groundwater monitoring data; and

''(V) statutes, regulations, or policies pertaining to structural integrity or dam safety that may be applied to structures through such permit program;

''(iv) a certification that the State has in effect, at the time of certification, statutes or regulations necessary to implement a coal combustion residuals permit program that meets the requirements described in subsection (c); and

''(v) copies of State statutes and regulations described in clause (iv).

''(C) UPDATES.—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

''(3) MAINTENANCE OF 4005(c) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this

section (including pursuant to subsection (f)), the State implementing agency shall maintain an approved permit program or other system of prior approval and conditions under section 4005(c) or an authorized program under section 3006.

''(c) REQUIREMENTS FOR A COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—A coal combustion residuals permit program shall consist of the following:

''(1) GENERAL REQUIREMENTS.—

''(A) IN GENERAL.—The implementing agency shall—

''(i) apply the subset of the revised criteria described in paragraph (2) to owners or operators of structures, including surface impoundments, that receive coal combustion residuals on or after the date of enactment of this section;

''(ii) with respect to structures that are receiving coal combustion residuals as of the date of enactment of this section, take the actions required under paragraph (3);

''(iii) impose requirements for surface impoundments that do not meet certain criteria pursuant to paragraph (4); and

''(iv) require that closure of structures occur in accordance with paragraph (5).

''(B) STRUCTURAL INTEGRITY.—

''(i) ENGINEERING CERTIFICATION.—The implementing agency shall require that an independent registered professional engineer certify that—

''(I) the design of each structure that receives coal combustion residuals on or after the date of enactment of this section is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded therein; and

''(II) the construction and maintenance of the structure will ensure structural stability.

''(ii) EMERGENCY ACTION PLAN.—The implementing agency shall require that the owner or operator of any structure that is a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section and that is classified by the State as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency entitled 'Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams' (FEMA Publication Number 333) prepare and maintain an emergency action plan that identifies responsible persons and actions to be taken in the event of a dam safety emergency.

''(iii) INSPECTION.—

''(I) IN GENERAL.—The implementing agency shall require that structures that are surface impoundments that receive coal combustion residuals on or after the date of enactment of this section be inspected not less than annually by an independent registered professional engineer to assure that the design, operation, and maintenance of the surface impoundment is in accordance with recognized and generally accepted good engineering practices for containment of the maximum volume of coal combustion residuals and liquids which can be impounded therein, so as to ensure dam stability.

''(II) POTENTIALLY HAZARDOUS CONDITIONS.—The implementing agency shall require that if an inspection under subclause (I), or a periodic evaluation under clause (iv), reveals a potentially hazardous condition, the owner or operator of the structure shall immediately take action to mitigate the potentially hazardous condition and notify appropriate State and local first responders.

''(iv) PERIODIC EVALUATION.—The implementing agency shall require that structures that are surface impoundments that receive coal combustion residuals on or after the date of enactment of this section be periodically evaluated for appearances of structural weakness.

''(v) DEFICIENCY.—

''(I) IN GENERAL.—If the head of the implementing agency determines that a structure is deficient with respect to the requirements in clause (i), (iii), or (iv), the head of the agency has the authority to require action to correct the deficiency according to a schedule determined by the agency.

''(II) UNCORRECTED DEFICIENCIES.—If a deficiency is not corrected according to the schedule, the head of the implementing agency has the authority to require that the structure close in accordance with paragraph (5).

''(III) DAM SAFETY CONSULTATION.—In the case of a structure that is a surface impoundment, the head of the implementing agency shall, in making a determination under subclause (I), consult with appropriate State dam safety officials.

''(C) LOCATION.—The implementing agency shall require that structures that first receive coal combustion residuals on or after the date of enactment of this section shall be constructed with a base located a minimum of 2 feet above the upper limit of the water table, unless it is demonstrated to the satisfaction of the implementing agency that—

''(i) the hydrogeologic characteristics of a structure and surrounding land would preclude such a requirement; and

''(ii) the function and integrity of the liner system will not be adversely impacted by contact with the water table.

''(D) WIND DISPERSAL.—

''(i) IN GENERAL.—The implementing agency shall require that owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section address wind dispersal of dust by requiring cover, or by wetting coal combustion residuals with water to a moisture content that prevents wind dispersal, facilitates compaction, and does not result in free liquids.

''(ii) ALTERNATIVE METHODS.—Subject to the review and approval by the implementing agency, owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section may propose alternative methods to address wind dispersal of dust that will provide comparable or more effective control of dust.

''(E) PERMITS.—The implementing agency shall require that owners or operators of structures that receive coal combustion residuals on or after the date of enactment of this section apply for and obtain permits incorporating the requirements of the coal combustion residuals permit program.

''(F) PUBLIC AVAILABILITY OF INFORMATION.—Except for information with respect to which disclosure is prohibited under section 1905 of title 18, United States Code, the implementing agency shall ensure that—

''(i) documents for permit determinations are made available for public review and comment under the public participation process described in subsection (b)(2)(B)(iii)(III) or in subsection (e)(6), as applicable;

''(ii) final determinations on permit applications are made known to the public; and

''(iii) groundwater monitoring data collected under paragraph (2) is publicly available.

''(G) AGENCY AUTHORITY.—

''(i) IN GENERAL.—The implementing agency has the authority to—

''(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the requirements of this subsection;

''(II) conduct or require monitoring and testing to ensure that structures are in compliance with the requirements of this subsection; and

''(III) enter, at reasonable times, any site or premise subject to the coal combustion residuals permit program for the purpose of inspecting structures and reviewing records relevant to the design, operation, and maintenance of structures.

''(ii) MONITORING AND TESTING.—If monitoring or testing is conducted under clause (i)(II) by or for the implementing agency, the implementing agency shall, if requested, provide to the owner or operator—

''(I) a written description of the monitoring or testing completed;

''(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the implementing agency; and

''(III) a copy of the results of any analysis of samples collected by or for the implementing agency.

''(2) REVISED CRITERIA.—The subset of the revised criteria referred to in paragraph (1)(A)(i) are as follows:

''(A) DESIGN REQUIREMENTS.—For new structures, and lateral expansions of existing structures, that first receive coal combustion residuals on or after the date of enactment of this section, the revised criteria regarding design requirements described in section 258.40 of title 40, Code of Federal Regulations, except that the leachate collection system requirements described in section 258.40(a)(2) of title 40, Code of Federal Regulations, do not apply to structures that are surface impoundments.

''(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria regarding groundwater monitoring and corrective action requirements described in subpart E of part 258 of title 40, Code of Federal Regulations, except that, for the purposes of this subparagraph, the revised criteria shall also include—

''(i) for the purposes of detection monitoring, the constituents boron, chloride, conductivity, fluoride, mercury, pH, sulfate, sulfide, and total dissolved solids; and

''(ii) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents aluminum, boron, chloride, fluoride, iron, manganese, molybdenum, pH, sulfate, and total dissolved solids.

''(C) CLOSURE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, in a manner consistent with paragraph (5), the revised criteria for closure described in subsections (a) through (c) and (h) through (j) of section 258.60 of title 40, Code of Federal Regulations.

''(D) POST-CLOSURE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for post-closure care described in section 258.61 of title 40, Code of Federal Regulations, except for the requirement described in subsection (a)(4) of that section.

''(E) LOCATION RESTRICTIONS.—The revised criteria for location restrictions described in—

''(i) for new structures, and lateral expansions of existing structures, that first receive coal combustion residuals on or after the date of enactment of this section, sections 258.11 through 258.15 of title 40, Code of Federal Regulations; and

''(ii) for existing structures that receive coal combustion residuals on or after the date of enactment of this section, sections 258.11 and 258.15 of title 40, Code of Federal Regulations.

''(F) AIR QUALITY.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for air quality described in section 258.24 of title 40, Code of Federal Regulations.

''(G) FINANCIAL ASSURANCE.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

''(H) SURFACE WATER.—For all structures that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for surface water described in section 258.27 of title 40, Code of Federal Regulations.

''(I) RECORDKEEPING.—For all structures that receive coal combustion residuals on or after the

date of enactment of this section, the revised criteria for recordkeeping described in section 258.29 of title 40, Code of Federal Regulations.

''(J) RUN-ON AND RUN-OFF CONTROL SYSTEMS FOR LAND-BASED UNITS.—For all landfills and other land-based units, other than surface impoundments, that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for run-on and runoff control systems described in section 258.26 of title 40, Code of Federal Regulations.

''(K) RUN-OFF CONTROL SYSTEMS FOR SURFACE IMPOUNDMENTS.—For all surface impoundments that receive coal combustion residuals on or after the date of enactment of this section, the revised criteria for run-off control systems described in section 258.26(a)(2) of title 40, Code of Federal Regulations.

''(3) PERMIT PROGRAM IMPLEMENTATION FOR EXISTING STRUCTURES.—

''(A) NOTIFICATION.—Not later than the date on which a State submits a certification under subsection (b)(2), not later than 30 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 36 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall notify owners or operators of structures that are receiving coal combustion residuals as of the date of enactment of this section within the State of—

''(i) the obligation to apply for and obtain a permit under subparagraph (C); and

''(ii) the requirements referred to in subparagraph (B).

''(B) COMPLIANCE WITH CERTAIN REQUIREMENTS.—Not later than 12 months after the date on which a State submits a certification under subsection (b)(2), not later than 42 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 48 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall require owners or operators of structures that are receiving coal combustion residuals as of the date of enactment of this section to comply with—

''(i) the requirements under paragraphs (1)(B)(ii) and (iii), (1)(D), (2)(B), (2)(F), (2)(H), (2)(J), and (2)(K); and

''(ii) the groundwater recordkeeping requirement described in section 258.29(a)(5) of title 40, Code of Federal Regulations.

''(C) PERMITS.—

''(i) PERMIT DEADLINE.—Not later than 48 months after the date on which a State submits a certification under subsection (b)(2), not later than 78 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 84 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall issue, with respect to a structure that is receiving coal combustion residuals as of the date of enactment of this section, a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial for an application submitted requesting such a permit.

''(ii) APPLICATION DEADLINE.—The implementing agency shall identify, in collaboration with the owner or operator of a structure described in clause (i), a reasonable deadline by which the owner or operator shall submit a permit application under such clause.

''(D) INTERIM OPERATION.—

''(i) PRIOR TO DEADLINES.—With respect to any period of time on or after the date of enactment of this section but prior to the applicable deadline in subparagraph (B), the owner or operator of a structure that is receiving coal combustion residuals as of the date of enactment of this section may continue to operate such structure until such applicable deadline under the applicable authority in effect.

''(ii) PRIOR TO PERMIT.—Unless the implementing agency determines that the structure should close pursuant to paragraph (5), if the owner or operator of a structure that is receiving coal combustion residuals as of the date of enactment of this section meets the requirements referred to in subparagraph (B) by the applicable deadline in such subparagraph, the owner or operator may operate the structure until such time as the implementing agency issues, under subparagraph (C), a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial for an application submitted requesting such a permit.

''(4) REQUIREMENTS FOR SURFACE IMPOUNDMENTS THAT DO NOT MEET CERTAIN CRITERIA.—

''(A) SURFACE IMPOUNDMENTS THAT REQUIRE ASSESSMENT OF CORRECTIVE MEASURES WITHIN 10 YEARS OF THE DATE OF ENACTMENT.—

''(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) of this subparagraph and clauses (i) and (ii) of subparagraph (D) if the surface impoundment—

''(I) does not—

''(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

''(II) within 10 years after the date of enactment of this section, is required under section 258.56(a) of title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent covered under subpart E of part 258 of title 40, Code of Federal Regulations, or otherwise identified in paragraph (2)(B)(ii) of this subsection, for which assessment groundwater monitoring is required.

''(ii) DEADLINE TO MEET GROUNDWATER PROTECTION STANDARD.—Except as provided in subparagraph (C), the implementing agency shall require that the groundwater protection standard, for surface impoundments identified in clause (i) of this subparagraph, established by the implementing agency under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

''(I) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

''(II) not later than 10 years after the date of enactment of this section.

''(B) SURFACE IMPOUNDMENTS SUBJECT TO A STATE CORRECTIVE ACTION REQUIREMENT AS OF THE DATE OF ENACTMENT.—

''(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) of this subparagraph and clauses (i) and (ii) of subparagraph (D) if the surface impoundment—

''(I) does not—

''(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

''(II) as of the date of enactment of this section, is subject to a State corrective action requirement.

''(ii) DEADLINE TO MEET GROUNDWATER PROTECTION STANDARD.—Except as provided in subparagraph (C), the implementing agency shall require that the groundwater protection standard, for surface impoundments identified in clause (i) of this subparagraph, established by the implementing agency under section 258.55(h) or 258.55(i) of title 40, Code of Federal Regulations, for any constituent for which corrective measures are required shall be met—

''(I) as soon as practicable at the relevant point of compliance, as described in section 258.40(d) of title 40, Code of Federal Regulations; and

''(II) not later than 8 years after the date of enactment of this section.

''(C) EXTENSION OF DEADLINE.—

''(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, the deadline for meeting a groundwater protection standard under subparagraph (A)(ii) or (B)(ii) may be extended by the implementing agency, after opportunity for public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III), or in subsection (e)(6) based on—

''(I) the effectiveness of any interim measures implemented by the owner or operator of the facility under section 258.58(a)(3) of title 40, Code of Federal Regulations;

''(II) the level of progress demonstrated in meeting the groundwater protection standard;

''(III) the potential for other adverse human health or environmental exposures attributable to the contamination from the surface impoundment undergoing corrective action; and

''(IV) the lack of available alternative management capacity for the coal combustion residuals and related materials managed in the impoundment at the facility at which the impoundment is located if the owner or operator has used best efforts, as necessary, to design, obtain any necessary permits, finance, construct, and render operational the alternative management capacity during the time period for meeting a groundwater protection standard in subparagraph (A)(ii) or (B)(ii).

''(ii) EXCEPTION.—The deadline under subparagraph (A)(ii) or (B)(ii) shall not be extended if there has been contamination of public or private drinking water systems attributable to a surface impoundment undergoing corrective action, unless the contamination has been addressed by providing a permanent replacement water system.

''(D) ADDITIONAL REQUIREMENTS.—

''(i) CLOSURE.—If the deadline under subparagraph (A)(ii), (B)(ii), or (C) is not satisfied, the surface impoundment shall cease receiving coal combustion residuals and initiate closure under paragraph (5).

''(ii) INTERIM MEASURES.—

''(I) IN GENERAL.—Except as provided in subclause (II), not later than 90 days after the date on which the assessment of corrective measures is initiated, the owner or operator of a surface impoundment described in subparagraph (A) or (B) shall implement interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

''(II) IMPOUNDMENTS SUBJECT TO STATE CORRECTIVE ACTION REQUIREMENT AS OF THE DATE OF ENACTMENT.—Subclause (I) shall only apply to surface impoundments subject to a State corrective action requirement as of the date of enactment of this section if the owner or operator has not implemented interim measures, as necessary, under the factors in section 258.58(a)(3) of title 40, Code of Federal Regulations.

''(E) SURFACE IMPOUNDMENTS THAT REQUIRE ASSESSMENT OF CORRECTIVE MEASURES MORE THAN 10 YEARS AFTER DATE OF ENACTMENT.—

''(i) IN GENERAL.—In addition to the groundwater monitoring and corrective action requirements described in paragraph (2)(B), the implementing agency shall require a surface impoundment that receives coal combustion residuals on or after the date of enactment of this section to comply with the requirements in clause (ii) if the surface impoundment—

''(I) does not—

''(aa) have a liner system described in section 258.40(b) of title 40, Code of Federal Regulations; and

''(bb) meet the design criteria described in section 258.40(a)(1) of title 40, Code of Federal Regulations; and

''(II) more than 10 years after the date of enactment of this section, is required under section 258.56(a) title 40, Code of Federal Regulations, to undergo an assessment of corrective measures for any constituent covered under subpart E of part 258 of title 40, Code of Federal Regulations, or otherwise identified in paragraph (2)(B)(ii) of this subsection, for which assessment groundwater monitoring is required.

''(ii) REQUIREMENTS.—

''(I) CLOSURE.—The surface impoundments identified in clause (i) shall cease receiving coal combustion residuals and initiate closure in accordance with paragraph (5) after alternative management capacity at the facility is available for the coal combustion residuals and related materials managed in the impoundment.

''(II) BEST EFFORTS.—The alternative management capacity shall be developed as soon as practicable with the owner or operator using best efforts to design, obtain necessary permits for, finance, construct, and render operational the alternative management capacity.

''(III) ALTERNATIVE CAPACITY MANAGEMENT PLAN.—The owner or operator shall, in collaboration with the implementing agency, prepare a written plan that describes the steps necessary to develop the alternative management capacity and includes a schedule for completion.

''(IV) PUBLIC PARTICIPATION.—The plan described in subclause (III) shall be subject to public notice and comment under the public participation process described in subsection (b)(2)(B)(iii)(III) or in subsection (e)(6), as applicable.

''(5) CLOSURE.—

''(A) IN GENERAL.—If it is determined by the implementing agency that a structure should close because the requirements of a coal combustion residuals permit program are not being satisfied with respect to such structure, or if it is determined by the owner or operator that a structure should close, the time period and method for the closure of such structure shall be set forth in a closure plan that establishes a deadline for completion of closure as soon as practicable and that takes into account the nature and the site-specific characteristics of the structure to be closed.

''(B) SURFACE IMPOUNDMENT.—In the case of a surface impoundment, the closure plan under subparagraph (A) shall require, at a minimum, the removal of liquid and the stabilization of remaining waste, as necessary to support the final cover.

''(d) FEDERAL REVIEW OF STATE PERMIT PROGRAMS.—

''(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (3) if at any time the State—

''(A) does not satisfy the notification requirement under subsection (b)(1);

''(B) has not submitted a certification required under subsection (b)(2);

''(C) does not satisfy the maintenance requirement under subsection (b)(3);

''(D) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2), that meets the requirements described in subsection (c);

''(E) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2)—

''(i) that is consistent with such certification; and

''(ii) for which the State continues to have in effect statutes or regulations necessary to implement such program; or

''(F) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E).

''(2) REQUEST.—If a request described in paragraph (1)(F) is proposed pursuant to a petition to the Administrator, the Administrator shall only make the request if the Administrator does not possess the information necessary to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E) of such paragraph.

''(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under paragraph (1) shall—

''(A) include findings of the Administrator detailing any applicable deficiencies described in subparagraphs (A) through (F) of paragraph (1); and

''(B) identify, in collaboration with the State, a reasonable deadline by which the State shall remedy such applicable deficiencies, which shall be—

''(i) in the case of a deficiency described in subparagraphs (A) through (E) of paragraph (1), not earlier than 180 days after the date on which the State receives the notice; and

''(ii) in the case of a deficiency described in paragraph (1)(F), not later than 90 days after the date on which the State receives the notice.

''(4) CRITERIA FOR DETERMINING DEFICIENCY OF STATE PERMIT PROGRAM.—In making a determination whether a State has failed to satisfy the requirements described in subparagraphs (A) through (E) of paragraph (1), or a determination under subsection (e)(1)(B), the Administrator shall consider, as appropriate—

''(A) whether the State's statutes or regulations to implement a coal combustion residuals permit program are not sufficient to meet the requirements described in subsection (c) because of—

''(i) failure of the State to promulgate or enact new statutes or regulations when necessary; or

''(ii) action by a State legislature or court striking down or limiting such State statutes or regulations;

''(B) whether the operation of the State coal combustion residuals permit program fails to comply with the requirements of subsection (c) because of—

''(i) failure of the State to issue permits as required in subsection (c)(1)(E);

''(ii) repeated issuance of permits by the State which do not meet the requirements of subsection (c);

''(iii) failure of the State to comply with the public participation requirements of this section; or

''(iv) failure of the State to implement corrective action requirements as described in subsection (c)(2)(B); and

''(C) whether the enforcement of a State coal combustion residuals permit program fails to comply with the requirements of this section because of—

''(i) failure to act on violations of permits, as identified by the State; or

''(ii) repeated failure by the State to inspect or otherwise determine compliance pursuant to the process identified in subsection (b)(2)(B)(iii)(I).

''(e) IMPLEMENTATION BY ADMINISTRATOR.—

''(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State only if—

''(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

''(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice under subsection (d)(3)(A); or

''(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

''(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

''(3) OTHER STRUCTURES.—For structures that receive coal combustion residuals on or after the date of enactment of this section located on property within the exterior boundaries of a State that the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures.

''(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1) or (3), the permit program shall consist of the requirements described in subsection (c).

''(5) ENFORCEMENT.—

''(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

''(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program under paragraph (3)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals and structures for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures for which the Administrator is implementing the coal combustion residuals permit program.

''(6) PUBLIC PARTICIPATION PROCESS.—If the Administrator implements a coal combustion residuals permit program for a State under this subsection, the Administrator shall provide a 30-day period for the public participation process required in paragraphs (1)(F)(i), (4)(C)(i), and (4)(E)(ii)(IV) of subsection (c).

''(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

''(1) STATE CONTROL.—

''(A) NEW ADOPTION, OR RESUMPTION OF, AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A), or subsection (e)(1)(C), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination, after providing a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the requirements described in subsection (c); and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

''(i) remedying only the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); and

''(ii) receiving from the Administrator—

''(I) a determination, after providing a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

''(II) a timeline for transition of control of the coal combustion residuals permit program.

''(2) REVIEW OF DETERMINATION.—

''(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

''(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

''(3) IMPLEMENTATION DURING TRANSITION.—

''(A) EFFECT ON ACTIONS AND ORDERS.—Program requirements of, and actions taken or orders issued pursuant to, a coal combustion residuals permit program shall remain in effect if—

''(i) a State takes control of its coal combustion residuals permit program from the Administrator under paragraph (1); or

''(ii) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

''(B) CHANGE IN REQUIREMENTS.—Subparagraph (A) shall apply to such program requirements, actions, and orders until such time as—

''(i) the implementing agency changes the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

''(ii) the State or the Administrator, whichever took the action or issued the order, certifies the completion of a corrective action that is the subject of the action or order.

''(4) SINGLE PERMIT PROGRAM.—If a State adopts and implements a coal combustion residuals permit program under this subsection, the Administrator shall cease to implement the permit program implemented under subsection (e)(1) for such State.

''(g) EFFECT ON DETERMINATION UNDER 4005(c) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

''(h) AUTHORITY.—

''(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

''(2) AUTHORITY OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—Except as provided in subsections (d) and (e) and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals, defer to the States pursuant to this section.

''(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

''(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State agency that is implementing a coal combustion residuals permit program, the Administrator may provide to such State agency only the enforcement assistance requested.

''(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program, including during any period of interim operation described in subsection (c)(3)(D).

''(E) OTHER AUTHORITY.—The Administrator shall not have authority to finalize the proposed rule published at pages 35128 through 35264 of volume 75 of the Federal Register (June 21, 2010).

''(F) OTHER RESPONSE AUTHORITY.—Nothing in this section shall be construed as affecting the authority of the Administrator under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect to coal combustion residuals.

''(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

''(i) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations.

''(j) DEFINITIONS.—In this section:

''(1) COAL COMBUSTION RESIDUALS.—The term 'coal combustion residuals' means—

''(A) the solid wastes listed in section 3001(b)(3)(A)(i), including recoverable materials from such wastes;

''(B) coal combustion wastes that are co-managed with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure;

''(C) fluidized bed combustion wastes;

''(D) wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned; and

''(E) wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

''(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term 'coal combustion residuals permit program' means all of the authorities, activities, and procedures that comprise the system of prior approval and conditions implemented by or for a State to regulate the management and disposal of coal combustion residuals.

''(3) CODE OF FEDERAL REGULATIONS.—The term 'Code of Federal Regulations' means the Code of Federal Regulations (as in effect on the date of enactment of this section) or any successor regulations.

''(4) IMPLEMENTING AGENCY.—The term 'implementing agency' means the agency responsible for implementing a coal combustion residuals permit program for a State, which shall either be the lead State implementing agency identified under subsection (b)(2)(B)(i) or the Administrator pursuant to subsection (e).

''(5) PERMIT; PRIOR APPROVAL AND CONDITIONS.—Except as provided in subsections (b)(3) and (g), the terms 'permit' and 'prior approval and conditions' mean any authorization, license, or equivalent control document that incorporates the requirements of subsection (c).

''(6) REVISED CRITERIA.—The term 'revised criteria' means the criteria promulgated for municipal solid waste landfill units under section 4004(a) and under section 1008(a)(3), as revised under section 4010(c).

''(7) STRUCTURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'structure' means a landfill, surface impoundment, or other land-based unit which receives, or is intended to receive, coal combustion residuals.

''(B) DE MINIMIS RECEIPT.—The term 'structure' does not include any land-based unit that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the unit.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

''Sec. 4011. Management and disposal of coal combustion residuals.''.

SEC. 3. 2000 REGULATORY DETERMINATION.

Nothing in this Act, or the amendments made by this Act, shall be construed to alter in any manner the Environmental Protection Agency's regulatory determination entitled ''Notice of Regulatory Determination on Wastes From the Combustion of Fossil Fuels'', published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 4. TECHNICAL ASSISTANCE.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 5. FEDERAL POWER ACT.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the obligations of an owner or operator of a structure (as defined in section 4011 of the Solid Waste Disposal Act, as added by this Act) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113–174. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113–174.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 4, strike ''and''.

Page 6, line 6, strike the period and insert ''; and''.

Page 6, after line 6, insert the following new clause:

''(vi) an emergency action plan for State response to a leak or spill at a structure that receives coal combustion residuals.

The CHAIR. Pursuant to House Resolution 315, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise to offer a commonsense amendment to ensure that every State that chooses to allow coal ash impoundments as outlined in this bill has a strong emergency response plan in the unfortunate event of a leak or spill.

Sadly, the 2008 failure of a coal ash impoundment in Kingston, Tennessee, highlights the very devastation a spill can have on a community. As was widely reported at the time, a breach in a surface impoundment pond at the Tennessee Valley Authority's Kingston

facility released more than 5 million cubic yards of coal ash, covering more than 300 acres in toxic sludge, damaging and destroying homes and property. As we speak, there is still a Federal Superfund cleanup site where the total cost could top more than $1.2 billion. Absent a plan, what could go wrong?

Beyond that staggering price tag, let us not forget that the lasting economic and health impacts in the surrounding communities resulting from this spill are catastrophic. Families were displaced from their homes. Some residents still suffer from respiratory illnesses and other side effects. Arsenic levels where the Kingston coal ash runoff were disposed of are measured at 80 times higher that the amount legally allowed under the Safe Drinking Water Act, and the EPA already has said such exposure significantly increases a lifetime risk of cancer. These are just the impacts we know of today. Who knows what the unknown health consequences might be.

The Kingston incident is not an isolated event, sadly. According to Earthjustice, there have been more than 211 known cases of coal ash contamination and spills in 37 different States. According to the EPA, 45 impoundments are currently considered high hazard, meaning that a failure will probably cause loss of human life. Of course, this bill doesn't concern itself with those problems or apply the lessons learned.

In response to the Kingston incident, former Tennessee Governor Phil Bredesen even acknowledged that ''the State's environmental regulations, mostly written in the 1970s, don't take into account a disaster such as the ash spill and need a top to bottom review.''

□ 1015

And he said we need a top-to-bottom review of those policies.

As we have already seen, the Federal Government is forced to step in when disasters such as these take place. Yet, rather than make the Federal Government a partner, or even a resource, this bill turns sole responsibility over to the States. There ought to be a clear minimum set of standards for EPA to identify and remedy State program deficiencies, stronger groundwater protection standards, and clear and appropriate authority for taking potential corrective action on unlined or leaking impoundments. That seems common sense.

The original amendment would have ensured that States certify their coal ash permitting plans annually, including up-to-date emergency response plans. The House majority thought regular reporting was nothing more than a paperwork exercise, so I now offer this revised amendment in keeping with their concerns to ensure, at a minimum, that States have thorough and comprehensive emergency response plans to address a spill or a leak. We cannot simply count on private enterprise to be prepared for a spill. The State and local governments, who are the first responders, must be active partners. By requiring them to provide EPA simply their own emergency response plans, we are taking a modest step to ensure they are prepared to respond to an emergency.

I reserve the balance of my time.

Mr. SHIMKUS. I claim the time in opposition, but I don't oppose the amendment.

The CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, I want to thank my colleague for working with us and making some changes that we thought were appropriate.

We agree with my colleague from Virginia that States should identify what their emergency response procedures are in the certification process, and so we are prepared to accept the amendment. He's made it a better bill.

I yield back the balance of my time.

Mr. CONNOLLY. Mr. Chairman, I thank my colleague, and I look forward to working with him.

I yield to the distinguished ranking member.

Mr. WAXMAN. I thank the gentleman for yielding.

I support your amendment and urge all of our colleagues to support it as well.

Mr. CONNOLLY. I thank the gentleman.

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

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113–174.

Mr. WAXMAN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike lines 22 and 23 and insert the following:

''(A) IN GENERAL.—The implementing agency shall apply, and structures shall meet, requirements as necessary to protect human health and the environment.

''(B) CRITERIA.—The implementing agency shall—

The CHAIR. Pursuant to House Resolution 315, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, under all of our environmental laws, the Federal Government sets a standard, and then the States implement the law looking at the different circumstances in their community. For example, the Clean Air Act says, in effect, everywhere in this country, we cannot have air pollution that exceeds the standard to protect the public health, but the States decide the implementation to achieve that standard.

Under this bill, we're not setting a national standard. We're telling the States to set a standard. If we're going to let the States set the standard, my amendment would require that the standard in every State be to protect the public health, to protect human health and the environment. That's the goal of these laws, and that should be the requirement under this law.

The standards are the yardsticks under which we determine whether a State's effort measures up and ensures a consistent level of protection throughout the Nation. If we're not going to have a national standard by EPA, let's require the State to set that standard. This is an approach that has worked well because it ensures that all Americans enjoy a minimum level of protection and residents of one State are not threatened by inadequate laws in a neighboring State.

For example, if one State has a good, strong law to protect the public health, another State, trying to get the business away from that State to locate in theirs, will drop their standards lower to try to entice that business to relocate. The laxest protection becomes the dumping ground for the neighboring States. We don't want to put States in a race to the bottom.

When Congress passed the Resource Conservation and Recovery Act, we assigned EPA a simple mission: to protect human health and the environment from unsafe disposal of solid waste. Achieving that mission can be complex, but we have a clear goal. It provides direction for the Agency's technical work. But the bill we are considering today doesn't contain this standard.

Disposal of household garbage, for example, must be disposed of in a way that protects human health. But under this bill, coal ash would not be required to be disposed of in a way that protects human health.

My amendment would fix this serious problem by calling on the States to require measures necessary to protect human health and the environment. If we had the Republicans willing to accept the amendment that every State have an emergency plan, we're simply asking that every State have a goal, clearly stated, to achieve the protection of human health and the environment, otherwise a State's plan is not adequate; there would be no recourse as long as a State meets all of the other requirements of this law but still does not get to the goal.

The Congressional Research Service examined this legislation, and they told us that nothing in H.R. 2218 requires the States to establish programs that will achieve any specified level of Federal standard or protection. CRS concluded:

The degree to which a State program may protect human health from risks specific to coal ash disposal would not be known until individual States begin to interpret the bill.

That means the one thing we know for sure is that this bill will take EPA off the beat—take the EPA off the beat, like we took the SEC and other regulators off the beat, where Wall Street took huge risks and drove our economy over the cliff. It'll take EPA off the beat, and then we'll gamble on each State government doing a good job. That's a pretty risky gamble. And if it doesn't pay off, who's going to suffer? Well, the price will be borne by communities in Michigan, Ohio, Pennsylvania, Alabama and elsewhere whose water supplies will suffer from toxic contamination.

Members from some of those States come in here and argue we need those jobs. Well, of course we need the jobs, and we're going to keep those jobs. But why shouldn't we, in keeping jobs, have waste disposals be constructed in a way that will not pollute our drinking water and harm human health?

So I would urge that we set this standard in the bill and adopt this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. First, I want to just add a congratulations to my colleague from California whose position apparently has evolved over the last couple of years, because I remember back in 2011, he had a problem and voted against the recycling material. So to hear him today say how he favors, I appreciate that. That was on H.R. 1 in February of 2011.

But as for this amendment, this is not necessary because H.R. 2218 establishes a minimum standard of protection for coal ash permit programs. The standard of protection is the minimum requirements that are set out in this bill and includes protections such as groundwater monitoring; corrective action; financial assurance; specific cleanup and closure requirements for unlined, leaking impoundments; stringent structural stability requirements; and fugitive dust controls.

Furthermore, H.R. 2218 establishes a minimum national standard that is based on the existing criteria for municipal solid waste landfills which were promulgated by EPA to ''protect human health and the environment.''

This chart is a collection of some of the elements that are included in the bill already to deal with standards. Things like requiring that the structure be located above water tables. Groundwater monitoring is to be included in this. We have surface water controls under section 4011, controls for CCR landfills, control runoffs for CCR surface, accelerated corrective action for unlined surface impoundments.

We included in this bill, and if people would read the bill, they would see that under 4011, there are areas where the EPA can help to identify deficiencies, including specific criteria for undertaking a deficiency review. It has a backstop authority to enforce that these requirements are upheld and to correct any EPA-identified deficiency.

My colleague continues to use this ''race to the bottom'' among States, and they will compete with each other to become the dumping ground for neighbor States. That's a misguided assumption and, frankly, an insult to the hardworking State environmental regulators. It is unfortunate that he also does not trust the environmental regulators in his State, or any other State for that matter, to establish permit programs that are protective. My colleague ignores that the State regulators are tasked every day with protecting human health and the environment.

Another problem with this amendment is that, since it is not well defined, the EPA or a judge would have the sole discretion to determine what constitutes ''protecting human health and the environment.'' Any State failing to meet this subjective and ambiguous standard would have their permit program stripped from them to be run by the EPA.

This amendment diminishes the important role of the States and let's the EPA meddle in a program the States have proven that they are capable of handling. This amendment is not about protecting human health and the environment; it's about growing Federal control at the expense of the States. States have been tasked with implementing RCRA, and this bill allows them to continue to do just that.

If you support bigger government, support this amendment; but if you trust your State to take care of its own people, then we should oppose it. I urge opposition to this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WAXMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. TONKO

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113–174.

Mr. TONKO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, line 11, strike ''program; or'' and insert ''program;''.

Page 34, line 17, strike ''(E).'' and insert ''(E); or''.

Page 34, after line 17, insert the following subparagraph:

''(G) is subject to a determination under paragraph (5).

Page 35, line 6, insert ''or in paragraph (5)'' after ''paragraph (1)''.

Page 35, line 14, insert ''or in paragraph (5)'' after ''paragraph (1)''.

Page 36, line 1, after ''(e)(1)(B)'' insert ''other than a determination with respect to a deficiency described in paragraph (1)(G)''.

Page 37, after line 13, insert the following paragraph:

''(5) DEFICIENCY BASED ON INTERSTATE RISKS.—The Administrator shall determine a State coal combustion residuals permit program to be deficient if, at any time, the State permit program, or the implementation of the State permit program, threatens human health or the environment in another State. Any State may request that the Administrator review another State's coal combustion residuals permit program for deficiency under this paragraph.

The CHAIR. Pursuant to House Resolution 315, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chairman, we are a Nation of 50 States, but we are bound together by common history, purpose, and laws.

Prior to the passage of national environmental laws, States had individual regulatory programs that offered a patchwork of protection. We tried this system for air, for water, for toxic waste, and for many other things. That is the system we have today for the disposal of coal combustion residuals that cannot be recycled. It did not work; it does not work.

H.R. 2218 will not correct the problems with coal ash disposal. We have a State-by-State program for coal ash disposal now. H.R. 2218 codifies that situation and goes further to prevent the EPA from exercising its authority to require that State programs provide a basic standard to ensure that all citizens are indeed protected.

□ 1030

My amendment authorizes a proper Federal role, a role of oversight for the EPA to ensure the actions of one State do not result in negative impacts on a State with which it shares an important resource.

In addition, my amendment would enable a State to request that EPA review the permitting program of another State to ensure that the program offered sufficient protection of its citizens and its resources.

We do not allow northern States along the Mississippi River to dump toxic substances into the river for downstream States to clean up. We do not allow individual States to pollute the air and send the pollution well beyond their borders.

We need a better system for dealing with coal combustion waste, a system that applies fairly across our great country.

You might wonder how often the location of a coal ash facility is near enough to a shared resource or a State's border to cause a potential problem. Well, it turns out it is common.

The failure of a coal ash facility associated with the Martins Creek Power

Plant in Pennsylvania affected communities in New Jersey when coal ash spilled into the Delaware River.

Residents of the State of Michigan were upset when the failure of an old coal ash impoundment in Wisconsin sent coal ash, mud, and machinery into Lake Michigan.

And several of the coal combustion disposal facilities on the high-hazard list in Ohio and West Virginia are located along the Ohio River, a shared border and resource of these two States.

Well, I could go on. It turns out that because these facilities are often located in close proximity to coal-fired utilities where the waste is generated, they are also close to water required for cooling and steam generation. A number are located near sizable water sources that serve multiple communities and often multiple States.

So, in order to ensure good relations between neighboring States, and to ensure that all our citizens are protected from exposure to the toxic substances contained in coal ash, I believe the EPA should have the authority to step in when necessary.

The system we have used successfully, based upon common standards that ensure the protection of human health and the environment, should be applied to this situation. We cannot afford another episode like the one in Kingston, Tennessee.

The choice is not about whether we can have a clean, healthy environment or a robust economy. We can have both. Part of the formula for ensuring a robust economy includes having a clean environment.

Pollution is not cost-free. It costs us lost work days, illness, and premature deaths. It devalues property and results in expensive, unnecessary cleanup costs. We can do better.

My amendment will improve this bill and protect all our citizens and their shared resources. I urge my colleagues to support the amendment.

With that, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, the State permit program must incorporate minimum requirements which are based on regulations promulgated by the EPA to ''protect human health and the environment,'' which include groundwater monitoring of all structures, fugitive dust control, structural stability requirements and closure of structures that cannot be corrected.

The premise of this is, if you have Federal standards, that they're not protective, and that the States will not do that.

We find this debate very curious, in that my colleagues on the other side have so much of a disrespect for the States and their environmental communities and the ability of States to ensure the protection of human health, the environment from a State position, Federal standards, State certification process, States.

Under RCRA, the States do this anyway. This is what the States do. Under the Municipal Solid Waste Disposal Act, the States are the ones who are enforcing this. All we're doing is saying we can do this now for fly ash and coal ash.

So while my colleague's amendment is well-intentioned, it really undercuts the purpose of the legislation and is unnecessary because the bill contains specific criteria by which the EPA will judge State permit programs, and I listed those earlier.

This is a politically appealing amendment, but it has many flaws, not the least of which is that any State can request that EPA review another State's coal combustion residual permit program, regardless of the location, and whether there is actually a cross-border impact.

As my colleague pointed out in the Rules Committee on Tuesday, there's no requirement in this amendment that a State that requests a review needs to even be impacted by the contamination allegedly coming from another State.

While my colleague has probably scoured the country to come up with an example or two of coal ash contamination crossing State lines, the fact of the matter is that cross boundary is not really an issue with respect to coal ash disposal because regulation of solid waste disposal is typically an issue that remains within the State.

This amendment attempts to create another hook for the EPA to measure State coal combustion residuals permit programs using the subjective yardstick of what is protective of human health and the environment, which my colleague did a good job defending in the other amendment.

I understand that my colleague believes that the Federal Government must step in to save the day, but I trust that our State environmental regulators are up to the task of making sure that our communities are protected.

This amendment diminishes the important role of the States, and I urge opposition to this amendment.

I yield back the balance of my time.

Mr. TONKO. Mr. Chair, I respect the work done by my colleague from Illinois, but respectfully disagree with his assessment. There's ample evidence that States have poorly regulated, in some cases, this waste stream, and it puts at risk innocent bystanders who are impacted by their actions.

And so I stand by the worthiness of this amendment, and again, encourage my colleagues to support it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 113–174 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. TONKO of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 415]

AYES—185

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter

Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—17

Barletta
Brown (FL)
Burgess
Campbell
Cassidy
Hanabusa
Herrera Beutler
Himes
Holt
Horsford
McCarthy (NY)
McIntyre
Moore
Nugent
Pallone
Rokita
Young (FL)

□ 1106

Mr. TIPTON and Mrs. KIRKPATRICK changed their vote from ''aye'' to ''no.''

Messrs. COHEN, CUELLAR, and VELA changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. TONKO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 416]

AYES—176

Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—239

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—18

Barletta	Holt	Nugent
Brown (FL)	Horsford	Pallone
Campbell	Hudson	Pelosi
Hanabusa	McCarthy (NY)	Rokita
Herrera Beutler	McIntyre	Smith (NJ)
Himes	Messer	Young (FL)

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1110

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MCINTYRE. Mr. Chair, on rollcall Nos. 415 Waxman Amend, and 416 Tonko Amend, had I been present, I would have voted "yes" on both.

The CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOODALL) having assumed the chair, Mr. BISHOP of Utah, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, and, pursuant to House Resolution 315, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1115

MOTION TO RECOMMIT

Ms. MCCOLLUM. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MCCOLLUM. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. MCCOLLUM moves to recommit the bill, H.R. 2218 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 7, after line 14, insert the following new clause:

''(i) PROTECTING DRINKING WATER AND THE GREAT LAKES.—The implementing agency shall require that all wet disposal structures meet criteria for design, construction, operation, and maintenance sufficient to prevent contamination of groundwater and sources of drinking water including the Great Lakes.

Mr. SHIMKUS. Mr. Speaker, I reserve a point of order against the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Speaker, this is the final amendment to the bill, which does not kill the bill or send it back to committee. If adopted, it will immediately proceed to final passage, as amended.

This bill is about coal ash. Coal ash is a toxic substance. It contains lead, selenium, mercury, cadmium, and arsenic. Coal ash is a deadly poison, and it must be kept out of America's drinking water.

This bill needlessly puts millions of Americans at risk by doing nothing to prevent coal ash from contaminating groundwater, surface water, and the greatest supply of freshwater on the Earth—the Great Lakes. The Great Lakes provide drinking water to more than 30 million people. Over 1.5 million jobs are connected to the Great Lakes and more than $60 billion in annual wages.

My amendment protects the Great Lakes from improper and dangerous storage of coal ash. This amendment ''requires that all wet disposal structures meet criteria for design, construction, operation, and maintenance sufficient to prevent contamination of surface and groundwater.'' This amendment recognizes that the Great Lakes are unique.

Mayors and Governors in eight States are working together to maintain this vital ecosystem and economy for families, businesses, and future generations—even while this House considers an 80 percent cut to the Great Lakes Restorative Initiative.

In addition, the Federal Government coordinates our efforts to protect, conserve, and restore the Great Lakes with our partner, Canada.

The great United States has both a national and international interest in keeping these lakes clean and safe. Protecting the Great Lakes should be a priority for this Congress. I am certain it's a priority for the 30 million people who drink Great Lakes water. Without this amendment, they will be at risk of drinking cancer-causing toxins. Right now, coal ash is placed in unlined ponds, some that are leaking, leaching, and spilling into our soils, lakes, rivers, and aquifers.

In 2011, near Milwaukee, a bluff collapsed, sending a utility company's coal ash directly into Lake Michigan. Residents could no longer drink their local water because of severe health threats imposed by the coal ash.

Should a utility company be able to store tons and tons of coal ash in an unregulated ravine? The answer is, simply, ''no.''

Unless Congress changes how coal ash is stored, the Great Lakes and America's drinking water will continue to be at risk. Congress can do something right here, right now by passing this amendment.

If you want clean and safe drinking water, vote for this amendment. If you want to protect the Great Lakes, vote for this amendment. And if you want to protect recreation, manufacturing, and service jobs, vote for this amendment. If you have the courage to stand up to the polluters and say no longer will I allow coal ash to be inadvertently put in our drinking water, causing cancer for millions of Americans, vote for this amendment.

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

Mr. SHIMKUS. Mr. Speaker, I withdraw my point of order, and I claim the time in opposition.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, the basic premise of this bill is that the Federal Government can set safety standards and the States can enforce it, so reject the motion to instruct.

I am going to turn my comments to people who live in the coal areas of our country. Coal is just not a commodity product, it is, really, a way of lifestyle if you live in coal country.

I am a fourth-generation Lithuanian immigration family. My great-grandfather went directly into the coalfields. My grandfather went into the coal mines at age 10. He performed the job of a trapper.

In my hometown of Collinsville, Illinois, we have Miner's Theater; in a community up north, we have Miner's Park; and in Gillespie, Illinois, we have Black Diamond Days.

Coal is a culture. Coal is who we are. That is why I really appreciate my colleagues from West Virginia, DAVID MCKINLEY and SHELLEY MOORE CAPITO. There are some States in this Union that coal is their only job, and that's why they fight and they stand up for coal.

I remember being with the late Senator Byrd in a rally on The Mall to save coal jobs. He held up his hands and he said, ''There's coal in these veins.'' This was Senator Byrd—''There's coal in these veins.''

My colleagues and my friends, that's how we feel in coal-producing States in this country. It is part of who we are. It is our culture.

Now, don't think this is a passe debate. There's a young Iraqi vet named Jimmy Rose. You may have seen him. He's 32 years old. He's also a coal miner. He's competing on ''America's Got Talent.'' Do you know what his song is? His song is ''Coal Keeps the Lights On.'' He talks about feeding his

family. He talks about putting coal in the family household. He talks about that's their livelihood, that's their culture. It's an impassioned ballad for areas of our country that feel under attack, left behind, attacked by this administration.

Mayor Dietz from McLeansboro, Illinois, is happy when new coal is opening up. Coal is keeping the lights on in the small communities and the shops and stores for a community that's kind of been left behind for 40 years. He's excited about the jobs and the tax base that's coming because of coal.

I'm asking you, my colleagues, to stand up for coal, because coal keeps the lights on. I request that you reject this amendment and support the underlying bill, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. MCCOLLUM. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the question on passage of the bill, if ordered, and the question on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 225, answered ''present'' 1, not voting 15, as follows:

[Roll No. 417]

AYES—192

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—225

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barr
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

ANSWERED ''PRESENT''—1

Benishek

NOT VOTING—15

Barletta
Brown (FL)
Campbell
Hanabusa
Herrera Beutler
Himes
Holt
Horsford
McCarthy (NY)
Nunes
Pallone
Rokita
Sires
Wolf
Young (FL)

□ 1129

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HIMES. Mr. Speaker, on Thursday, July 25, 2013, I was unable to be present for rollcall votes 415, 416 nd 417 on H.R. 2218. Had I been present, I would have voted: "yea" on rollcall vote 415, "yea" on rollcall vote 416, "yea" on rollcall vote 417.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WAXMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 265, noes 155, not voting 13, as follows:

[Roll No. 418]

AYES—265

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Beatty
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clay
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Danny
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick

Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—155

Andrews
Bass
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Cleaver
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pascrell
Payne
Pelosi
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Sewell (AL)
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Veasey
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth

NOT VOTING—13

Barletta
Brown (FL)
Campbell
Hanabusa
Herrera Beutler
Holt
Horsford
McCarthy (NY)
Pallone
Rokita
Serrano
Sires
Young (FL)

□ 1139

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETRI. Mr. Speaker, during rollcall 418 on final passage of H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, I incorrectly recorded my vote as "no." I intended to vote "yes."

PERSONAL EXPLANATION

Mr. BARLETTA. Mr. Speaker, on rollcall No. 415 on the Waxman amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 416 on the Tonko amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 417 on the Motion to Recommit, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 418 on final passage of H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, I am not recorded. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. HOLT. Mr. Speaker, I missed the following votes during this week:

On rollcall vote 375, on Passage of H.R. 1542, I would have voted "aye."

On rollcall vote 376, on Passage of H. Con. Res. 44, I would have voted "aye."

On rollcall vote 377, on Ordering the Previous Question to H. Res. 312, I would have voted "aye."

On rollcall vote 378, on Agreeing to H. Res. 312, I would have voted "no."

On rollcall vote 379, Gabbard amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 380, Blumenauer amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 381, Polis amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 382, Blumenauer amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 383, Nugent amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 384, Nadler amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 385, Moran amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 386, Poe amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 387, Walberg amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 388, Cicilline amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 389, Cohen amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 390, Coffman amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 391, Garamendi amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 392, Fleming amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 393, Rigell amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 394, Flores amendment to H.R. 2397, I would have voted "nay."

On rollcall vote 395, DeLauro amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 396, Lee amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 397, Quigley amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 398, Denham amendment to H.R. 2397, I would have voted "aye."

On rollcall vote 415, on agreeing to the Waxman amendment, I would have voted "aye."

On rollcall vote 416, on agreeing to the Tonko amendment, I would have voted "aye."

On rollcall vote 417, on Democratic Motion to Recommit H.R. 2218, I would have voted "aye."

On rollcall vote 418, on Passage of H.R. 2218, I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore (Mr. MEADOWS). Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2218.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''.

□ 1145

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the majority leader, Mr. CANTOR of Virginia, for the purpose of inquiring as to the schedule for the week to come.

Mr. CANTOR. I thank the Democratic whip for yielding.

Mr. Speaker, on Monday, the House is not in session.

On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

Yesterday, Mr. Speaker, the Senate acted on the student loan bill the House passed last month, and I expect the House to deal with it promptly next week. In addition, I expect to consider H.R. 2610, the Fiscal Year 2014 Transportation, Housing and Urban Development Appropriations Act, authored by Representative TOM LATHAM.

Mr. Speaker, Members are advised that the House will begin consideration of this bill on Tuesday afternoon and should be prepared to offer amendments at the appropriate time in the reading of the bill. Members are further advised that the 6:30 p.m. vote series that day could be longer than normal.

For the remainder of the week, Mr. Speaker, the House will consider a number of bills to restrain a runaway government and re-empower our citizens. To stop government abuse and protect the middle class, we will first bring a number of bipartisan bills to the floor under suspension of the rules on Wednesday. Following that, we will debate two bills pursuant to rules focusing again on stopping government abuse and protecting the middle class.

The first, H.R. 367, the REINS Act, sponsored by Representative TODD YOUNG, requires congressional approval of regulations that cost over $100 million. The second, H.R. 2009, the Keep the IRS Off Your Health Care Act, sponsored by Representative TOM PRICE, prevents the IRS from implementing any portion of ObamaCare. When Federal bureaucrats abuse their power and waste taxpayer dollars, liberty is eroded, the economy is slowed, and the rule of law betrayed.

I thank the gentleman.

Mr. HOYER. I thank the gentleman for his information.

I don't see on the schedule, Mr. Speaker, that we are going to a budget conference. At least there's no notice from the majority leader of that fact. Mr. Speaker, as you know, we are facing a number of critical deadlines. It has now been 125 days since the House passed a budget and 123 days since the Senate passed a budget. On issue after issue, our Republican colleagues, Mr. Speaker, have passed bills and then refused to negotiate. Mr. Speaker, it's past time for action. We should go to conference and reach an agreement. I would urge my friend, the majority leader, Mr. Speaker, to go to conference.

One of his colleagues, Mr. Speaker, from Virginia said this: ''I am proudly on record about this. I believe we need to go to conference,'' speaking of the budget. This Member went on to say, ''I have listened carefully to the argument that we should not go to conference, and frankly I do not find it compelling.''

Mr. Speaker, that was Representative SCOTT RIGELL of Virginia.

I would ask my friend, the majority leader, does the gentleman expect that we will go to conference at all on the budget?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his tenacity, as this is a weekly discussion between he and I, and I'm delighted to respond to say to the gentleman, Mr. Speaker, that it is something that we should commit ourselves to working out. But as the gentleman knows, the position of the majority is that we don't want to enter into discussions if the prerequisite is you have to raise taxes.

The gentleman has heard me every week on this issue in that we believe strongly you fix the problem of overspending and you reform the programs needing reform to address unfunded liabilities first. Then, if the gentleman is insistent that the taxpayers need to pay more of their hard-earned dollars into Washington, that discussion, perhaps, is appropriate. But as a prerequisite for entering budget talks that we agree to raise taxes is not something, I think, that the American people want this body to engage in.

Mr. HOYER. I thank the gentleman for his comment.

Mr. Speaker, the gentleman's premise is absolutely incorrect, and the American people ought to know that. The Senate hasn't voted to go to conference because the Republican Members of the United States Senate won't vote to go to conference. There was nothing in that motion, however, that said there was a prerequisite that the House agreed to anything, Mr. Speaker. Nothing.

Now, my friend, the majority leader, Mr. Speaker, has said repeatedly that we have a prerequisite. We have a difference of opinion. That's what democracy is about. There's no prerequisite. There's no precondition. There's no condition precedent, as we lawyers say, for going to conference. Number one, the Senate couldn't make us agree. That's what conferences are about, Mr. Speaker. They're about coming together and understanding there are differences. There would be no need for a conference if there weren't differences. There are differences.

We're $91 billion apart, Mr. Speaker, on our budgets. We are 14 days away from the end of this fiscal year, Mr. Speaker, in terms of legislative days available to us to get to a compromise, to get to a number, to get to some understanding of how we are going to ensure that government operations continue. There's no prerequisite. There's no precondition. I don't know where that comes from, Mr. Speaker. I've heard it a lot. I have no idea where it comes from.

Nothing the Senate does can force this body, Republicans or Democrats, to do something. What they have asked is come to the table and talk. There has been a refusal to do that, Mr. Speaker, and it's bad for the country.

A $91 billion difference between us on budgets has to be resolved somehow, some way. And the way democracies do it and the way the legislature does it, Mr. Speaker is to meet and try to resolve those differences. Now, you can divide the differences in half. The Senate comes down 46, we go up 45. My own view is Mr. RYAN believes there's nothing he will agree to. I'll get to that a little later, Mr. Speaker. That's why we're not going to conference, and he said so in the paper. He didn't say it about the conference, but I'll get to his quote in just a second.

Mr. Speaker, the majority leader mentioned that the T-HUD appropriation bill is on the floor next week. So far, Mr. Speaker, we are now essentially going to be at the end of the session before the August break coming next week on Friday, and we've done four appropriation bills. The House T-HUD bill of which the majority leader speaks, Mr. Speaker, is 17 percent below the Budget Control Act that we agreed on. Not only that, Mr. Speaker, it's 9 percent below the sequester level.

Now, we're not going to vote for it, Mr. Speaker. We believe it badly underfunds, transportation, housing, and infrastructure in this country, but this performance makes some sense considering the lack of regular order. We talk about regular order, but we don't follow it. Going to conference is regular order. It doesn't change the fact, however, that we just have 14 days left to go and that we need to reach agreement.

I will tell my friend, the majority leader, Mr. Speaker, that we are willing to work together. We have been willing to compromise. We have compromised. In every one of these agreements we've reached, we've compromised. My friend, the majority leader, would say, yes, and they have, as well. But you cannot compromise if you don't sit down.

I will tell you nobody has called me to ask me how I believe we can get to the end of this year with a continuing resolution. Nobody's asked me that. I talked to Mr. RYAN and Mr. VAN HOLLEN. Mr. RYAN has not talked to Mr. VAN HOLLEN. With all due respect to this discussion about their talking, they're not talking. I talked to Senator MURRAY. No discussion of how we resolve the differences. I talked to the chair of the Appropriations Committee, both the ranking member here, Mrs. LOWEY, and the chair on the Senate side, Senator MIKULSKI. Nobody is talking to them about how we resolve the question at the end of next month. And we won't be here at the end of next month. We're in session 2 weeks in September.

I want to use a quote:

> But we should not pass a continuing resolution, and I will not vote for a continuing resolution unless we talk about preconditions for going to conference.

Talk about preconditions. Talk about demands and ultimatums:

> I will not vote for a continuing resolution unless it defunds ObamaCare for the period of time of the continuing resolution.

Nobody in America believes that's going to be done. A lot of people, I know the majority leader would tell me, want it done. But we had an election. The President won. He won't sign the defunding of ObamaCare because he believes it's in the best interest of the health of our people and the welfare of our country, and, yes, even job creation and economic growth. But MARCO RUBIO says he won't vote for a continuing resolution unless it does something that's not going to happen. The majority leader, Mr. Speaker, said they weren't going to go to conference—another ultimatum—unless the Senate abandoned its point of view. The Senate has a right to its point of view. We have a right to our point of view. We need to discuss it. That's the way you get things done in a democracy, Mr. Speaker.

Mr. Speaker, I want to ask the majority leader, Does the gentleman expect that we will go to conference at all, at any time on the budget?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding. I appreciate his question.

I would note for the record that I believe, if I have my facts correct, that during the time that the gentleman was in the majority last, the last Congress, the 111th, 48 times there was an avoidance of going to conference. All of the sudden the gentleman says that that's the panacea.

So I would tell the gentleman, given his litany of examples of who's talking to whom around here, there is a lot of talk about how we resolve our differences. In fact, I do know that Chairman RYAN is talking to Chairman MURRAY across the Capitol of how we go forward. But I would underscore again to the gentleman that it is not our intention to discuss taking more hard-earned taxpayer dollars from Americans while we have not fixed the problem they expect us to fix.

I'd also say to the gentleman that as far as appropriation bills are concerned, he is correct that I did announce that the T-HUD bill would be coming to the floor next week, and it will be the fifth bill that we will do prior to the August work period. I would remind the gentleman that when he was last in the position of the majority, the appropriations bills did not come to the floor under an open process. In fact, there were structured rules on every one, if my memory serves me well. It's much easier that way to shut out diverse opinion. But instead, the Speaker has this Congress insist that we have an open process and allow for robust debate on some of the very difficult issues. The gentleman knows we have been true to that word.

So I remind the gentleman that, yes, there is a commitment to open process; there is a commitment here to trying to resolve these challenges before us. The gentleman is correct, we're going to have a very busy fall trying to address the needs of this country, whether it is the spending and budget needs or whether it is the needs of the middle class families who are struggling out there every single day wondering when the economy is going to pick up, wondering what's going to happen to their health care.

□ 1200

We have a looming ObamaCare law that already the administration has admitted is threatening job growth. Therefore, they offer relief to businesses but refuse to do so for working people. We don't think that's too fair. We have Democratic union leaders who have said that this law is going to provide and has already created nightmare scenarios for millions of working Americans insofar as their health care and economic well-being are concerned. There are real issues to be resolved, Mr. Speaker, and I do hope that the gentleman will abide by what I know he has always been for, and that's solving problems. I do hope that he will work with us to do that in the coming months.

Mr. HOYER. Mr. Speaker, I appreciate the gentleman's recitation of history. Let me remind him, the first year I was majority leader, all 12 appropriations bills passed the House prior to the August break—all 12. That also happened the third year. It didn't happen the second year when we had a lot of political delays. And the reason we went to structured rules, as the gentleman I'm sure recalls, because we had filibuster by amendment. We had delay and obstruction in 2007, just as we have delay and obstruction today, just as there is a refusal today to go to conference. Over 120 days after both Houses have passed their budgets, we still have refusal to go to conference. That is why you can't get agreement.

The gentleman characterizes, I think Mr. RYAN has talked to Senator MURRAY, and I will tell you that Senator MURRAY does not believe it was a very long discussion or a very substantive discussion because—and you talk about Mr. RYAN. I've got a quote of his I know you'll like that I want to get to because it makes the point I'm making. I was going to make it a little later.

PAUL RYAN, when asked about Senate Republicans' plan to work with Democrats to address the debt ceiling, said:

> It doesn't matter. We're not going to do what they want to do. It doesn't really matter what they do. It doesn't matter what JOHN MCCAIN and others do on the taxes and the rest. If they want to give up taxes for the sequester, we're not going to do that. So that doesn't really affect us.

But, oh, it does affect us because, Mr. Speaker, if we can't get agreement, those American folks of which the majority leader just spoke who are looking for jobs, who want to see this economy grow, who are suffering because of gridlock, who have a lack of confidence because this Congress does not work—the most dysfunctional Congress in which I have served, and I've been here 33 years, the least productive Congress in which I've served. Mr. Speaker, that's what we need to be doing.

MIKE LEE, another Republican in the Senate talking about trying to get to agreement: ''If Republicans in both Houses simply refuse''—and this is their strategy, Mr. Speaker. ''If Republicans in both Houses simply refuse to vote for any continuing resolution that contains further funding for further enforcement of ObamaCare''—and I understand the gentleman is opposed to it. He was opposed to it before the election. Mr. Romney was opposed to it. We had an election, and you didn't win that argument at the national level. I say that Mr. Obama won that argument. But Senator LEE says he will not vote for a CR if it includes ''further funding for further enforcement of ObamaCare. We can stop it. We can stop the individual mandate from going into effect.'' How? By shutting down government.

That's their strategy. We don't think that's a good strategy, Mr. Speaker. We think that's a bad strategy. We don't want to see that. We're prepared to work together to compromise. Nobody believes, just as the gentleman has said he's not going to agree to tax increases—I understand what he's saying, so we'll have to compromise on that somewhere along the road when we sit down. But nobody believes that either we on this side are going to compromise or the President's going to compromise after an election, after being reelected on a health care program that is benefiting millions and millions of people right now, nobody believes we're going to compromise on that. Thirty-nine times they've tried to repeal it in one form or another. It's failed. We've got to come to grips on that.

Now, one of the House Members, MICK MULVANEY from South Carolina, said:

> It is completely appropriate to use the debt ceiling or the CR to ask for some changes that reduce the burdens of this law on Americans.

Now, they've offered that 38, 39 times. It's not going to happen. But apparently their strategy is: We're prepared to shut down government unless they will be bludgeoned into agreeing by doing it our way; if we don't do it our way, apparently we're not going to do it any way.

That's what the budget conference is about, and that's what this debate is about.

Now, PAT TOOMEY, Senator TOOMEY, on the other hand, said this, Mr. Speaker:

> This has been the way we've been operating for a couple of years now.

This is Senator PAT TOOMEY, former chair of the Club for Growth, said:

> It's a disaster. It's a terrible way to run government.

Senator TOOMEY and I don't always agree, but we agree very emphatically on that.

Congressman TOM COLE, former chairman of the Republican Committee, described the latest shutdown threat, which is what the previous three speakers had indicated—not PAT TOOMEY, but the three before that. TOM COLE described the latest shutdown threat as:

> The political equivalent of throwing a temper tantrum.

That's TOM COLE, chairman of the Republican Campaign Committee, Mr. Speaker, not me.

We need to get past this ''you won't do this; I won't do that'' and figure out what we will do, I say to my friend, the majority leader, and we have 14 days to do it. We haven't gotten it done yet; and, frankly, we have nothing on the calendar for next week that shows that we're moving toward that end.

I would hope very sincerely that we could come to an agreement. And we're not going to come to an agreement on something that was so hard fought for the last 5 years, and we know that. We know you're probably not going to raise taxes, I tell my friend, the majority leader, Mr. Speaker. But the fact of the matter is that we need to come to an agreement. Americans expect us to come to an agreement.

With so few legislative days remaining before the fiscal year ends and the fact that we must address it in mind, I hope the gentleman can give us some clarity as to what Members can expect on the floor in September for the 9 days we're here in September since we're so far off course from regular order on the budget and the appropriations schedule.

Can Members expect to see a CR? And if so, does the gentleman have any idea what the CR will look like, what it will encompass, and what we can expect?

I want to say to my friend that we Democrats are prepared to cooperate in that effort. We're not going to—and the gentleman clearly knows that we're not going to—repeal the health care act. The election, we think, decided it. As a matter of, Speaker BOEHNER said that it decided it after the election. He said, well, the health care law has been confirmed. But I want to make it clear that we are willing to do some things.

We are not willing, however, to see the sequester cripple policies that this Congress has adopted. We're not willing to defund the Affordable Care Act. We're not willing to sacrifice our economic recovery to push the cost of deficit reduction onto those who can least afford it. We are not willing to shift more of the tax burden onto the backs of the middle class. We're not willing to target Medicare or Medicaid and education, or the deep cuts that were in the Labor, Health bill which has now been pulled. Apparently, we're not going to consider the Labor, Health bill. It's not on the schedule. It was supposed to be marked up today. It was pulled.

So I say to the gentleman, Mr. Speaker, that he and his colleagues should be willing to compromise on the few legislative days we have remaining; and if he is, he will have a willing partner in me and in Democrats because we believe we need to come to an agreement.

Now, lastly, let me speak on the debt ceiling. The majority leader, Mr. Speaker, has made it very clear he thinks not resolving the debt ceiling would be a bad policy for our country. In fact, I believe it would be disastrous for our country, for the economy, for every American, and for people around the world. We all know what happened last time; we were downgraded. It's the majority party's responsibility in each House to make sure that America's creditworthiness is not put at risk, that we pay our bills.

I'm hopeful, and I want to tell me friend that I'm prepared to work in tandem with the majority leader, Mr. Speaker, to pass a debt limit extension, and we will do so in an equal way so that whatever political consequences there are, we will take them together to do what the majority leader, Mr. Speaker, and the Speaker, and Mr. MCCONNELL, the leader in the Senate, have said is the responsible thing to do. We're prepared to take half of that responsibility with them. We would hope that they would join us in that effort.

Senator MCCAIN has said that some of my Republican colleagues are already saying we won't raise the debt limit again unless there is repeal of ObamaCare. Senator MCCAIN said, ''I'd love to repeal ObamaCare.'' He agrees with the majority leader. He goes on to say, ''But I promised you, that's not going to happen.'' That's on the debt limit.

The President has made it very clear it's not going to happen. We've made it very clear it's not going to happen.

Going on with Senator MCCAIN's quote:

> So some would like to set up another one of these shut down the government threats, and most Americans are really tired of those kinds of shenanigans here in Washington.

That's Senator MCCAIN.

I've quoted Senator TOOMEY, Senator MCCAIN, who both believe we need to come to agreement. I have also, unfortunately, quoted Congressman RYAN, who says he doesn't care what Senator MCCAIN thinks; who, of course, was a candidate for President on the Republican ticket just a few years ago.

Mr. Speaker, I want to ask the majority leader whether he expects we will take an up-or-down vote on a clean debt limit extension when we return in September.

I yield to my friend.

Mr. CANTOR. I would say to the gentleman, the answer to that last question is no.

But I would say to the gentleman, the discussion the gentleman just had was so full of various and sundry issues, I don't know really where to begin, other than to say what I think is lost in the gentleman's comments is the focus on the hardworking families and businesses of middle class America. It seems to me, Mr. Speaker, that the gentleman is full of ''that's not going to happen'' because Washington says that's not going to happen for political reasons.

And what we ought to be focused on is how we can act to solve the anxiety that seems to continue to grow on the part of the American public when they wonder about their job, they worry about their tuition costs, they worry about their children's education, they worry every night when they go to bed.

The gentleman is so sure that we can and can't do things for political reasons, the President is out giving campaign speeches, some of which we have heard dozens of times during the campaign season, that what all of us should be absolutely focused on is coming together not for political imperative, but to solve the problems to provide the relief to the middle class of this country that is asking us to do that.

So instead of the political demands and imperatives that the gentleman's list of issues was about, let's focus on the people that sent us here. Let's make sure that this body of any in Washington can begin to work for the people rather than the other way around.

Mr. HOYER. I have heard that answer, I think, more than the President has given the speeches that Mr. CANTOR refers to.

This party has always been, is now, and will be focused on the working people to which the majority leader refers.

□ 1215

The President asked us to pass a jobs bill. No jobs bill has been brought to this floor. I know that there are some bills that the Republican Party leader wants to say, Mr. Speaker, are jobs bills. But there's been no comprehensive jobs bill. There's none scheduled for next week.

But what the American people are really concerned about is their board of directors is not working. This isn't about Washington. This is about people who voted all over America. And the leader and his party made their point, and we had an election, not here in Washington, all over America. And America voted. And it hasn't made any difference on this floor.

Politics as usual. Confrontation as usual. Refusal to compromise as usual. Talk about regular order, but not going to conference, not going to conference on a budget, not going to conference on a farm bill, not going to conference on a Violence Against Women Act. We finally passed that.

So when the majority leader repairs to the fact that we want to focus on working people, he's absolutely right. We do want to focus on that. And the working people of America voted. They didn't all vote for my side. But as I told the majority leader last week, 1,400,000 of them more voted for our side than voted for his side.

But his side's in charge. We understand that. And we know we need to compromise. We know we need to work together. But we haven't been doing so.

And he can talk as much as he wants. That's what the American people believe as well, I tell my friend, the majority leader.

I asked him about the debt limit and he said no.

Mr. CANTOR. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I want to clarify what he said no on was that a clean debt limit extension was not coming to the floor.

Mr. CANTOR. In September, yes, Mr. Speaker.

Mr. HOYER. I appreciate the majority leader's comment. Can he tell me whether there might be a possibility of having a clean debt limit extension after September?

Because I tell the gentleman again, I want to repeat so that he knows, his party knows, and America knows, we're prepared to work with the majority party to do, in a bipartisan way, what every leader believes is the responsible action to take.

One of his predecessors, Senator ROY BLUNT, in responding to whether we ought to risk default by not passing a debt limit, he said this: ''No, I don't support that. I think holding the debt limit hostage''—in other words, if you don't do the debt limit, we're not going to do this, that or the other, or, said another way, if you don't repeal ObamaCare, we're going to let the country default. Senator BLUNT, again, one of his predecessors: ''I don't support that. I think holding the debt limit hostage to any specific thing is probably not the best negotiating place.''

Now, I thank my friend for his comment, Mr. Speaker, and I would again ask him, could we expect a clean debt limit extension at some point in time between September 30 and November 15?

And I yield to my friend.

Mr. CANTOR. Mr. Speaker, I'd say to the gentleman that it is our hope that we can work together across the aisle to solve the problems, to come up with the answers as to how we are going to pay back the additional debt that we'll have to incur in this country.

And I think whatever budget you look at, their side or our side, Mr. Speaker, in any iteration, calls for the incurrence of additional debt. The object should be for us to reduce the need for us to incur that debt so we can relieve the American people of that contingent liability. And our side has said we would like to do so within the next 10 years, to bring the budget to balance.

I hope that the gentleman will join us in that spirit, rather than saying we should just continue to borrow into eternity, without some recognition that that just can't be a sustainable solution either.

So I would say to the gentleman, when he is off talking about the need to go to conference, and frankly, some of the statements he made about VAWA and the farm bill were inaccurate. But I do think that there were a lot of things that this House has done that the President nor the Senate seems willing to respond to.

And as I've said before, Mr. Speaker, what we're trying to do is to address the needs of the working people, the middle class of this country.

We passed the SKILLS Act. That was a bill designed to try and align the worker training programs at the Federal level with the employment opportunities out there across the different regions of the country so we could respond to the fact that there are hundreds of thousands of job openings in certain industries, simply because our workforce doesn't have the proper skills and training.

The President, if he wanted to help the middle class families, instead of off campaigning again, giving the speeches, he could come and call up HARRY REID and the Senate and say, Bring that bill to the floor, Mr. Leader; we can do something for the American people.

In the same vein, this House, last week, passed a bill which I believe—and I'm sure the gentleman shares my sentiment, that ultimately what we've got to do to grow our economy and secure our economic future is to provide for a quality education for our kids. We passed a landmark piece of legislation last week, without any bipartisan support, Mr. Speaker.

But again, if the gentleman is so intent on wanting to help and wanting to do something, not because of Washington's needs, but because of what we've got to do for the kids across this country and their families, then let's help try and forge an answer on reauthorizing the education bill.

We also, Mr. Speaker, passed a bill that made it easier for working families to spend time with their kids and hold down an hourly wage job. Is there any movement on that?

The President could certainly say, Let's do that; let's provide some relief to the middle class.

We also passed in the House, Mr. Speaker, several energy bills to help the families out there across this country who are on their vacations right now, choking when they see the price of gas at the pump.

We have bills. The President could go ahead and approve the Keystone pipeline. Where else in the world could you have an environmentally sensitive people, other than in America? We do it cleaner and better than anyone. And to sit here and deny us the opportunity to take advantage of our indigenous resources, all it does is cost our working families and businesses more money.

We also have passed bills to allow for safe and environmentally sensitive ways of going into our deep oceans, to go in and to tap into the resources that are there, things that technology has unleashed. But yet, neither the Senate nor the President seems interested in helping the middle class and the working families, because all we hear from the other side is what we can and can't do politically here in Washington.

I would say to the gentleman, there are plenty of things that we could get done together. Let's start to focus on the people of this country, not the political imperatives of this institution.

Mr. HOYER. I thank the gentleman for that response, which I took as a no, which didn't indicate that we could expect to see bipartisan work on making sure that the government pays its bills that have already been incurred. No, it was a lot of rhetoric.

And there was a lot of recitation, Mr. Speaker, about bills. All those bills have something in common: do it my way or no way.

Now, we had an election, I tell the gentleman again. He knows that. They thought they were going to take the Senate. They didn't. The majority in the Senate is Democrats. And the President of the United States was reelected. And the House, Republican majority, was returned. But that didn't mean the American people didn't expect us to work together.

I tell the gentleman, I'm not sure what error he thought I made. We did not go to conference on the Violence Against Women Act. We did not go to conference yet on the farm bill.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I will be glad to yield to my friend.

Mr. CANTOR. There was no vehicle to go to conference on, Mr. Speaker. If the gentleman recalls, there was a blue slip on the Senate bill, Mr. Speaker, and so we took up the bill in the House and went ahead and passed the bill. So, I don't even know why that is even pertinent to this discussion, Mr. Speaker.

I'd also say, the gentleman understands as well, there was a bipartisan farm bill that came to the floor. And if I recall, that bipartisanship faded away, which is what now then caused the House to bring up another farm bill. This time, trying to be transparent in the process, brought up the agricultural policy piece, which has passed the House without any bipartisan support, Mr. Speaker.

Then we are also, as the gentleman knows, engaged in discussions with the chairman of the Agriculture Committee as to forging a consensus on a nutrition piece so that we can, yes, act again on that.

So I'd say, Mr. Speaker, to the gentleman, it is not accurate that we don't intend to eventually go to conference and iron out the differences between the House and the Senate on both of those issues, on the ag policy, as well as the nutrition policies.

Mr. HOYER. I thank the gentleman.

I didn't talk about intentions. I talked about fact. I talked about fact.

PETE SESSIONS, chairman of the Rules Committee, Republican, said this when we passed the farm bill: ''I believe that this is an honest attempt to

get us to go by passing part of the farm bill, to go to conference.''

I asked the gentleman last week, I asked him again, there's nothing on here about going to conference. The gentleman's told me we're not going to conference until we pass something on the nutrition part. We want to see something on the nutrition part passed.

PETE SESSIONS said, in addition to that, when talking about why they brought the farm bill to the floor in the condition it was, dropping all reference and provisions for poor people to have nutritional assistance, said this:

> We're attempting to then separate, bifurcate, offer today a rule and the underlying legislation which hopefully will pass which would go to conference and the Senate, because they've passed their own farm bill, has included in its provisions where they discuss the nutrition program.

This is PETE SESSIONS, Republican chairman of the Rules Committee speaking, Mr. Speaker.

> As a result of that, that should be in their bill on a conference measure. The House simply, at this point, if we pass this part, could go to conference.

So the gentleman is not accurate when he reflects there's nothing to go to conference on. The Senate has amended their bill into the House bill. We could clearly go to conference on that under the processes.

I think the gentleman must know that. And that was the expectation that PETE SESSIONS says was the purpose of passing the farm bill.

But let me go back to the point I was making before the gentleman wanted to correct me on what I think were accurate representations on all the pieces of legislation I mentioned. Certainly that's the case on the budget. My opinion, it's the case, certainly on the budget.

I don't know what the intentions are, but the fact is we haven't gone to conference on the farm bill and we didn't go to conference on the Violence Against Women bill.

The fact is, what those bills that he mentioned did have in common, Mr. Speaker, is—and he said, we've got no Democratic votes for it. There was no work to get Democratic votes. There was no work for compromise. That's, I tell my friend, why the polls reflect of working people such concern.

The majority, Mr. Speaker, talked a lot about confidence, talked a lot about building confidence if we were going to grow the economy. I agree with him. We need to have individuals confident.

And the gentleman knows, because he talks to a lot of business leaders, as I do, every one of them says that if they had confidence that we could work together and get things done, not put the debt limit at risk, not put the ongoing operations of government at risk, not continue to have fights—I talked to a major leader of one of the health insurers in this country and said, look, we may not like some of this bill, but we think it's the law, and we're going to work to try to make it work for all Americans.

We're not doing that, Mr. Speaker. We're trying to repeal. We're not conferencing. We're not cooperating. We're not trying to come to compromise.

And we can talk about working people, as is appropriate for us to do, and that's what the President is out doing, not here in Washington, not talking to all of us. He's talking to the people and saying, look, this is my program. This is what I want to do, and I'm not getting cooperation from the Congress of the United States.

I think he's absolutely right. And he's talking to the people, not to us, not here in Washington, but he's criticized for doing that by the majority leader.

Mr. Speaker, I think that's what he ought to be doing because the American people ultimately are going to have to make a decision as to who is looking out for their interest and who is just simply confronting and not listening to the people in the last election, just a few months ago, or right now.

When the people are saying, board of directors, work together, stop obstructing, I would hope we could do that, Mr. Speaker.

Unless the majority leader has something further he wants to say, I yield back the balance of my time.

HOUR OF MEETING ON TOMORROW

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet on Tuesday, July 30, 2013, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

□ 1230

NATIONAL COUNCIL FOR INDEPENDENT LIVING

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this is the 31st anniversary of the creation of the National Council for Independent Living. NCIL is the leading organization for persons with disability.

Thirty-two years ago, I began my career and life passion serving individuals who were living with life-changing disabilities. I'm proud to be one of the 214 cosponsors of the Achieving a Better Life Experience Act. The ABLE Act will ease the financial strains for individuals with disabilities. I'm also proud to be the author of the Special Needs Trust Fairness Act of 2013. This legislation removes the current barriers that prevent individuals with disabilities from independently creating a special needs trust. What we're talking about is individual independence and making sure that public policy is a tool, not a barrier, in achieving this goal.

Once again, I want to thank the National Council for Independent Living for their leadership and service. Working with advocates such as the National Council for Independent Living, we will accomplish independence, dignity, and success for individuals living with disabilities.

CAUCUS ON BLACK BOYS AND MEN

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

Mr. VEASEY. Mr. Speaker, I want to take this time to thank Congresswoman ELEANOR HOLMES NORTON for pulling together yesterday the first meeting of the Caucus on Black Men and Boys. Trayvon Martin's dad also participated with us yesterday. We need to do something about the violence that occurs all too often, particularly with many young African American boys, in our communities.

Black boys in our community face daily obstacles, including run-ins with the police, high rates of unemployment, racial profiling, and extreme prosecution that leads to over-incarceration in the community. As a black man, I can attest to what President Obama said in his recent speech:

> Trayvon Martin could have been me.

African American men have lived an experience of being stereotyped and profiled in other ways that most people have never had to endure and can never understand.

Mr. Speaker, it is our job as legislators to create policies that create a level playing field so everyone can succeed.

PREVENTING DOD FURLOUGHS

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

Mr. WITTMAN. Mr. Speaker, yesterday, the House passed important legislation: the Defense appropriations bill. This bill prohibits furloughs on employees serving our Department of Defense in fiscal year 2014. These employees are now in their third week of furloughs.

This week, we heard from Under Secretary of Defense Comptroller Bob Hale about the adverse impacts, which are expected to worsen if furloughs continue. His message made clear the harm furloughs already have on our force readiness. He echoed what I am hearing from my constituents that I talk to on a daily basis: these dedicated patriots employed by DOD are disappointed and frustrated they cannot support the warfighter and are fearful of an unknown future.

While it may be too late for the 11 days of furlough through September, Congress has the opportunity and I believe the obligation to get this important provision prohibiting furloughs signed into law as soon as possible.

I urge the Senate to join the House in passing this important measure.

ANNIVERSARY OF APOLOGY FOR SLAVERY AND JIM CROW LAWS

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

Mr. COHEN. Monday, July 29, will be the fifth anniversary of the passage in this House of the first and only apology for slavery and Jim Crow laws in this Nation's history. This Nation had 246 years of slavery and over 100 years of Jim Crow.

The resolution, which passed with only two Republican sponsors, Wayne Gilchrist and Phil English, said that we needed to rectify the lingering consequences of slavery and Jim Crow. Indeed, we still need to. There are many areas in the criminal justice system that show this, such as racial profiling, that the likelihood of being arrested for marijuana is four times as much if you're African American than white, and stiffer sentencing if you are African American. The need for public health and public education, and for jobs, more significant, and a much lower net worth among African Americans, are all vestiges of Jim Crow and slavery.

As we look toward the fifth anniversary of that resolution and the 50th anniversary of the march on Washington, both sides of this aisle need to look toward the least of these—people who have been discriminated against and enslaved by our Nation's laws—and rectify those lingering consequences.

HONORING JUDGE MICHAEL WARREN

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

Mr. BENTIVOLIO. Mr. Speaker, it is an honor and a privilege to take some time to recognize one of my constituents.

Last month, Oakland County Circuit Judge Michael Warren was honored with the Americanism Award from the Daughters of the American Revolution of Michigan. The award states that it was presented to Judge Warren ''in recognition of outstanding accomplishments and contributions for his tireless work in promoting patriotism for the American people, especially through Patriot Week.''

Our country is an exceptional Nation because of what happened in 1776. We need more people teaching the history of our founding and promoting patriotism. Judge Warren is doing a great job in Michigan, and he's a great example that should be followed nationwide.

39TH ANNIVERSARY OF ILLEGAL OCCUPATION OF CYPRUS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I rise in honor of July 20, which is a special day of remembrance for the families and loved ones of all those who have suffered so greatly as a result of one of the biggest national tragedies in modern Greek history: the 1974 illegal invasion and occupation of the island of Cyprus by Turkish soldiers. It happened 39 years ago this week.

The invasion forced nearly thousands of Greek Cypriots to leave their homes in the occupied area and become refugees in their own country. Their religious and cultural sites were damaged and destroyed, their religious freedoms restricted, and their rights disrespected. In violation of international law, the Turkish soldiers remain there still, occupying more than one-third of the island. They ignore all the U.N. resolutions pertaining to Cyprus—and there have been many passed.

As the cochair and cofounder of the Congressional Hellenic Caucus, I have worked diligently with my colleagues in the Caucus out of our mutual concern for the continued division and occupation of Cyprus. We continue to work to raise awareness of the Cyprus problem and the role the U.S. can play to support the negotiations.

The people of Cyprus deserve a unified and democratic country—and we are working towards that end.

HELPING CHILDREN WITH DUCHENNE MUSCULAR DYSTROPHY

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

Mr. BACHUS. Mr. Speaker, it's an honor to talk about some courageous children who are changing the way that we think about Duchenne Muscular Dystrophy. It affects nearly 20,000 babies a year in the United States, robbing them of the muscle development they need to grow into a healthy childhood.

These children, like Gabe Griffin of Birmingham, who you see in this photo, are full of strength, spirit, and hope. They inspire all of us. As he grows into adulthood, his muscle development will be arrested if we don't make progress.

Thanks to research and advocacy by parents like Gabe's, Scott and Traci Griffin, as well as Joel and Dana Wood, here in Washington new treatments are being developed for Duchenne. But for families, the progress needs to come faster. The FDA is now considering whether to grant accelerated approval to a potential breakthrough therapy. It's a drug called Eteplirsen. While properly taking safety into account, it is important for the FDA to make a timely decision on this drug.

When you look at this picture, you know that we must do everything possible to help these amazing young people to enjoy the happy and healthy childhood that so many of us were blessed with. Let's do everything we can to urge the FDA to research this drug and make it available to the general public.

RECENT COLLEGE GRADUATES FAILED BY PRESIDENT OBAMA'S BIG-GOVERNMENT APPROACH

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

Mr. ROTHFUS. Mr. Speaker, President Obama yesterday pivoted to jobs, or so it has been reported, during another campaign-style speech at Knox College in Illinois. During his hour-long speech, we heard no new ideas. Instead, President Obama battened down the hatches on his economic policies. Meanwhile, the Federal Reserve Bank of New York recently reported that more than 50 percent of college graduates are either unemployed or underemployed.

Unfortunately, President Obama's economic policies have failed the class of 2013. Since he took office, President Obama has never really pivoted to jobs. Instead, he's always pivoted to Big Government. What's really grown over the last 4 years is President Obama's Washington. It's a Big Government boomtown.

In contrast, the House has passed several pieces of legislation that would enable job growth. Let me name just a few of those initiatives: the SKILLS Act, the Keystone pipeline, and expanded offshore domestic energy production.

If the President and the Senate would like to get serious about job creation, let me suggest they go to www.gop.gov/jobs. Unless the President truly pivots away from Big Government, we won't see real economic recovery until the class of 2017 graduates.

DEFENDING AMERICAN LIBERTIES

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

Mr. GOHMERT. Mr. Speaker, it is an honor and a privilege to be here to speak.

At this time, I yield to my friend from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. I want to thank the gentleman very much.

Yesterday, the President made a speech at Knox College in Illinois. And in that speech, he categorized Republican Members of Congress in three groups. He said there was a group of

Republicans who agreed with him on his policy but were afraid to vote for it and did not have the courage to vote with him. He also said that another category of Republicans are those who, because it was his idea, are opposed to it. And then the third group of Republicans, he said, were those who have a view of the world that inequality and injustice is inevitable.

I was a little bit offended by that categorization, and I wanted to take a few moments today to explain to the American people specifically why many in our Conference oppose the President on some of his economic and energy policies, particularly.

I want to preface my remarks by saying, when the President was elected, the first thing that he focused on was transforming America's electricity policy. His number one goal was to produce more green energy through solar panels and wind energy. He spent billions of dollars on that through the stimulus package, much of the money going to venture capital friends of his, wealthy supporters of his, like Mr. Kaiser of Oklahoma, on the Solyndra project. And, in addition to that, the 1603 Treasury program that gives grants to certain green energy projects, the 1703 and 1705 programs at the Department of Energy.

□ 1245

Now, that was the focus of the President. That was the part of his stimulus package that was going to get the economy back on track. Well, I would like to remind people that in June—just this past June—we lost, in America, 240,000 full-time jobs. The last quarter of 2012 and the first quarter of 2013, our growth in gross domestic product was not even 2 percent; it was below 2 percent. And for the last 15 quarters, our gross domestic product has increased only a little over 2 percent—the weakest growth since World War II in America.

Now, for this year, 2013, we've created 750,000 new jobs, but 557,000 of those were part-time jobs. Now, why is that happening and why are we losing full-time jobs? Well, under the President's Affordable Care Act—or as some people call it, ''ObamaCare''—any employer that has 50 or more employees and they work more than 30 hours a week, he is going to have to provide health coverage for them. If they do not do so, they will be penalized with a monetary penalty. So the reality is what's happening is that small business men and women in America are laying off their employees and making sure that they only work part-time. So the President, focusing on green energy, encouraging small business men and women to lay off workers, that's precisely why we have a sluggish economy today.

Now, the President says that he is for an all-of-the-above energy policy. And I would say to you that everyone on our side of the aisle supports an all-of-the-above energy policy. But after spending billions of dollars for renewables, the President has only been successful to a very limited degree. As a matter of fact, today, renewables in America are creating only 500 million kilowatts a day; coal is producing 4.5 billion a day; gas, 3 billion a day; nuclear, 2 billion a day. So the President has jeopardized and created obstacles to economic growth because of his sole commitment to renewable energy.

Now, like I said, we need renewable energy; but this President says one thing and does another. He says he is for an all-of-the-above energy policy; and yet because of his actions and his administration's regulations, America is the only country in the world where you cannot build a new coal power plant. As a result of that, we're losing jobs in that industry as well.

So I would just say to the President his priorities are wrong. He is so focused on fulfilling his political goals of changing the way electricity is produced in America and creating obstacles for economic growth that he is self-defeating our abilities to stimulate the economy.

And I would just emphasize once again, we do need an all-of-the-above energy policy. We need wind, we need solar, we need natural gas, nuclear and coal; and yet we cannot build a new coal power plant in America.

If we're going to get this economy growing, we have to have electricity at a rate that we can afford in order to compete in the global marketplace, in order to get people to build plants in America, create jobs in America, and move this country forward.

So I would just say to the President instead of focusing on categorizing Republicans and who they are and what they are, he needs to get his priorities right and start focusing on economic growth and stop using stimulus funds to reward his friends in the joint venture capital business and his wealthy supporters and start helping us build an energy policy that will work for America.

I want to thank the gentleman from Texas for giving me a few minutes to talk about that issue.

Mr. GOHMERT. I thank my friend from Kentucky. I just had seen an article that's really an exclamation point, really, of what the gentleman was saying. The headline is:

Two Americans Added to Food Stamp Rolls for Every Job the Administration Says It Created.

I mean, how tragic. What an exclamation point on those facts that were laid out by my friend, Mr. WHITFIELD. Thank you.

There's news being reported today that Attorney General Eric Holder has announced the opening of a new front in the battle for voting rights—at least so he says, his brand—which is rather ironic because this administration, and particularly the Attorney General, the Department of Justice, had talked about, in essence, how the Supreme Court had eviscerated the Voting Rights Act and just rendered it basically nothing by its terrible decision. Yet if you look at the words of the Supreme Court in that decision, the Supreme Court points out that the factual data does not bear out the attacks by this administration continuing on the States that had done wrong, if you will, sinned back 50 years ago.

There was racial discrimination in this country at the time of the Voting Rights Act, and there is racial discrimination today; but it has moved. The Voting Rights Act has accomplished a great deal in our efforts to move toward equality of opportunity around the country. And so it has accomplished something that is very good and very important to the country.

But, amazingly, when the Voting Rights Act was extended—with support from people on both sides of the aisle—they decided that, gee, since some of us have districts where there is now racial discrimination, even though at least six of the States that were originally gone after in the South by the Department of Justice, they had better racial equality in voting than the average for the entire country.

Yet this administration decided our goal is to punish those States that did not vote for this President—we're going after these States; we're going to continue to punish them; we're going to continue to be punitive to them. We're going to ignore areas like Massachusetts, where there's now more racial disparity than in at least six of the States—maybe all of them—in the South. But as I understood it, Massachusetts, unfortunately, has moved into the arena of being a State that has significant—most significant racial disparity. And yet the Voting Rights Act did nothing to address those areas of the country where over the last 50 years discrimination has grown, it's raised its ugly head.

Yet this administration said, no, we're too busy punishing States who corrected their problems and are doing so much better than the rest of the country. Why? Because we can. Actually, that is the reason the Voting Rights Act was extended without the Gohmert amendment that would have made sure that the Voting Rights Act applied across the country in any area where there was racial discrimination. But in a bipartisan manner, a majority forced the extension for 25 more years, which would mean—now, I don't even recall who all was in office back then. I was a little kid. I didn't know who was discriminating and who wasn't. I had no part in it. And people who had no part of the discrimination that was going on back then—the discrimination that needed to be addressed, the discrimination that needed to be corrected—for some reason, have people in a majority of places that voted to extend it, keep punishing areas that are no longer committing wrongs, no longer sinning.

We want to keep punishing them because if we open it up and apply these

same punitive things across the country and come up with a new formula, gee, we're not going to be able to keep punishing these areas for their sins of 50, 60 years ago. We may have to punish our own States because racial disparity has grown there.

So the Supreme Court did the proper thing—legally, fairly. Now we see this administration saying, oh, it turns out we can use the Voting Rights Act to continue to punish Texas. Why? Because we can; because we want to. So they're coming after Texas, as announced today, again.

At some point, I hope we get to the place that the President spoke of when he spoke at the Democratic Convention so eloquently, talking about there's not a red America and a blue America, we're just Americans. I loved that speech. I thought it was fantastic. It caused me to rise up and take notice, wow, this guy is saying the things I believe in. He's so right. And yet his policies have been diametrically opposed. They have racially divided us; continuing to go after political enemies; continuing to have this administration's Internal Revenue Service weaponized in a way that Richard Nixon and Lyndon Johnson could never have even dreamed they could have done.

So, hopefully, the court to which the administration has gone in Texas will do the right thing and say, you know, Mr. Attorney General, we remember your comments about how you don't have the power really to do this anymore since the Supreme Court struck section 4 down. And so either we believe what you're saying now, or we believe what you said out there after the Supreme Court decision. And that becomes a real problem when you have an Attorney General that says different things to different people, because the highest law enforcement officer in the country needs to be trusted. He needs to have respect and adherence for and to the law.

We have an Attorney General that's been held in contempt. He's been in contempt of Congress; he's been in contempt of the law; he's been in contempt of the actual facts—repeatedly. We need a different Attorney General.

I asked President Bush to appoint a new Attorney General when there was a scandal over national security letters. I thought it was the appropriate thing to do. When someone's credibility is hurt, even if they didn't even know what was going on, it's time to have new leadership and change what's going on. And we got a new Attorney General.

Yet I'm amazed at how my friends on the other side of the aisle keep clinging, as does the President, to an Attorney General who is in contempt of Congress, contempt of the law, and in contempt of facts; an Attorney General who would have the nerve to testify that he's never even heard of anyone attempting to prosecute a reporter, when he knew as he said it he had okayed and given his blessing to the persecution of James Rosen with Fox News. So he either lied to the Congress in his testimony, or he was a part of a fraud upon the court.

□ 1300

Because the allegations in the affidavit and the application for a warrant before the court going after James Rosen claimed he had violated the law, set out the law he had violated, that he was a flight risk, that he was a risk to destroy evidence; so either he believed the things that he approved, which means he lied to Congress, or he spoke truthfully to Congress and committed a fraud upon the court. Either way, we need the highest law enforcement officer in the land to have more credibility than that, and yet here he is doing the same thing, saying one thing one place, claiming another in another place.

It is so critical that we be able to trust our government, which brings us back to the issue of NSA spying.

Now, I was a freshman in 2005–2006 in the 109th Congress. I was on the Judiciary Committee, and we had some very rancorous debate between our own party behind closed doors, out in the committee room, here on the floor, over the PATRIOT Act, over the extension of power over the Foreign Intelligence Surveillance Courts. I was very concerned, even though we had a Republican administration and a President that I liked and respected, George W. Bush, smarter and wittier than people gave him credit for, a good, decent man.

But we have to consider the possibilities and we have to be specific in our laws. When we debated these changes before the Judiciary Committee back in the 109th Congress when I was a freshman, there were people, my Democratic friends across the other side of the aisle, that were very concerned about an abuse of power that might be occasioned if we don't tighten up the PATRIOT Act.

I am just anal enough, I read the bill as it existed. I read the law as it existed. I was pushing for some things to be changed, and it did cause me some concern that the title of what basically is section 215 of the PATRIOT Act as it was at that time before amended:

Access to records and other items under the Foreign Intelligence Surveillance Act.

As amended, it would read:

Access to certain business records for foreign intelligence and international terrorism investigations.

So I knew those were the titles, so it really applied to foreign intelligence and international terrorism investigations.

My Democratic friends across the aisle that we would often consider way left had serious concerns. I understood their concerns, but I thought they were being way too fearful of government because the law, we could make it specific enough that it would not be abused by a Republican or Democratic administration.

As I read through, having been a judge and a chief justice and had to consider from a legal standpoint what do these words mean? what does this word mean? can this be considered vague, ambiguous? is this considered arbitrary and capricious? is there room for misunderstanding? I actually had some concerns behind closed doors. I was asking people from the Bush administration, Justice Department, I'm a little uncomfortable about this; what does this mean?

One of the things I asked about was, in the reference to the proposal for the amendment, it says, ''the Director of the Federal Bureau of Investigation or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge) may make an application for an order requiring the production of any tangible things (including books, records, papers, documents, and other items) for an investigation to obtain foreign intelligence information not concerning a United States person''—well, I was comfortable with that language. That seemed to protect U.S. citizens pretty well.

And then there's this disjunctive preposition ''or,'' this disjunctive ''or.'' Okay. Well, it can be that or it can be this.

The other aspect was ''to protect against international terrorism.'' Well, I felt like at the time I was okay if we are really seriously to protect ourselves from international terrorism. Again, that doesn't involve an American citizen unless you can establish with probable cause that an American citizen is involved in international terrorism.

And then we get a second disjunctive ''or''—''or clandestine intelligence activities.''

And I raised the issues behind closed doors in our Republican meetings and when we met with justice officials: I'm uncomfortable with this because it doesn't say ''international'' in that part. You have the disjunctive ''or,'' but you left out ''international'' there. I would really be more comfortable if it said, ''to protect against international terrorism or clandestine international intelligence activities.''

I was told: Congressman, we know you're a judge and you get caught up in words sometimes, but look at the title of the article. The article says, ''Access to certain business records for foreign intelligence and international terrorism investigations.'' So you shouldn't have to be concerned. This is only about intelligence. It's only about foreign contacts.

And we were assured repeatedly behind closed doors and in debate that this amendment to the PATRIOT Act would make it more difficult for an administration to abuse it—Republican or Democrat. I was still a little uneasy, and I know that when there is a disparity between language within a law and the title of the law, the language within the law itself takes priority

over the title, I know that, but it was somewhat comforting.

If you read on down—this was as we were trying to amend it and as the Justice Department under President Bush was pushing—it says, ''An investigation conducted under this section shall,'' and then it has, ''(A) be conducted under guidelines . . . (B) not''—and there's an ''and,'' so this is important; you can't go without (B)—''and (B) not be conducted of a United States person solely upon the basis of activities protected by the First Amendment to the Constitution of the United States.''

There were some concerns during this debate over amending section 215 of the PATRIOT Act back in the 109th Congress that we don't want the administration gathering intel about someone if it is all having to do with their activity that is protected by the First Amendment to the Constitution of the United States.

So, for example, if someone were burning a United States flag or burning a Holy Bible, the Supreme Court tells us those are protected activities protected by the First Amendment, and therefore you could not use those to go gather intelligence data about an American who was doing those things.

Now, of course, we have the U.N. and former Secretary Clinton and President Obama and others saying, We like what the U.N. is saying.

Basically, if we adopted what the U.N. said, it would still be true, our Supreme Court would allow you to burn a Bible and a flag, but you could never, ever do anything like that to a Koran, which then would allow our radical Islamist friends who want an international caliphate to check the box that they created and was discovered during a raid some years back, that one of their 10-year goals was to subjugate the United States Constitution to shari'a law; and as soon as we adopt a law that says you can destroy a Bible and a flag but not a Koran, they can check that box. But under the proposed amendment in 2005 to the PATRIOT Act, or the official title under title 50, War and National Defense, chapter 36, ''Foreign Intelligence Surveillance''; chapter IV, section 1861, so paragraph (3) after (2), that says, ''An investigation conducted under this section shall . . . (B) not be conducted of a United States person solely upon the basis of activities protected by the First Amendment''—we get to paragraph (3). And this was an issue that was very contentious. There were groups boycotting and demonstrating and saying, Hey, this is all about library books, we don't want the Bush administration being able to go in and get a list of books we've read.

Well, I contended then and still contend now that to do such a thing of an American citizen you should have to have probable cause that an American citizen has violated the law and get a warrant to do that. But this didn't require a warrant. This is allowed under the PATRIOT Act if it was for foreign intelligence purposes and for international terrorism investigations, according to the title. But unfortunately, in the law itself, it said, ''or to protect against international terrorism or clandestine terrorism activities.''

And I told people at the time: I'm a little uncomfortable with that, because ''clandestine intelligence activities,'' what is that? What if it's just somebody going somewhere asking questions, not doing it in public but going privately to individuals and saying, ''I'm really concerned about what the administration is doing on this or that; what do you know about what this administration is doing? What have they done to you?'' Would that be considered as somebody doing clandestine or private intelligence activities?

I was told: You're being paranoid here, GOHMERT. Look at the title again. It's ''international terrorism.'' It's ''foreign intelligence.'' This is not about American citizens. Look at the overall context.

But those words hanging out there after a disjunctive ''or,'' it was a little uneasing. But I had enough people in the Justice Department, on my committee, with the administration at that time that said: No, gosh, no. You're looking for things where there aren't any. This is not an issue.

But this paragraph (3), ''In the case of an application for an order requiring the production of library circulation records, library patron lists, book sales records, book customer lists, firearms sales records, tax return records, educational records, or medical records containing information that would identify a person''—wow, that's kind of scary when you consider that entire list of things that the Justice Department might be going after.

But it says, ''the Director of the Federal Bureau of Investigation may delegate the authority to make such application to either the Deputy Director of the Federal Bureau of Investigation or the Executive Assistant Director for National Security. The Deputy Director or the Executive Assistant Director may not further delegate such authority.''

So they wanted to assure us that only people that were looking at foreign intelligence and foreign terrorism who had the big picture, not some low-level rogue agent, would be pursuing anything like this, and we were told repeatedly: But it's all tied to foreign terrorism.

□ 1315

When you go down under subparagraph (b)(2) under each application under this section, it says:

> Shall include a statement of fact showing that there are reasonable grounds to believe that the tangible things sought are relevant to an authorized investigation, other than a threat assessment, conducted in accordance with (a)(2) of this section to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities, such things being presumptively relevant to an authorized investigation if the applicant shows in the statement of facts that they pertain to (i) a foreign power or an agent of a foreign power.

Now, that gave me comfort. Okay. All right. If it pertains to a foreign power or to an agent of a foreign power, okay. That's not an American citizen, and if it is, there is certainly an agent for a foreign power:

> (ii) the activities of a suspected agent of a foreign power who is the subject of an authorized investigation or (iii) an individual in contact with or known to a suspected agent of a foreign power who is the subject of such authorized investigation.

It talks about minimization procedures. Then under (c)(2), it gives this order, this direction, to a judge who may be asked to issue an order:

> An order under this subsection: (A) shall describe the tangible things that are ordered to be produced with—and get this—sufficient particularity to permit them to be fairly identified.

Now, that gave me comfort. The Foreign Intelligence Surveillance Court judges, who are judges nominated by the United States President and confirmed by the United States Senate, thoroughly investigated by the FBI, are the only people, when they're assigned to the FISA court, who could issue an order like this, and the law says that their orders have to be with sufficient particularity.

We know from the law under the Constitution that, if you want to go after specific private information about people, you have to have a warrant, and that warrant has to be based on probable cause, and the probable cause must be established by a sworn statement, and there must be sufficient specificity so that we don't just have blanket orders to go get information.

I know, when I was an assistant DA up in northeast Texas, that we had a deputy come in one time. It was the policy, if you wanted to get a warrant signed by the district judge, you needed to go through the DA's office first so that we could help you and make sure you had probable cause and make sure there was proper specificity. Bless his heart. He was a great gentleman, an older deputy, and he was always after this tiny, little community in our county.

He said, I know they're smoking dope out there. I just know it. I've sat out there and surveilled their house. I haven't seen them with dope, but I know they've got it.

So he came in one day, and he said, I've got them. I can get a warrant now.

What have you got, Deputy?

Well, you know our little convenience store out there in our community was broken into, and one of the things they stole was potato chips.

Okay. So what does that have to do with a warrant to go after marijuana?

Well, of the place I've been surveilling and watching, I found out absolutely, for sure, that they're having a party Friday night, and they're

going to have potato chips there. So all I need is a warrant to go look for potato chips, and while I'm there, I'll find the dope.

I said, Is there anything identifiable on the potato chip packages that would allow you to determine that these were the potato chips stolen from the convenience store?

He said, Well, no, no. These are just potato chips.

Deputy, I'm sorry, but that's not sufficient specificity.

I mean, I've known since law school, since I was a DA, since my years as a judge, and as a chief justice that you've got to have specificity. The Constitution requires it. So, basically, that's what this provision is requiring. You've got to describe with sufficient particularity that people can identify the specific items that you're demanding to be produced.

That's why, when we all looked and saw in public information sources that a FISA Court judge had granted an application for a warrant for every phone call made by anybody in America, whether outside the U.S. or inside the U.S., I couldn't believe they'd find a judge who would sign that. I mean, sure, you might find some judge in some jurisdiction in that location, in that court, who didn't have to go to law school and who really didn't understand the Constitution, but the justices of the peace I know would know you've got to have some specificity here. You can't just come in and ask for everybody's phone records in the country.

So I have to say about my friends on the far left of the political spectrum who were suspicious back when we were pushing—and being pushed, really—for an extension of the PATRIOT Act that they had concerns that somebody might come in and get library records without adequate probable cause. It turns out their concerns about library records didn't even come close to the danger that this act would pose for an administration that felt like it should have everybody's information.

I've talked to people on both sides of the aisle—and this may be one of the few rare issues. My sense is that everybody truly wants the same thing, but when you look at what is being gathered, this was never, ever anticipated. I can't remember if it were publicly or privately in our conversations when we were discussing this extension of the PATRIOT Act, and when I was demanding sunset so we could still have some accountability and demand answers when we wanted them, but either privately or publicly, we were told, Look, we don't even have the capability—this was in 2005—to gather the data for every single phone call that's made by everybody in the United States, and even if we did, we would never do that.

But anyway, that was one of those statements that was made either in private or in public, and that assuaged some of our concerns.

The truth is, I just couldn't imagine a judge who had been nominated by any President—liberal, conservative, confirmed by the Senate, a judge who had obviously gone to law school—who would sign an order saying, Yeah, go get every phone call made by every person everywhere.

I know the hearts of the people on both sides of the aisle who voted against and spoke against JUSTIN AMASH's amendment, and I know this is one of those issues—I can feel it, and I've talked to people on both sides of the aisle in depth and privately—where we really all want the same things here. We want to be safe, but we want to protect our liberty.

It seems that those who have dealt directly with the intelligence agencies and information—the classified information—have said, We really do need this because you don't know how much trouble we're really in if we don't have this. This stuff is critical. We need this information.

Unfortunately, it brings us back to other problems. One, for example, is: when you have open borders and when you know there are people coming in the country who want to harm us, hurt us, destroy our way of life, take away our liberties, then you need to, perhaps, give up some liberty in order to have security.

I don't want to give up liberty. I don't think we should have to, but when you have open borders—as open as ours are right now—and when people want to be secure and safe more than anything else, people are going to give up the very liberty that so many people gave their lives for us to have.

John Adams had that amazing quote. I don't have it verbatim, but it is in essence:

> If people in future generations give up liberty, then I will regret from Heaven that I sacrificed so much for them to get it and have it.

We owe it to those who went before us not to so easily give up our liberties.

In one of our hearings, we were told, Oh, it's only the metadata; it's only the numbers. We don't get who has what number and then look at what calls they've made. It's the metadata so we can run the algorithms and look for patterns.

When you have the numbers—and I asked the question—our intelligence agencies, which are the NSA, the CIA, the FBI, are obviously entitled without a warrant to go to the public sector and gather information that any American could get. That means, if any American can get what someone's phone number is, then the CIA, the NSA, the FBI, the Secret Service—anybody—can get that, and then all you have to do is pull up those numbers and say, Well, I wonder who this person called? and start looking.

I want to say this as respectfully as possible: for those who say we can justify this because it has probably saved us from some terrorist activities, don't forget John Adams and the thoughts of the Founders and of those who gave their lives, their fortunes—everything they had—for us to have liberty when they said, Don't give up your liberty.

I would humbly submit, back in those days of the Revolution, before the Revolution, that it would have been very easy for King George to have taken it a step even beyond what he did where he could quarter soldiers in people's homes without their permission. It was one of the things that frustrated our Founders, that the King, without anyone's permission, could send a soldier in to stay in your home—or more than one soldier.

That's why they wanted to be assured that nobody—no government in America—could ever do that kind of thing again, that they could send a soldier just to live in your house and watch everything and take notes on what you're doing. If they suspected, Gee, we don't have any hard evidence, but I don't trust that guy, so let's send a soldier to stay in that home, then they could do that, and the soldier, certainly, hypothetically, could have taken notes of every activity.

Then it would have been very easy for King George to say, Look, I know you're concerned about my putting a soldier in every home that we are concerned about even though there is no evidence you violated the law or no evidence you're a threat, but I want to point out to you—and this is hypothetical—that since we put soldiers in all of these homes to monitor everything going on in the home, we actually found a handful of terrorist plots by some of the revolutionaries, and we've been able to stop those, so we have actually saved American lives by having a soldier in every home of people we don't trust.

People could have said back at the time, Wow, the King is really thinking about us and our safety because he has saved people from being killed here in America because, by having soldiers in every home and by monitoring all this activity, they were actually able to find some people who were troublemakers who would have harmed Americans.

□ 1330

Yes, it's worth it. Okay, King George, you keep monitoring everything anybody is doing, even when you don't have probable cause. There's some similarity here.

When the government can put that big Orwellian eye in your home that you call your computer, your avenue, your network to the world, they can watch everything you're doing in your home. They can watch every purchase you make. We find out now this Consumer Financial Protection Bureau that was created under Speaker PELOSI, well, they want to protect Americans from egregious credit card companies, and so they're gathering people's financial information.

I go back to 2002, when a CIA attorney at one of our judicial conferences

said, Gee, banks have all your financial information. Why shouldn't the government? I was aghast and said because the banks can't come to your home, bust down the door, throw you to the ground, put a boot on your back, and put you in handcuffs and drag you off. But the government can and does. So we've got to be very careful to make sure that the government does not overreach what they're allowed to do.

Yes, banks and third parties may have financial information, but it does not mean the government is entitled to it. In fact, it's just the opposite. They're strictly forbidden to have that kind of information until Speaker PELOSI's House and HARRY REID's Senate passed a bill that said, Oh, yeah, we'll create this financial bureau, and now we're finding out they're gathering the financial information of people. Then we're assured you don't have to worry about ObamaCare, even though we're hiring all these investigators and we're not going to check their background, we're not going to make sure that they're not a problem or have a criminal record; but we'll make sure, or try to, that they finished high school, and they may need to review your medical records to see what kind of government-mandated insurance policy you need.

Where does this stop? The government under ObamaCare will have every American's medical records. The financial bureau thinks they can have everybody's financial information. That's the government having that. Then we find out the NSA has gotten orders so they can get every single call that we have made to somebody. There is no specificity in an order like that. This has to stop. This is an issue where both sides of the aisle have a kindred spirit. We want to protect people's liberty; but some that are so close to this issue have seen how much can be gleaned from people's complete phone records and they say, Look, this is really dangerous in America. I know how dangerous it is. I've been sounding the alarm for years now.

The Muslim Brotherhood has profound influence in this country and in this administration and in this government. As we've already seen, the largest demonstration in the history of the world in Egypt, they figured it out: we don't want the radical Islamists, the Muslim Brotherhood running our country. Well, I don't want them running ours either, but they're there. Secretary Napolitano couldn't even tell me how many Muslim Brotherhood members she had giving her advice. She didn't even know. At least she said she didn't.

This is a dangerous situation. We are in danger. There are people who want to take our liberty and destroy our country, but that's no reason for us to voluntarily give up all our liberty, give up all our privacy in the hope that maybe we can stop others from taking it from us. When you give up liberty, you've given it up. We're supposed to have the government protecting us from these kinds of intrusions, not demanding all of the most private aspects of our lives. If somebody wants to disclose private information or private pictures about themselves, that's their business; but the government shouldn't be able to come in and get a picture of your most private information about your life and spread it around the government. That is happening, and there is so much more potential for it to continue to happen and to get worse.

The PATRIOT Act seemed like a good thing if we could have adequate oversight and make sure that the kinds of things we've now found out are going on, make sure they weren't going on. Now we know they are. I've been surprised. I've talked to some of my liberal friends across the aisle that expressed concerns about giving authority to the government to get this kind of information, and I was surprised some of them voted ''no'' against JUSTIN AMASH's amendment. But that's the thing: the NSA and CIA put pressure on Republicans. They say, Hey, you're conservative. We're with you. You've got to help us have these tools. We're preventing people from being killed. You've got to let us have all this private information about everybody. We promise that we're not abusing it. And it persuades people on our side and then on the other side. I talked to a friend who showed me a printout that he had been given, and it said, Well, no, I think exactly like you do. I don't want them having that much information. But, see, Louis, it says the law says that this can only be done—and it quoted—to protect against international terrorism and foreign intelligence information. I said that's right, that's what the law says, but that's not what they're doing. Really? I mean, it said this. I said, Right, that's what the law allows, but they're going so far beyond that. This is something we need to work on together. This is an issue where the left and the right can come together.

Look, we want to secure people's safety and security, but we can't keep giving up private liberty. Let those that want to tweet out their most intimate details do so. Fine. Go for it. Be a fool. But for those who just want to be Americans and live their private lives and be left alone, the government should not be watching everything they do through their computers, through their debit and credit card purchases and transactions, through every phone call they make. I thought I was being rather cute when I told my colleagues across the aisle who were very concerned that the government might get more than just information about contacts with foreign terrorists because that's what we were told. Look, the only way we gather information about who you're calling, who's calling you, is if you make a call to a known foreign terrorist or you get a call from a known foreign terrorist or you make a call to a member of a known terrorist organization or you get a call from a member of a known terrorist organization. That comforted me. So I told my friends publicly that if you're worried about having the government gather information on who you're calling, who's calling you, then when you call your foreign terrorist friends, use somebody else's phone. It was amusing at the time, but now it turns out this government is gathering everybody's information and they're storing it and they'll have it and there's no indication they're ever going to get rid of it.

When I was in college, I was required to read Kafka's book ''The Trial.'' I thought it was the silliest novel I had ever read because it was one circumstantial, just crazy event after another. The poor man never knew who was charging him, what he was charged with. I thought this is just somebody creating a nightmare scenario, but thank God we live in America and this can never happen here. Yet I see the seeds of a Kafka novel unfolding before us.

I hope and pray, Mr. Speaker, that we will come together on both sides of the aisle and say let's secure our borders so only people that are legally coming in come in. Then once that's done, we can get an immigration bill done. Then, because we're doing that, we don't have to keep giving up liberty to have security. Then let's clean up this law so that some judge who's completely forgotten what the Constitution really means doesn't go off and sign an order to give the government every single phone call that's made to every single individual in and outside the United States. Otherwise, John Adams will look from Heaven, and he will be regretting that he sacrificed so much for us to have the liberty that we're squandering.

I yield back the balance of my time.

THE SHINING CITY ON A HILL

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

Mr. KING of Iowa. Mr. Speaker, it's my privilege to be recognized by you here on the floor of the House of Representatives, and it's my privilege to follow the gentleman from Texas as we close out this legislative week and a lot of the Members are on their way to the airport, or at the airport now, going back to serve their constituents. I'll be there myself, and I trust Mr. GOHMERT will be too.

I wanted to come to the floor and talk about this country that we have, this civilization that we have, the foundations of our civilization, and what's required to retain them and enhance them and move this country beyond the shining city on the hill and to a place beyond there onward and upward. Ronald Reagan often described the shining city on the hill. He described it as an America that is. An

America that was and an America that is. We were always challenged by the dream, but he didn't actually articulate, that I recall, something beyond this shining city. But societies must progress, and those that progress the most effectively and those that can be sustained the longest need to be built upon solid pillars.

The shining city on the hill standing true and strong on a granite ridge was built on a solid foundation, and I argue that the foundation of it are the pillars of American exceptionalism, and those pillars are listed in the Bill of Rights. You add to that free enterprise capitalism, Judeo-Christian values, the foundation of our culture, which welcomes all religions, and on top of that the dream that inspired legal immigrants to come to America, and that dream embodied within the vision of the image of the Statue of Liberty. That's the American Dream. That's the American country that we are. And that's the foundation upon which we've got to build our American future.

How did we get here? What was the reason that these pieces came together? How was it that our Founding Fathers came to a conclusion that we would have freedom of speech, religion, assembly, the right to keep and bear arms, freedom of the press, that we would have property rights, that we would have Fourth Amendment rights against unreasonable search and seizure, that we would not have to face any kind of jury but a jury of our peers, and that we would not suffer double jeopardy and that justice would be blind and every person would stand before the law to be treated equally? The statue that we see of Lady Justice holding the scales of justice perfectly balanced is almost always shown to us blindfolded because justice is blind. But justice is not a feeling. Justice is something that has to be delivered by the law.

These are pillars of American exceptionalism, as are those rights that are not enumerated in the Constitution that devolve respectively to the States or the people, those enumerated powers that we have for Congress or those delegated to the Presidency, the executive branch, and the judicial branch of government. All of this is laid out as foundations that have been—although they've been altered to some degree over the years, we have adapted to those principles more often than we've altered our constitutional principles because our Founding Fathers got it right.

Where did that come from? How could it happen that these Founding Fathers could come together on what was an obscure place on the planet and get these ideas so well articulated that they could be the foundation of the greatest Nation the world has seen, the strongest economy the world has seen, the most dominant culture and civilization that the world has seen, the furthest reach in our economy, the furthest reach in our influence strategically?

□ 1345

How did this all happen?

And I would take you back, Mr. Speaker, to think a little bit about the formation of, I'll say, modern history. I take you back to Mosaic law before the time of Christ when Moses, who looks down upon us right now, the only face that is looking directly at us from all of these faces of law providers in history, Moses looks down over this Chamber in full-face form, and he's looking back here and he sees, as we should see, ''In God We Trust,'' our national motto.

How did that come together, Mr. Speaker?

It was when Moses came down from the Mount with the law, God's law, and the foundation of that law, the way it was separated out through the tribes and the way the law and the way justice was delivered, emerged out of Mosaic law and appeared also in Greek law. And as the Greeks, masterful people as they were, they were shaping the Age of Reason. So we had Mosaic law that informed the Greek Age of Reason, and the Age of Reason, where I imagine that Socrates and Plato and Aristotle and other philosophers sat around and challenged each other intellectually like gunslingers did in the West with guns, they did it with their brains. And young philosophers would go up to Socrates and challenge him with their philosophy, and Socrates would take it apart because he was the top guy and he informed others. But as they were proud and prideful of their ability to reason and the culture of Greece at the time, they had to infuse Mosaic law to uphold their rationale. And some of them, as they voiced Mosaic law, were teased by other Greeks that said, Well, you got that from Moses.

But my point in this is that as civilization was progressing, Mosaic law came down from the Mount, was handed to civilization. It emerged through the Greek civilization as the Greeks were developing their Age of Reason, and we're talking about the foundation of Western civilization. And almost concurrently with that, Roman law was emerging as well.

Now, I'll take you then to the time of Christ. Christ taught us our values, the very values of repentance and redemption that didn't exist in any form before then, and that's his gift to us. But I make this point in talking about the law, and it is this:

Think of Mosaic law coming down, being infused within the Greeks, transferred also to the Romans. Roman law ruled over that part of the world where Christ stood before the high priest Caiaphas. And if you remember, Mr. Speaker, the high priest said to Jesus: Did you really say those things? Did you really preach those things?

And Jesus responded to the high priest, as the Jews were watching, he said: Ask them. They were there. They can tell you.

That was, Mr. Speaker, the assertion by Jesus that he had a right to face his accusers. That principle remains today in our law, that we have a right to face our accusers. And when he said: Ask them. They were there. They can tell you, he's facing his accusers and demanding that they testify against him rather than make allegations behind his back.

And what happened when Jesus said that? They believed and the high priest believed that Jesus' answer was insolent and the guard struck Jesus.

Jesus said: If I speak wrongly, you must prove the wrong. If I speak rightly, why do you punish me?

He asserted his right to be innocent until proven guilty before a Roman court. Those two principles remain today in our law: a right to face your accuser; innocent until proven guilty. You face that jury of your peers, as I said. You need a quick and speedy trial. They didn't have to wonder about that in those days; it happened quickly. And the punishment came quickly as well, right or wrong.

This foundation of law was wrapped up in Roman law, and it was spread across Western Europe as the Romans occupied areas like Germany, England, as we know it today, on into Ireland. And when the Dark Ages came, when the Visigoths sacked Rome in 410 A.D., then we saw civilization itself tumble and crumble, and we saw the heathens break down anything that represented the old culture, anything that represented real civilization.

While that was going on—they were tearing buildings into rubble, they were burning anything that was written documents—while that was going on, the priests, and let me say the descendants of the disciples of Christ, began to gather up any papers and documents they could get their hands on. Some went to Rome to be secured and replicated by the monks and the scribes there. A lot went to an island off of Ireland where the monks and the scribes replicated those documents there. That was the foundation of the relearning of a civilization, a civilization that had been lived for centuries, having lost the ability to reason.

That Age of Reason that they were so proud of in the time of Socrates, Plato, and Aristotle was lost to civilization for centuries as people just lived by instinct and didn't leave much of a record of their rationale and didn't develop science, technology, or thought. And at a certain time, this information that was preserved in the documents of the classics, both Biblical and religious information, and any document that the monks and scribes could get their hands on, they preserved. And they analyzed it and they studied it, and they took a continent and taught that continent how to think.

As the church emerged from Rome and from the St. Patrick side of this thing out of Ireland, they built monasteries across the continent, and they were the centers of knowledge. They began to educate the classical information that they had preserved primarily

from the Roman but also from the Greek era, and they reeducated an entire civilization and re-created civilization based on what, Judeo-Christian values, the Age of Reason, and that reason that tied the values of faith together with the values that will allow for science to be developed.

And that brings us to that year, let's say the years emerging from the Middle Ages, and Martin Luther stepped on to the scene in the 16th century and brought us, on top of that, the Reformation Period where he made the point that cast across the globe that you can honor God in a lot of ways. A mother changing a baby's diaper honors God more than a thousand rote prayers that you don't give meaning from your heart into.

And so the Protestant work ethic got added to all these values that have been added together. And the competition between the Protestant and Catholic Church within Christianity ended up, it was rough and it was brutal, but the effect of it on our civilization and on our society has been good because the competition that drove from that made us all better, and each religion drew from the other.

And, by the way, the Eastern Church was separated when the Turks sacked Constantinople. So the Eastern Orthodox and Russian Orthodox were separated, and they evolved in a little bit different way, but we're tied together. We're tied together culturally. We're tied together historically. We're tied together by our common humanity and our belief in, and this is the unique component, their belief in redemption.

These attributes that I've discussed now, they're embodied within Western Europe as we emerge into, as we had emerged into the Age of Discovery, meaning Christopher Columbus and the explorers who came over here to the Western Hemisphere, that component, as well as a little bit later, the dawn of the Industrial Revolution.

Think about where we are here in America. We are the recipients of some of the wisest, most analytical people that the world has ever produced, our Founding Fathers. They are a product of a culture and a civilization that believed in Adam Smith's free enterprise and the rights to property, and they believed they were free men, that they were free. In fact, they said so in the Declaration Independence when Jefferson wrote in the Declaration: A prince who exhibits the characteristics of a tyrant is unfit to be a ruler of a free people.

A free people. They saw themselves as a free people before the Declaration. They didn't become necessarily free people as a product of, although they certainly had to earn it. They declared their freedom from England, but they saw themselves as free people before they issued the Declaration of Independence.

But that brings us now to July 4, 1776. I brought this history around from a couple thousand years, or a little bit more, more than 2,000 years.

On this continent now we have the wisdom of the Founding Fathers. I believe they are inspired by God, and it was by Divine Guidance that the Declaration was written, but it arrives here this, with what, these rights that we have—freedom of speech, religion, the press, and assembly, the right to keep and bear arms. The balance of these rights from the judicial side of it, the property rights from the Fifth Amendment, the devolution of power down to the people or the States, all of this landed on a continent with unlimited natural resources, so we believed at the time. All of these rights, free enterprise, strong Judeo-Christian faith and values, the reason many came here, unlimited natural resources, and a concept of manifest destiny.

Now, who could create a giant petri dish that's so robust that it could settle a continent in the blink of a historical eye and leave such a foundation for the growth of population and the image and inspiration of faith and freedom, who could do that? Not man, but the entity that shaped their movements and their thoughts.

So here we are, the recipients, God-given liberty, defined in the Declaration. It should be inarguable. It should be unchallengeable. I think it is. But we're a Nation that cannot be reverse-engineered and come up with a better result. We're a Nation that has components of American exceptionalism, pillar after pillar of American exceptionalism, none of which can we pull out from underneath the edifice of this shining city on the hill and expect that this shining city would not collapse. Yes, it would.

And so what is our charge here? It is not as hard as the charge of our Founding Fathers. It is not as hard as those who picked up their muskets and marched into the Red Coats' muskets and the Revolution. It is not as hard as the blue and the gray that clashed all over the battlefields here in this country and put an end to slavery and reunified this country. It's not as hard as the doughboys that marched off to war. It's not as hard, certainly, as those 16 million Americans who put on uniforms to defend our country in the Second World War. It is certainly not as hard for us as the 450,000 who gave their lives during that war. It's not as hard, either, as those who marched off to Korea and are honored down here in their memorial, the memorial that says on the slab in front of them:

> Our Nation honors the men and women who answered the call to defend a country they never knew and a people they never met.

None of what we are charged with right now is that hard. And yet some despair and some think that we can create this new America that is not tied to the pillars of American exceptionalism; we can sacrifice some of those principles and we'll still be a country okay because we've got some political pressure that says we should sacrifice this principle or we should chisel away some pieces out of this beautiful marble pillar of American exceptionalism. Imagine what it would be like, which if this Congress and this culture that directs this Congress, what if we decided you're going to have limited speech. Certain things you can't say, and we'll give you the list of words you can't utter because if you do that, you're going to be violating somebody's sense of political correctness?

What if we said that you can assemble, but we're going to diminish your right to assemble because sometimes we disagree with what comes out of those meetings? You know, the Greeks did that. They had meetings in their city-states. Remember the Greek black ball system that they had. The demagogues would emerge, people that could step up before the masses in Greece and the city-state and issue a speech that was rhetorically so inspiring that the Greeks marched off in what turned out to be the wrong direction. And what would they do? They would label him a demagogue. They would bring the demagogue before the city-state and then they would excoriate him, and then they would have a vote.

It's like the Greek system today: two gourds, two marbles, one black and one white one. They called them balls, of course. As each of the Greeks walked through, they would drop their voting ball in one gourd and they would drop their discard ball in another gourd, and if the demagogue got three black balls, he was banished from the city-state for 7 years. That's how they muzzled the people that led them in the wrong direction with emotional rhetoric.

But can you imagine if we did that, if America would banish people into the hinterlands for, let's say, giving a speech that was disagreed with by three people? That's all it took—three. They were restrained, of course, because they didn't want to be the next one banished. But that was the system.

We're not going to limit freedom of speech in this country, and we're not going to limit freedom of assembly. We're not going to say you cannot get together and talk about these things because we know that an open public discourse and dialogue, what emerges from that are—we believe in this reason that we have inherited from the Greeks and other civilizations, that what will emerge is the most logical, rational policy.

□ 1400

That's what I'm advocating for, Mr. Speaker. I want the most logical, rational policy. And I think we need a policy that's right for America.

I have an obligation to preserve, protect and defend the Constitution of the United States and represent my constituents and represent my State and represent my country. And all of those things should be compatible with each other. And I believe they are. And I've not found myself in a conflict here between them.

So I suggest that we have open dialogue, we have open debate. I challenge this civilization to be reasonable, have reason, be analytical, be a critical thinker.

We send our kids off to school, and sometimes they're just taught a mantra, but they're not taught to take ideas apart and understand the components of them and put them back together. Well, I've just taken America apart and described some of its essential components, history apart, and put it back together, Mr. Speaker, and, hopefully, informed this body of some of the principal reasons why America is such a great Nation.

We're a great Nation because we have God-given liberty. We would not be a great Nation if we didn't exercise those God-given liberties. If we don't have access to those rights, if we don't put our positions out there in front of the public and challenge the people in this country to analyze those alternatives—what if we went down one path?

What if some leader from on high, let's just say King George, not Prince George today, but King George, what if he decided we're going to go down this path, and no one shall discuss anything outside of this line that I've described for you?

What kind of a country would we be?

Would we believe that one mortal individual can chart a path for this country superior to the collective wisdom of 316 million people?

I don't think so, Mr. Speaker. And I don't think thinking Americans will either.

But I know that this country's full of emotionalism. As I watched the reactions to the George Zimmerman trial and verdict, I saw a lot of people who simply denied the facts that had been proven in law, and seemed to be incapable of considering anything that didn't concur with their conclusion that they had drawn before they saw the facts.

Now, I engage in this debate. I challenge people to debate with me because I believe one of two things: if I can't sustain myself in debate, I need to go get some more information. I need to get better informed. Or could it be that I'm wrong?

Only two alternatives can come from not being able to sustain yourself in a debate, and I'll go back and get all the information that I can get, but I'll also reconsider, and anybody should. That's why I challenge people to debate. I'll take it up, and we will see who can sustain themselves. We may not get this all resolved in one discussion.

In fact, in this Congress it's been a very rare thing, over the last 10-plus years that I've been here, to see anybody stand up and admit, I was wrong. What you said changes my position. What I learned changes my position.

No, there are too many egos involved in this Congress for that to happen very often. It will happen a little bit privately, it will happen incrementally, but it doesn't happen publicly, unless there's some kind of leverage brought to bear.

So here's my point, Mr. Speaker, and that is this: Our southern border is porous. It's not as porous as it was 7 or 8 years ago, mainly because the economy has grown in Mexico at about twice the rate that it's grown in the United States over the last 4½ or 5 years. We don't have as much pressure on our border.

But I can tell you this: 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico. I can tell you that in Mexico they are recruiting kids to be drug smugglers. Between the ages of 11 and 18 they have arrested and, I believe, incarcerated, and the number of convictions is at least this: over 800 per year over the last couple of years at that ratio of those who are kids who are smuggling drugs into the United States.

We pick up some on our side of the border. That adds to that number, the ones that we catch. Many get away. Every night some come across the border smuggling drugs across the border. Increasingly, the higher value drugs, heroin, methamphetamine, cocaine in some form or another, are being strapped to the bodies sometimes of young girls, teenage girls.

The media is replete with this. Anybody that reads the paper should know, especially those that live on the border, should know that there are many, many young people coming across the border unlawfully who are smuggling drugs into the United States.

They should also know that now, the drug cartels, and I mean specifically, the Mexican drug cartels, have taken over drug distribution in most of the major cities in America. I think intel will tell you every major city in America. And the numbers that I've seen go from a little over 200 cities in this country to 2,000.

I don't know what population that dials it down to or what areas. I haven't seen the map. But it should be appalling to a country and a civilization to see that that's taken place.

When you understand that, according to the Drug Enforcement Agency, of every chain of illegal drug distribution we have in the country, they will tell you, at least privately, as they have to me on multiple occasions, that at least one link is illegal aliens that are smuggling drugs into the United States.

It's important that we know that as a Congress, as a country, as a civilization. If we deny those facts, if we deny the information that comes, even out of the Obama administration that certainly supports those, if you deny the information that comes out through the major media that's there, if you deny what we're told by our law enforcement officers on the border of the United States that are continually interdicting drugs at about the same rate that they did 6 or 7 or 8 years ago, when the population of illegals was flowing over the border at a faster rate than it is today, the illegal drugs coming across the border are roughly similar to that time.

That says there's still a high demand in the United States. A high demand means drugs are likely to come in. If we are enforcing our borders and tightening security the price of drugs should go up. If you look at the price of drugs, I think you're going to find that we haven't been very effective interdicting drugs coming across our southern border.

Part of that is they find new ways to smuggle, and some of those reasons are because kids are being used to smuggle drugs into the United States. That's appalling to me.

The death across the Arizona border, it's still there. It happens through the summer. And this debate taking place now in the middle of the summer is going to end up with more people being found out there on the desert, in the brush, who have lost their lives trying to get into the United States of America.

We need a secure border. We need to build a fence, a wall, and another fence, so we've got two patrolling zones. We need to put the sensory devices on top of there. We need to use our boots on the ground in the most effective way possible.

No nation should have an open borders policy. No nation should have a blind-eye policy towards the enforcement of the laws. No nation can long remain a great nation if they decide to sacrifice the rule of law on the altar of political expediency.

No nation like the United States of America can continue to grow and be a strong nation if we are going to judge people because they disagree with our agenda, rather than the content of their statement.

We have to be critical thinkers. We have to be analytical. We should understand facts from emotion.

And let's pull together, let's understand that we do have compassion. We do have compassion, for every human person deserves dignity. We need to treat them with that warmth, treat them with that love, as the American people always have, just like the Korean War veterans did when they gave themselves for a country they never knew and a people they never met.

But we must not sacrifice the rule of law on the altar of political expediency.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HORSFORD (at the request of Ms. PELOSI) for today on account of a medical-mandated recovery.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 26, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2342. A letter from the Acting Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners [Docket Number: EERE-2013-BT-STD-0020] (RIN: 1904-AC98) received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2343. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Indirect Food Additives: Adhesives and Components of Coatings [Docket No.: FDA-2012-F-0728] received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2344. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Community Right-to-Know; Direct Final Rule to Adopt 2012 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting; Direct Final Rule [EPA-HQ-OEI-2011-0979; FRL-9825-8] (RIN: 2025-AA36) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2010-0280; FRL-9809-7] (RIN: 2060-AR41) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2346. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Outer Banks Bluegrass Festival; Shallowbag Bay, Manteo, NC [Docket No.: USCG-2013-0330] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2347. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas; Bars along the Coasts of Oregon and Washington [Docket No.: USCG-2013-0216] (RIN: 1625-AC01) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2348. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Tall Ships Celebration Bay City, Bay City, MI [Docket No.: USCG-2013-0368] (RIN: 1625-AA08) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2349. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Summer in the City Water Ski Show; Fox River, Green Bay, WI [Docket No.: USCG-2013-0541] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2350. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Sugar House Casino Fireworks Display, Delaware River; Philadelphia, PA [Docket No.: USCG-2013-0495] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2351. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fifth Coast Guard District Fireworks Displays, Delaware River; Philadelphia, PA [Docket No.: USCG-2013-0493] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2352. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Grand Haven 4th of July fireworks; Grand River; Grand Haven, MI [Docket No.: USCG-2013-0547] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2353. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Margate Mother's Association Fireworks Display, Atlantic Ocean; Margate, NJ [Docket No.: USCG-2013-0494] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2354. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Dinghy Poker Run, Middle River; Baltimore County, Essex, MD [Docket No.: USCG-2013-0489] (RIN: 1625-AA08) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2355. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Feast of Lanterns Fireworks Display, Pacific Grove, CA [Docket No.: USCG-2013-0238] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2356. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fairfield Estates Fireworks Display, Atlantic Ocean, Sagaponack, NY [Docket No.: USCG-2013-0212] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2357. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fifth Coast Guard District Fireworks Display Cape Fear River; Wilmington, NC [Docket No.: USCG-2013-0115] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2358. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Skagit River Bridge, Skagit River, Mount Vernon, WA [Docket No.: USCG-2012-0449] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2359. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Venetian Fireworks; Kalamazoo Lake, Saugatuck, MI [Docket No.: USCG-2013-0539] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2360. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Marine Vapor Control Systems [USCG-1999-5150] (RIN: 1625-AB37) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2361. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbojet Engines [Docket No.: FAA-2012-1331; Directorate Identifier 2012-NE-44-AD; Amendment 39-17473; AD 2013-11-13] (RIN: 2120-AA64) received July 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. MCCOLLUM (for herself, Mr. MCGOVERN, Mr. SCHOCK, Mr. CLAY, Mr. RANGEL, Ms. MOORE, Ms. SCHAKOWSKY, Mr. RUSH, Mr. GARAMENDI, Mr. HONDA, Mr. MORAN, Mr. POLIS, Mr. KILMER, and Mr. COHEN):

H.R. 2822. A bill to establish the United States comprehensive strategy for assistance to developing countries to achieve food and nutrition security, increase sustainable and equitable agricultural development, reduce hunger, improve nutrition, and develop rural infrastructure and stimulate rural economies, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TERRY (for himself, Mr. LATTA, and Mrs. WALORSKI):

H.R. 2823. A bill to require the Administrator of the Environmental Protection Agency and the Secretary of Energy to conduct a fuel system requirements harmonization study, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Ohio (for himself and Mr. LAMBORN):

H.R. 2824. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to stop the ongoing waste by the Department of the Interior of taxpayer resources and implement the final rule on excess spoil, mining waste, and buffers for perennial and intermittent streams, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. CAPUANO, Mr. COHEN, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFAZIO, Mr. DEUTCH, Ms. ESHOO, Mr. GRAYSON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HUFFMAN, Mr. ISRAEL, Mr. KEATING, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. VARGAS, Mr. QUIGLEY, Mr. TAKANO, Mr. TONKO, Mr. FARR, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, Mr. SARBANES, Ms. SCHWARTZ, Mr. NOLAN, and Mr. SHERMAN):

H.R. 2825. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. YOUNG of Indiana, Mr. KELLY of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. RENACCI, Mr. BOUSTANY, and Mr. REED):

H.R. 2826. A bill to amend title III of the Social Security Act to prevent the payment of unemployment benefits to incarcerated individuals; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Mr. JONES, Mr. MCKINLEY, and Mr. BRALEY of Iowa):

H.R. 2827. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 2828. A bill to amend titles XI and XVIII of the Social Security Act to prevent fraud and abuse under the Medicare program and to require National Provider Identifiers for reimbursement of prescriptions under part D of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CULBERSON (for himself and Mr. ROKITA):

H.R. 2829. A bill to amend the National Voter Registration Act of 1993 to require an applicant for voter registration for elections for Federal office to affirmatively state that the applicant meets the eligibility requirements for voting in such elections as a condition of completing the application, to require States to verify that an applicant for registering to vote in such elections meets the eligibility requirements for voting in such elections prior to registering the applicant to vote, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H.R. 2830. A bill to prohibit assistance to foreign countries whose governments hold more than $500,000,000,000 in United States Treasury securities, and for other purposes; to the Committee on Foreign Affairs.

By Ms. DELAURO (for herself, Ms. LEE of California, Mr. DEFAZIO, Mr. CLAY, and Mr. GRIJALVA):

H.R. 2831. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Ways and Means.

By Mr. GARDNER (for himself and Mr. POLIS):

H.R. 2832. A bill to amend the Internal Revenue Code of 1986 to facilitate program-related investments by private foundations; to the Committee on Ways and Means.

By Mr. GINGREY of Georgia (for himself, Mr. BURGESS, Mr. HARRIS, Mr. DESJARLAIS, Mr. CASSIDY, Mr. ROE of Tennessee, and Mr. JONES):

H.R. 2833. A bill to amend the Patient Protection and Affordable Care Act so as to eliminate the authority of the Secretary of Health and Human Services to limit the ability of medical providers to conduct lawful business, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 2834. A bill to include under Federal laws granting rights and responsibilities to married couples other couples in other legal unions similar to marriage, including domestic partnerships and civil unions; to the Committee on the Judiciary.

By Ms. JENKINS (for herself, Mr. BARROW of Georgia, Mr. MCKINLEY, Mr. GERLACH, Mr. BRADY of Texas, Mr. JOHNSON of Ohio, and Mr. HARRIS):

H.R. 2835. A bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. LYNCH, Mr. ENGEL, Mr. MCGOVERN, Mr. NEAL, Mr. BISHOP of New York, and Mr. KENNEDY):

H.R. 2836. A bill to strengthen the enforcement of background checks with respect to the use of explosive materials; to the Committee on the Judiciary.

By Mr. MEEHAN (for himself, Mr. LANKFORD, Mr. ROGERS of Alabama, Mr. HASTINGS of Washington, Mr. FARENTHOLD, Mr. KELLY of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. GOWDY, Mrs. ELLMERS, Mr. GIBBS, Mr. BUCSHON, Mr. POSEY, Mr. MURPHY of Pennsylvania, Mr. JORDAN, Mr. DAINES, Mr. LANCE, and Mr. MCHENRY):

H.R. 2837. A bill to prohibit for a one-year period beginning September 30, 2013, the implementation, operation, and coordination of a Federal Data Services Hub or any similar database system for determining or verifying eligibility under the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI:

H.R. 2838. A bill to amend title 46, United States Code, with respect to coastwise endorsements and Puerto Rico, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POCAN (for himself, Mr. RANGEL, Mr. ANDREWS, Mr. BISHOP of New York, Mr. BISHOP of Georgia, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. ELLISON, Mr. ENGEL, Ms. ESTY, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HIMES, Mr. HOLT, Mr. HORSFORD, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PETERS of California, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Ms. ROS-LEHTINEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SCHWARTZ, Ms. SHEA-PORTER, Ms. SINEMA, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WAXMAN, Mr. WELCH, and Ms. WILSON of Florida):

H.R. 2839. A bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes; to the Committee on Armed Services.

By Mr. RADEL:

H.R. 2840. A bill to amend the Agricultural Adjustment Act to exclude raisins from agricultural marketing orders; to the Committee on Agriculture.

By Mr. RAHALL:

H.R. 2841. A bill to amend title 10, United States Code, to ensure that the Secretary of Defense affords each member of a reserve component of the Armed Forces with the opportunity for a physical examination before the member separates from the Armed Forces; to the Committee on Armed Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. LOBIONDO, Mrs. NAPOLITANO, Mr. VARGAS, Mr. ISSA, Mr. SALMON, Mr. HUNTER, Mr. BARROW of Georgia, and Mr. PETERS of California):

H.R. 2842. A bill to create competition in the Department of Agriculture's canned tuna purchasing program to strengthen the Department's buying power, increase the availability of canned tuna to school lunch, child nutrition, and other Federal nutrition programs, and create jobs in the domestic canning industry; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself and Mr. CUMMINGS):

H.R. 2843. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KELLY of Illinois (for herself, Mr. RICHMOND, Mr. LEWIS, Mr. HASTINGS of Florida, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mr. CLAY, Ms. LEE of California, Ms. FUDGE, Ms. MOORE, Mr. DAVID SCOTT of Georgia, Ms. BROWN of Florida, Ms. NORTON, Mr. JEFFRIES, Mr. MEEKS, Mr. PAYNE, Ms. BASS, Mr. CUMMINGS, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CLARKE, Ms. WATERS, Mrs. CHRISTENSEN, Ms. EDWARDS, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, and Mr. RANGEL):

H. Res. 318. A resolution expressing disapproval over the gun violence plaguing America's communities, and calling on the Congress to enact comprehensive gun reforms that reduce gun violence; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Ms. MCCOLLUM:

H.R. 2822.

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

Article I, Section 8, Clause 18, which gives Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers.''

By Mr. TERRY:

H.R. 2823.

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

Art. I, Sec. 8, Cl. 3

By Mr. JOHNSON of Ohio:

H.R. 2824.

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

Article I, Section 8, clause 18

By Mr. CARTWRIGHT:

H.R. 2825.

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

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. REICHERT:

H.R. 2826.

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

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. JOHNSON of Georgia:

H.R. 2827.

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

Clause 3 of section 8 of article I of the Constitution, which sets forth the constitutional authority of Congress to regulate interstate commerce.

By Mr. BILIRAKIS:

H.R. 2828.

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

Article I, Section 8, Clause 1 which states that ''the Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excisese, to pay the Debts and provide for the . . . general Welfare of the United States . . .''

By Mr. CULBERSON:

H.R. 2829.

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

Article I, Section 4, Clause 1

By Mr. MCCAUL:

H.R. 2830.

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

Article I, Section 8, Clause 2.

By Ms. DELAURO:

H.R. 2831.

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

Article I Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GARDNER:

H.R. 2832.

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

Article I Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. GINGREY of Georgia:

H.R. 2833.

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

The Constitutional authority on which this legislation is based in found in Article I, Section 8, Clause 18 of the Constitution, as it is necessary and proper to protect patients and the doctor/ patient relationship.

By Mr. HOLT:

H.R. 2834.

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

Article I of the Constitution of the United States

By Ms. JENKINS:

H.R. 2835.

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

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KING of New York:

H.R. 2836.

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

Article I, Section 8, Clause 6

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

By Mr. MEEHAN:

H.R. 2837.

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

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. PIERLUISI:

H.R. 2838.

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

The constitutional authority on which this bill rests is the power of the Congress to regulate Commerce among the several States, as enumerated in Article I, Section 8, Clause 3 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. POCAN:

H.R. 2839.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. RADEL:

H.R. 2840.

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

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. RAHALL:

H.R. 2841.

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

Article I, section 8 of the United States Constitution, specifically clause 14 (relating to the power of Congress to make rules for the government and regulation of the land and naval forces), clause 16 (relating to the power of Congress to provide for organizing, arming, and disciplining the militia), and clause 18 (relating to the power of Congress to make all laws necessary and proper for carrying out the powers vested in Congress)

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 2842.

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

Article One of the United States Constitution, section 8, clause 18:

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

or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. SENSENBRENNER:

H.R. 2843.

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

Article 1, Section 8, Clause 3 of the U.S. Constitution which grants the power to Congress ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

ADDITIONAL SPONSORS

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

H.R. 22: Mr. MARINO.

H.R. 38: Mr. SCHNEIDER.

H.R. 207: Mr. WEBER of Texas.

H.R. 262: Ms. WATERS.

H.R. 301: Mr. LAMBORN, Mr. CARTWRIGHT, Mr. ANDREWS, and Mr. BACHUS.

H.R. 309: Mr. AUSTIN SCOTT of Georgia.

H.R. 313: Mr. FITZPATRICK.

H.R. 494: Mr. NOLAN, Mr. HARRIS, Mr. THOMPSON of California, Mr. MCDERMOTT, and Mr. MCINTYRE.

H.R. 495: Mr. PITTENGER.

H.R. 525: Ms. LOFGREN.

H.R. 526: Mr. COURTNEY.

H.R. 647: Mr. DENT, Mr. GRAYSON, Mr. LAMALFA, Mr. BISHOP of Utah, and Mr. BUCHANAN.

H.R. 698: Mr. LIPINSKI.

H.R. 713: Mr. NUNES, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Ms. MATSUI, Mr. LONG, Ms. HANABUSA, Mr. WHITFIELD, Mr. COURTNEY, Mr. OWENS, Mrs. DAVIS of California, Mr. THOMPSON of Pennsylvania, Mr. YARMUTH, Mr. MCGOVERN, and Mr. ANDREWS.

H.R. 847: Mr. HINOJOSA.

H.R. 855: Mr. WELCH and Mr. CASTRO of Texas.

H.R. 900: Mr. O'ROURKE.

H.R. 901: Mr. LIPINSKI.

H.R. 911: Mr. MULLIN.

H.R. 920: Mr. LIPINSKI.

H.R. 924: Mr. PAYNE.

H.R. 938: Mr. PRICE of North Carolina, Mr. HARPER, and Mr. COOPER.

H.R. 940: Mr. COOK.

H.R. 946: Mr. HUDSON.

H.R. 961: Mr. MURPHY of Florida.

H.R. 1000: Mr. TAKANO.

H.R. 1024: Ms. MOORE, Ms. LINDA T. SAÑCHEZ of California, Mr. ROGERS of Michigan, and Mr. DESANTIS.

H.R. 1091: Mr. BUCSHON, Mr. GOWDY, Mrs. BACHMANN, and Mr. HURT.

H.R. 1176: Mr. SAM JOHNSON of Texas.
H.R. 1201: Mrs. BEATTY and Mr. SALMON.
H.R. 1240: Mr. CARTWRIGHT.
H.R. 1250: Mr. MCGOVERN.
H.R. 1263: Mr. ROGERS of Michigan.
H.R. 1288: Mr. FARENTHOLD and Mr. SIRES.
H.R. 1318: Ms. KELLY of Illinois.
H.R. 1346: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NADLER, Ms. CLARKE, Mr. NOLAN, and Mr. KILDEE.
H.R. 1362: Mr. MCDERMOTT.
H.R. 1414: Ms. BONAMICI and Mr. RYAN of Ohio.
H.R. 1428: Mr. LEWIS, Mr. COHEN, and Mr. MARCHANT.
H.R. 1449: Mr. YARMUTH.
H.R. 1473: Mr. FLEISCHMANN and Mr. LIPINSKI.
H.R. 1563: Mr. HANNA.
H.R. 1667: Mr. MCDERMOTT.
H.R. 1695: Mr. FARR, Mr. O'ROURKE, and Ms. LOFGREN.
H.R. 1732: Mr. COOK.
H.R. 1749: Mr. CARTWRIGHT.
H.R. 1801: Mr. LIPINSKI, Mr. BISHOP of New York, Mr. SCHIFF, and Mr. KENNEDY.
H.R. 1814: Mr. DOYLE, Mr. SHIMKUS, Mr. WEBER of Texas, Mr. ROTHFUS, Mr. KILMER, and Mr. ISSA.
H.R. 1816: Mr. GALLEGO.
H.R. 1845: Mr. BLUMENAUER.
H.R. 1891: Mr. CARTWRIGHT.
H.R. 1918: Mr. DANNY K. DAVIS of Illinois.
H.R. 1980: Mr. ENYART.
H.R. 2000: Mr. CÁRDENAS.
H.R. 2002: Mr. CARTWRIGHT.
H.R. 2011: Mr. CARTWRIGHT and Mr. CARNEY.
H.R. 2026: Mr. FORBES.
H.R. 2036: Mr. CARTWRIGHT.
H.R. 2058: Mr. COHEN, Mr. CARTWRIGHT, and Ms. ESHOO.
H.R. 2085: Mr. KELLY of Pennsylvania.
H.R. 2086: Mr. COBLE and Mr. HASTINGS of Florida.
H.R. 2116: Mr. SCOTT of Virginia, Mr. RYAN of Ohio, and Ms. FUDGE.
H.R. 2137: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2144: Mr. CAPUANO.
H.R. 2237: Mr. CARTWRIGHT.
H.R. 2288: Mr. SWALWELL of California.
H.R. 2305: Ms. SCHWARTZ and Mr. BLUMENAUER.
H.R. 2328: Ms. GRANGER.
H.R. 2368: Ms. LOFGREN.
H.R. 2369: Mr. WATT, Mr. COHEN, Mr. MORAN, and Mr. HASTINGS of Florida.
H.R. 2372: Mr. WATT, Mr. COHEN, and Mr. HASTINGS of Florida.
H.R. 2417: Mr. SAM JOHNSON of Texas.
H.R. 2429: Mrs. BACHMANN.
H.R. 2445: Mr. PERRY.
H.R. 2453: Mrs. BLACKBURN, Mr. PEARCE, and Mr. PAULSEN.
H.R. 2468: Mr. GRIMM and Ms. NORTON.
H.R. 2475: Mr. GRIFFITH of Virginia, Ms. LEE of California, Mr. CONNOLLY, and Mr. MORAN.
H.R. 2484: Mr. YOHO.
H.R. 2495: Mr. FOSTER.
H.R. 2500: Mr. WALDEN.
H.R. 2511: Mr. FLEISCHMANN.
H.R. 2530: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2531: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2532: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2533: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H.R. 2539: Mr. COHEN.
H.R. 2541: Mr. SMITH of Texas.
H.R. 2575: Mr. PETRI, Mr. MICA, and Mr. MARINO.
H.R. 2590: Mr. BUCHANAN and Mrs. BEATTY.
H.R. 2663: Mr. TIPTON.
H.R. 2682: Mr. DESJARLAIS.
H.R. 2690: Mr. KEATING, Mr. WELCH, Mr. GRAYSON, Mr. CLAY, and Mr. CÁRDENAS.
H.R. 2692: Mr. DUNCAN of Tennessee, Ms. BORDALLO, Ms. SPEIER, Ms. LEE of California, and Mr. NADLER.
H.R. 2717: Mr. PEARCE and Mr. POMPEO.
H.R. 2745: Mr. FORBES.
H.R. 2761: Ms. SINEMA, Mr. CONNOLLY, and Ms. SCHAKOWSKY.
H.R. 2764: Mr. KINGSTON and Mr. BRIDENSTINE.
H.R. 2768: Mr. GRIFFIN of Arkansas and Mr. WEBSTER of Florida.
H.R. 2769: Mr. GRIFFIN of Arkansas.
H.R. 2772: Ms. FUDGE, Mr. JOYCE, Mr. MEEHAN, and Ms. MOORE.
H.R. 2775: Mr. MEEHAN, Mr. BOUSTANY, Mr. BURGESS, Mr. WENSTRUP, Mr. GRIFFIN of Arkansas, Mr. DESJARLAIS, Mr. FLEISCHMANN, Mr. BENISHEK, Mr. THORNBERRY, Mr. GERLACH, Mr. BUCSHON, Mr. TIBERI, Mr. NUNES, Mr. REED, Mr. ROSKAM, Mr. REICHERT, Mr. FINCHER, Mr. ROE of Tennessee, Mr. FLEMING, Mr. BILIRAKIS, Mr. DUNCAN of Tennessee, Mr. LANKFORD, Mr. WOMACK, Mr. MCKINLEY, Mr. ROGERS of Alabama, Mr. ALEXANDER, Mr. BARTON, Mr. CHAFFETZ, Mr. SCHOCK, Mr. BUCHANAN, Mr. MCCAUL, Mr. FLORES, Mr. WEBER of Texas, Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. BARR, Mr. ROTHFUS, and Mr. RYAN of Wisconsin.
H.R. 2780: Mr. MCDERMOTT, Ms. LEE of California, Mr. SMITH of Washington, Mr. HOLT, Ms. CLARKE, Ms. SPEIER, Ms. WATERS, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2805: Mr. VARGAS, Mr. CULBERSON, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. THORNBERRY, Mr. SAM JOHNSON of Texas, Mr. FLORES, Mr. CARTER, Mr. WILLIAMS, Mr. CONAWAY, Mr. SESSIONS, Mr. STOCKMAN, and Mr. WEBER of Texas.
H.R. 2807: Mr. THOMPSON of Mississippi.
H.R. 2812: Ms. LEE of California, Mr. DAVID SCOTT of Georgia, and Mr. CLAY.
H.J. Res. 24: Mr. BENISHEK.
H.J. Res. 51: Mr. MILLER of Florida.
H. Res. 75: Mr. COHEN.
H. Res. 101: Mr. WOLF.
H. Res. 109: Mr. ENGEL and Mrs. BEATTY.
H. Res. 111: Mr. POE of Texas.
H. Res. 236: Mr. THOMPSON of California.
H. Res. 280: Mr. GRIFFIN of Arkansas, Mr. BRADY of Texas, and Mr. RADEL.
H. Res. 281: Mr. POLIS, Mr. WALBERG, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Mr. Marchant, Mr. FITZPATRICK, Mr. SENSENBRENNER, Mr. DANNY K. DAVIS of Illinois, Ms. VELÁZQUEZ, Mr. FRELINGHUYSEN, and Mr. POE of Texas.
H. Res. 284: Mr. JOHNSON of Ohio.
H. Res. 293: Mr. CARTWRIGHT, Ms. GABBARD, Mr. MCHENRY, Mr. DENHAM, and Mrs. BUSTOS.
H. Res. 304: Mr. MCGOVERN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, JULY 25, 2013 No. 108

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Our Father, be with our Senators not only in great moments but also in the repetitive and common tasks of life. Make them children of faith and heirs of peace. May they tackle even mundane responsibilities with integrity and faithfulness, cheerfulness and kindness, optimism and civility. Lord, give them wisdom to be patient with others, ever lenient to their faults and ever prompt to praise their virtues. May they bear one another's burdens and so fulfill Your law. Keep them ever mindful of the brevity of life and of the importance of being faithful in little things.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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, July 25, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, there will be a period of morning business until 11 a.m., with the first 30 minutes controlled by the majority and the second 30 minutes by the Republicans.

Following morning business the Senate will resume consideration of S. 1243, which is the Transportation appropriations bill. Senator MURRAY will continue to work through the amendments with ranking member SUSAN COLLINS from Maine. We also hope to vote on confirmation of the West nomination to be Associate Attorney General. Senators will be notified when votes are scheduled.

DOING WHAT IS GOOD FOR AMERICA

Mr. REID. Mr. President, about 80 years ago when President Franklin Roosevelt first proposed Social Security as insurance against poverty in old age, the idea was controversial, new, never been done before, nothing like it. But in 1935, 97 Republicans joined Democrats in Congress to create one of the most successful programs—if not the most successful program—in the history of our country and in the world.

Two decades, about sixty years later, President Dwight Eisenhower proposed the Nation's first interstate highway system, proposing the investment would pave the way for a new era of American growth.

Why did Dwight Eisenhower do this? As a young major in the Army, he was directed to bring a convoy of troops and equipment across the country and he determined at that time something had to be done. The roads were nonexistent, and those that existed were not in very good shape. So when he became President, after having been such a successful leader of our efforts in World War II, he asked Congress to invest $50 billion. Under present-day dollars, that would be about $500 billion. That meant almost 50,000 miles of new highways.

There are still ideas out there we should do. Eisenhower, along with Roosevelt, did some things that were new and unique. But look back at what they did. Look at the good of Social Security. Look at the good of our interstate highway system.

With the highway bill, back in 1956, the bipartisan vote wasn't even close. Listen to this: It passed the Senate 89–1. It was approved in the House of Representatives by a voice vote.

About 40 years after President Roosevelt decided he should do something about taking care of people in their golden years here in America, President Harry Truman envisioned a program that would protect every senior citizen from illness and need. Well, 83 Republicans helped Lyndon Johnson and Democrats in Congress create Medicare. Democratic President Roosevelt, Republican President Eisenhower, Democratic Presidents Truman and Johnson were the reason we have Medicare. Since the law was enacted in 1965, poverty among seniors in this country has decreased and life expectancy has increased every 10 years because of Medicare.

On each of these occasions I have talked about, and countless others throughout the course of American history, lawmakers—divided by political

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

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party—have united to pass important groundbreaking legislation. On the issues that matter most—when lives are at stake, when the country and the economy of the country is at stake, when America's competitiveness is at stake—lawmakers, divided by political party, have been drawn together by shared priorities. It is time to renew that tradition.

Over the last 5 years, this Nation has dug its way out of the hole created by the great recession. I could go into reasons why the great recession happened, but let's drop that for now. It happened. We have an opportunity now to come together again, this time to lay the foundation for a stronger, smarter, and more competitive America.

As Democrats and Republicans came together in the past to ensure the health and dignity of our Nation's seniors, as Democrats and Republicans came together to pave the way for a mobile and competitive economy, so Democrats and Republicans today must come together to build a future where hard work is all it takes to turn opportunity into prosperity.

Yesterday President Obama laid out a roadmap to restore that promise for every American. The speech took an hour, but every minute of it was important. He laid out a vision to encourage responsible home ownership, to educate a new generation of workers, and to create jobs rebuilding Eisenhower-era roadways and bridges.

Every day I am impressed by President Obama's focus on restoring a vibrant economy. And every day I am encouraged by his optimism that with a little cooperation and the help of a few reasonable Republicans, we can achieve that goal. We only need a handful of Republicans to break away from what has gone on this past 5 years. I look forward to hearing more details from the President about his proposals in the coming days and weeks.

President Eisenhower understood that lawmakers—Republican or Democrat—should be drawn together by shared priorities. We should all play on the same team. This is what he said:

> I have one yardstick by which I test every majority problem—and that yardstick is: Is it good for America?

General Eisenhower was right then and he is right today.

Throughout our Nation's history, Congress has used that same measure. But over the last 5 years, something has changed. When my Republican counterpart said his No. 1 goal was to defeat President Obama, the words ''at any cost'' were implied.

Since 2009, Republicans have refused to join Democrats in the important job of legislating. It has worked. They have refused to join us in leading, preferring instead to stake out ideological territory or try to score political points. Republicans have balked at new ideas. But they have also balked at old ideas they once supported, solely because those ideas are now favored by President Obama. This kind of opposition for opposition's sake has resulted in gridlock and dysfunction and bitter bipartisanship, hostage-taking and standoffs.

I was on a long interview on public broadcasting yesterday. They asked, What about the numbers of Congress being so low? I said, I haven't gotten a call from any of the pollsters, but if I had, I would agree with this number. Congress is dysfunctional, and that is unfair to the American people. It has made it almost impossible for Congress to advance the big ideas, to achieve the big things, to realize the big dreams it once could. But it is not too late for reasonable people from both parties and on both sides of the Capitol to change that. It is not too late for lawmakers, divided by political party but sharing the same priorities, to unite to pass important legislation.

Like President Obama, I am an optimist. I remain hopeful despite the disagreements and difficulties over the last 5 years. I am hopeful my Republican colleagues are using the same yardstick as I am. And I know they are asking themselves, as I am, Is it good for America?

RECOGNITION OF THE MINORITY LEADER

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

WORKING WITH OTHERS

Mr. MCCONNELL. Mr. President, like the President, I appreciate a good literary reference every now and then. Placed in the proper context, a citation from some great writer or thinker can sum up a vision and inspire people.

When Douglas MacArthur bade farewell to West Point, he echoed an ancient thinker's ominous warning that ''only the dead have seen the end of war.'' And the biblical references in JFK's famous inaugural address represent another classic use of the well-placed quote.

But I think a lot of people are still scratching their heads about President Obama's promise yesterday to bring Americans an ''ocean of tomorrows.'' Frankly, I don't even think that Carl Sandburg fans out there would get it. I wonder: Does he? Because the President himself said his speech probably wouldn't change any minds.

Even the advisers who endlessly hyped this thing more or less conceded there wouldn't be any there there—no groundbreaking proposals, no tack to the center, no promise to finally start working collaboratively with Congress. Well, they were right. So you have to ask, what was the point?

Look, this President is a terrific campaigner. We all recognize that. He has a way with words too. But at some point campaign season has to end and the working with others season has to begin. At some point you have to stop promising an ocean of tomorrows and start actually working with the representatives of the people. Because, let's be perfectly clear, Americans aren't worried about how many tomorrows there are to come. They are worried about what those tomorrows will actually bring: the bills in tomorrow's mail, the cuts in tomorrow's paycheck, the affordability of tomorrow's health costs. These are the things that can't be addressed with reheated speeches or clever quotes. They require actually working with people, including those you might not always agree with.

For instance, going around telling people ObamaCare is working the way it is supposed to or that it is fabulous or wonderful, as several of our Democratic friends have done, doesn't change reality. It is just words. It doesn't change the fact that recent surveys show only 13 percent of Americans now believe the law will help them or that about half believe it will make things worse for the middle class or that actuaries are now predicting cost increases of 30 percent or more in my home State of Kentucky.

I know the President likes to point to the few places, as he did yesterday, where premiums might actually drop under ObamaCare, but he is basically silent on the places where it has been announced that premiums will go up under ObamaCare, and he will not say a word about all the people who have lost their jobs or seen their pay cut.

For instance, the Washington Post recently profiled a part-time college professor from Virginia who, like many in his situation, will see his hours slashed as a result of this law. As the Post put it:

> For [this man], the President's health care law could have meant better health insurance. Instead, it produced a pay cut.

And, many would agree, not for the better, especially for the growing number of Americans forced into part-time work with fewer hours and smaller paychecks as a result.

One part-time waitress interviewed in another paper said:

> I can't believe I voted for this. This is not the change I wanted, and it feels like there's no hope.

So if the President is ready to pivot from campaign mode to governing mode, he can start by dropping the misleading claims and admitting what pretty much everybody knows: that a lot of Americans are going to feel the pain once this ocean-full of tomorrows finally crashes ashore. Americans are worried, and I don't blame them.

Just last week, as I often do, I met with employers from around Kentucky who expressed continued concerns about the impact this law will have on their operations. They want the Democrats who run the Senate to follow the lead of the House in delaying ObamaCare for everyone, both businesses and individuals, and they know it makes sense to do so. I know they want the President to sign the bill when it passes, and I agree he should. It would be a great first step toward

implementing the permanent delay our country needs—a delay that would give Republicans and Democrats the chance to start over and work together, this time on a bipartisan step-by-step set of health reforms that would actually lower costs.

But we cannot get there until the President changes his mindset, until he puts the poetry down for a moment, flips the campaign switch off and the governing switch on. When he does, I think he will be surprised to find just how many Republicans want to do exactly what we have said all along—to work with him on solutions to get our economy moving, our jobs growing, and our health care more affordable. We are waiting. Americans are waiting. I hope he will finally be ready soon.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Mr. MCCONNELL. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

CREDIT RATING AGENCIES

Mr. FRANKEN. Mr. President, I rise today to discuss a problem I have spoken about many times over the past 3 years, beginning with debate on the Dodd-Frank Wall Street reform bill. That bill, which Congress passed in July 2010, contained a provision I authored with my Republican colleague Senator ROGER WICKER of Mississippi. Our provision gave the Securities and Exchange Commission the authority to issue rules to address the conflicts of interest inherent in the credit rating industry—conflicts of interest which contributed mightily to our recent financial collapse and which have continued to plague that industry through today.

I am speaking about this issue again because even though the conflicts continue to put our economy at risk, the SEC still has not proposed meaningful reforms. The SEC has studied the issue, the Financial Crisis Inquiry Commission has studied the issue, and the Permanent Subcommittee on Investigations has studied the issue. Now it is time to move forward and take action on the issue.

Let me start off by briefly reminding everyone what this conflict of interest is about and why it is important. In the years leading up to 2008 financial collapse the credit rating agencies were enjoying massive profits and booming business. There is nothing inherently wrong with massive profits and booming business, but there was one fundamental problem: Booming business was coming at the expense of accurate credit ratings, which is supposed to be the entire reason for the existence of the credit rating agencies.

Credit rating agencies were and still are paid to issue ratings directly by the big Wall Street banks issuing the paper and requesting the ratings. If a rating agency—let's say Moody's—does not provide the triple-A rating the bank wants, the bank can then just take its business over to Fitch or S&P. That is called ratings shopping, and it continues to this day. The opportunity for ratings shopping creates an incentive for the credit raters to give out those triple-A ratings even when they are not warranted, and that is exactly what happened with the subprime mortgage-backed securities that played such a crucial role in the financial crisis—and it happened over and over. It became ingrained in the culture of the industry.

The Permanent Subcommittee on Investigations, chaired by Senator LEVIN, took a close look at the big three rating agencies, examined millions of pages of documents, and released an extensive report detailing the internal communications at Moody's, S&P, and Fitch. Among the many troubling e-mails, there is one in particular from an S&P official that sums up the prevailing attitude quite nicely: ''Let's hope we are all wealthy and retired by the time this house of cards falters.''

With all the risky bets in the financial sector—and bets on those bets—our financial sector indeed became a house of cards. But without the conduct of the credit raters, the house of cards would have been just one card tall.

Two years after that e-mail was written, that house of cards did not just falter, it collapsed. Because that house of cards had grown several stories high, when it collapsed it brought down the entire American economy with it. The financial meltdown cost Americans $3.4 trillion in retirement savings. It triggered the worst crisis since the Great Depression with its massive business failures and mass foreclosures and job losses and the explosion of our national debt.

The crisis profoundly affected the everyday lives of millions of Americans in so many negative ways, including in Minnesota. People lost their homes, their jobs, their retirement savings, and their health insurance.

I have previously shared on the floor the story of my constituent Dave Berg from Eden Prairie, MN. He testified at a field hearing I had in May of 2010 and told his story about having to start over—finding a new job and rebuilding his retirement savings—at 57 years of age. His reflections on his experience in the recession mirror those of millions of other Americans.

He said:

> The downturn of the economy, caused in part by the abuses on Wall Street, led to the loss of my retirement security. Reforming the way Wall Street operates is important to me personally, because I have a lot of saving yet to do—and I simply cannot afford another Wall Street meltdown. I need to have confidence in the markets—and I need to know there is accountability to those who caused a financial crisis.

It is hard to overestimate the extent to which the credit rating agencies contributed to the financial crisis in which millions like Dave Berg lost their jobs, their homes, and far too many Minnesotans had their hopes for the future dashed.

These Americans are not necessarily seeking retribution from Wall Street. They just need to be assured it will not happen again. They know there is a problem and the problem needs to be fixed.

We do not need further proof of that, but we get it in the February complaint filed by Department of Justice against S&P in which DOJ alleges—as it stated when it filed the complaint—that the credit rating agency ''falsely represented that its ratings were objective, independent, and uninfluenced by S&P's relationships with investment banks when, in actuality, S&P's desire for increased revenue and market share led it to favor the interest of these banks over investors.''

The complaint highlights the patently problematic way the credit rating agencies habitually did business. One e-mail obtained in that investigation from a high-level S&P official reads:

> We are meeting with your group this week to discuss adjusting criteria for rating CDO's of real estate assets . . . because of the ongoing threat of losing deals.

CDOs—collateralized debt obligations—are one of those derivatives, or bets, that added stories to the house of cards. This official had apparently become so comfortable with the culture of conflicts of interest that he appeared to have no reservations about putting it in writing.

In fact, a while ago, S&P asked the judge in the case to throw out the Justice Department lawsuit against them by pointing to a previous decision made by a U.S. district court judge in an earlier securities fraud case against them. That earlier suit against the S&P had been filed by shareholders who said they had bought their shares believing that S&P's ratings were independent and objective—as the S&P had

long declared. But the judge in the earlier case dismissed the shareholders' suit, finding that the S&P's statements that their ratings were independent and objective were ''mere puffery.'' In other words, no one could take S&P's statements about their ratings objectivity and independence seriously. It was just puffery and advertising that no one could believe.

Very recently, S&P tried to use—in the Department of Justice's case against them in their filing—the earlier ''puffery'' ruling to try to get the Justice Department suit thrown out against them. So S&P's legal argument was that no one could reasonably think that they had a reputation for producing independent and credible ratings.

Thankfully, earlier this month, the judge in the DOJ suit ruled that the DOJ suit could go forward and said last week he found S&P's puffery defense to be ''deeply and unavoidably troubling.''

S&P's rationale should strike us all as deeply and unavoidably troubling because their legal defense—this is S&P's legal defense—said no one could possibly rely on their ratings. But their job is to provide independent, objective, and accurate ratings. Millions of Americans lost their jobs because S&P didn't do its job. S&P didn't do their one job. They have one job and that is to provide accurate ratings. They didn't do their one job. They have no other job.

I am glad the Department of Justice is pursuing this case, but DOJ's action is not enough. It is backward-looking and addresses past harms. My concern is that the conduct continues to this day.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. FRANKEN. Mr. President, I ask unanimous consent for 5 more minutes.

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

Mr. FRANKEN. Mr. President, I am glad the DOJ is going forward in pursuing this case, but as I said it is not enough. It is backward-looking and addresses past harms. My concern is that the conduct continues to this day. The credit raters are still influenced by the relationships with the banks because that is who pays them. It is a clear conflict of interest, and we need to prioritize actions that will prevent another meltdown in the future.

The Dodd-Frank provision I wrote with Senator WICKER, if implemented in full, would root out the conflicts of interest from the issuer pays model. The amendment we offered and the Senate passed directed the SEC, Securities and Exchange Commission, to create an independent self-regulatory organization that would select which agency—one with the adequate capacity and expertise—would provide the initial credit rating of each structured financial product.

The assignments would not be based just on the agency's capacity and expertise but also, after time, on its track record. Our approach would incentivize and reward excellence. The current pay-for-play model—with its inherent conflict of interest—would be replaced by a pay-for performance model. This improved market finally allows smaller rating agencies to break the Big Three's oligopoly.

The oligopoly is clear. The SEC estimates that as of December 31, 2011, approximately 91 percent of the credit ratings for structured finance products were issued by the three largest credit rating agencies—Fitch, Moody's, and S&P—each of which was implicated in the PSI investigation. The other five agencies doing structured finance make up the remaining 9 percent.

The current oligopoly does not incentivize accuracy. However, if we move to a system based on merit, the smaller credit rating agencies would be better able to participate and serve as a check against inflated ratings, thereby helping to prevent another meltdown.

In our proposed model, the independent board would be comprised mainly of investor types—managers of university endowments and pension funds—who have the greatest stake in the reliability of credit ratings, as well as representatives from the credit rating agencies, the banking industries, and academics who have studied this issue.

Our amendment passed the Senate with a large majority, including 11 Republican votes. This is not a progressive or conservative idea, it is a commonsense idea.

The final version of Dodd-Frank modified the amendment and, to be frank, put more decisionmaking authority in the hands of the SEC as to how to respond to the problem of conflicts of interest in the credit rating agency industry. The final version directed the SEC to study the proposals that Senator WICKER and I made, along with other alternatives, and then decide how to act.

The SEC released its study in December. The study acknowledged the conflicts of interest in the credit rating industry and reviewed our proposal and many of the alternatives. They laid out the pros and cons of each proposal without reaching a definitive conclusion on which route to pursue.

The study also proposed holding a roundtable discussion to further examine reform opportunities. This SEC convened this roundtable on May 14, and both Senator WICKER and I had the opportunity to present opening remarks. Bloomberg News had a good article on the roundtable on March 14, including several key quotes that I am going to use in my remarks. The roundtable provided a rigorous examination of our proposal and of the alternatives.

One executive who was from a smaller rating agency endorsed the concept of a rotating assignment system to help break up the current oligopoly. Jules Kroll, the CEO of Kroll Bonding Credit Agency, said of the Big Three: ''They're selling themselves out, just as they did before.''

The Big Three were also represented at the roundtable. An S&P representative argued against meaningful reform by suggesting that ''a government assignment system could create uncertainty, could slow down markets, and disrupt capital flows at a time when we could least afford it.'' He didn't mention puffery. Unsurprisingly, I disagree with his characterization and would indeed suggest that what we can least afford is to maintain the status quo.

An alternative proposal, the continuation of the 17g-5 proposal, was met with more than a little skepticism. The 17g-5 Program seeks to encourage unpaid, unsolicited ratings by requiring the sharing of data on which ratings are based. The theory is, unsolicited ratings will keep paid ratings honest. Joseph Petro of Morningstar Credit Ratings said using the unsolicited rating program ''is not the best use of resources as we're trying to build out our ratings platform.'' SEC Commissioner Troy Paredes made a strong point when he noted that negative, unsolicited ratings by a firm ''may not be the best way to get business in an issuer-pays setting.'' By the time the report was written, the 17g-5 Program had produced only one or two ratings.

I have said all along that I believe the proposal of Senator WICKER and myself is a good one and the right one, and I continue to believe that more and more as I have thought about it and looked at it in the years now since we originally wrote the legislation. But I have also said I am open to any other meaningful proposals, and I will support any proposal the SEC recommends that addresses the conflicts of interest in a meaningful way. But the Roundtable made very clear once again that reform is necessary and that the status quo is inadequate to protect American investors, workers, and homeowners in the years ahead.

Dealbreaker.com, a satirical blog that covers Wall Street, ran a post on the day of the SEC Roundtable with this title: ''The SEC Will Keep Talking About Credit Rating Agencies Until Everyone Stops Paying Attention.'' That is one approach Wall Street regulators can choose to take and it would be completely unacceptable. To do that would be to fail the American people. Senator WICKER and I have worked with the SEC continuously over the past 3 years, and I will continue to pursue this issue until the SEC fulfills its directive to address the conflicts of interest in the credit rating industry. I am obligated to my constituents and to the American public to make sure that satirical headline does not become reality.

I look forward to working with the SEC on the next steps toward a proposed rule on credit rating reform.

I yield the floor, and I note the presence of both of my esteemed colleagues

from Hawaii, including the one presiding, and Senator HIRONO, who is about, I believe, to ask for the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS

Ms. HIRONO. Mr. President, I rise today to speak in support of S. 1243, the Transportation, Housing and Urban Development and Related Agencies Appropriations Act for 2014. I wish to thank Senators MURRAY and COLLINS as well as Senators MIKULSKI and SHELBY for their hard work. The bill before us reflects the bipartisan agreement that funding our Nation's transportation and housing infrastructure is vital to creating jobs and supporting strong communities.

I wish to thank the committee for funding programs that support projects that are especially crucial for my home State of Hawaii.

First, the committee's bill provides nearly $2 billion for capital improvement grants which support transit projects across the country. Especially important for Hawaii is Honolulu's rail transit project which, when completed, will provide much needed relief for Oahu's commuters. Studies have shown that during the morning peak period, the average travel time from East Kapolei to Honolulu is 89 minutes—89 minutes for a 17-mile drive. The rail will turn that into a 40-minute ride above traffic. The project is estimated to remove roughly 40,000 cars from Oahu's congested roadways, providing relief for buses and other surface public transportation services.

While the rail project is a crucial step forward for developing Hawaii's most populous island, it is the committee's support for Hawaii's indigenous people for which I especially extend my thanks. The committee's funding of both the Native Hawaiian Housing Block Grant and the 184A Loan Guarantee Program will help our Nation continue fulfilling its trust obligations to Native Hawaiians.

In 2010, the American Community Survey reported that 27.2 percent of Native Hawaiians in Hawaii live in overcrowded conditions, compared to 8.5 percent of Hawaii's total population. In addition, the overall cost of living in Hawaii is almost 50 percent higher than the United States average, and housing costs are almost 150 percent higher. Coupled with these costs is the fact that 18 percent of Native Hawaiians live in poverty.

The ACTING PRESIDENT pro tempore. The time of the majority has expired.

Ms. HIRONO. I ask unanimous consent for an additional 5 minutes.

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

Ms. HIRONO. Thank you, Mr. President.

Congress created the Hawaiian Home Lands trust to provide housing and settlement opportunities for Native Hawaiians. However, as the statistics I just laid out show, this indigenous population continues to struggle with finding affordable quality housing in their place of origin.

That is why the Native Hawaiian Housing Block Grant, or NHHBG, is so important. These funds can be used for a variety of initiatives. For example, the current wait list for access to housing on homestead land is long and continues to grow. Funding the NHHBG helps the Department of Hawaiian Home Lands to continue developing lands to meet the housing needs of those on the wait list as well as future beneficiaries, allowing the Department to effectively administer this trust responsibly.

The 184A Program is another important tool for assisting Native Hawaiians in securing homes on homesteads—lands they cannot own. As I have mentioned, the cost of living—especially housing—in Hawaii is among the highest in the country. On top of saving up the cost of a downpayment for a mortgage, there is the tricky task of securing a mortgage for a home without ownership of the land beneath it. This has proved problematic not only for Native Hawaiians but also Native Americans and Alaska Natives. The 184A Loan Guarantee Program helps get Hawaiians onto homesteads by providing a guarantee for lenders who are unfamiliar with the Hawaiian homes program.

I also wish to thank the committee for supporting the Essential Air Services Program. Being an island State, Hawaii is uniquely affected by any changes to air transportation policy. For us, driving between counties is not an option. So air service is, for all intents and purposes, the only way to get from one island to another.

There is a population in Hawaii that uniquely demonstrates the reason for the Essential Air Service Program: the residents of Kalaupapa. Kalaupapa is an isolated peninsula on the island of Molokai. Beginning in 1966, this area was used as an exile for Hansen's disease patients. This practice continued until a quarantine of the area was finally lifted in 1969. It was precisely because of Kalaupapa's remoteness and isolation that it was selected to serve this function for Hansen's disease patients.

There are Hansen's disease patients who still reside in Kalaupapa. Their only option for getting in and out of the area for medical treatment, or to visit family and friends, is flying. Maintaining proper funding for the Essential Air Service Program directly translates into assuring continued access for the people of Kalaupapa to other communities and the services they need.

The committee's bill also provides appropriate levels of funding for larger national programs such as the Community Development Block Grant, or CDBG. Certainly, Hawaii has been able to put CDBG funds to good use, and agencies across the country rely on this essential block grant funding to continue meeting the needs of their most vulnerable populations.

The HOME Investment Partnerships Program is yet another example where the funding level in the Senate's bill is warranted. If Hawaii is any indication, HOME funds move out the door so quickly that many subgrantees with equally worthwhile projects are left waiting for the next fiscal cycle to compete.

The support for CDBG, HOME, and other programs in the bill provides communities across the country with the means to provide safe, affordable housing for the least fortunate, the elderly, and others. However, as the wide support for these programs demonstrates, there is more need in our communities than there are resources. Since the sequester has taken effect, things have only gotten harder for those who are struggling the most. Every day it seems we hear about housing vouchers being frozen or rescinded or about how elderly or support services are being cut back or about how the lines for limited public housing grow as people who have been out of work for too long exhaust their savings. For many of the people who rely on these programs, there is nowhere else to turn.

This bill doesn't fix all of the problems caused by the sequester, nor does it fully address the critical needs to create jobs. However, it is a bipartisan step forward that makes positive progress in all of these areas. Perhaps it will give us some momentum in tackling those big challenges our Nation faces in a more comprehensive way.

I urge my colleagues to support this important legislation.

Thank you, Mr. President. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Mr. President, we now know, the IRS targeting scandal implicates senior officials at the very highest levels of the Internal Revenue Service. Indeed, we know the Office of the Chief Counsel of the IRS, headed by an administration appointee, was aware of the abuses, according to sworn testimony in the House of Representatives. We know that former IRS Commissioner Douglas Shulman categorically denied those abuses in March of 2012, even though senior IRS officials learned about them as early as June 2011. We know the IRS official who first revealed the abuses to the American people decided to take the Fifth Amendment, invoking her right not to incriminate herself, rather than testify before Congress. Finally, we know IRS officials improperly targeted not only conservative organizations but also political candidates and donors.

Still, yesterday the White House Press Secretary called the various

scandals involving this administration phony scandals. Well, I don't know anyone who actually believes that is true. When an institution such as the Internal Revenue Service, with its power to literally tax and destroy, is abusing that power, it deserves the investigation of Congress and we need to get to the bottom of it. The idea, as initially floated out, that this scandal was the work of a few rogue staffers in the Cincinnati office is no longer plausible, even if it was at one point.

This scandal clearly represents a serious breach of the public trust and has created a major credibility problem for this agency that is supposed to be objective and nonpartisan. It is bad enough that America's tax collection authority has behaved like a thuggish political machine, indeed, policing political speech and rights guaranteed under the First Amendment to the U.S. Constitution.

To make matters worse, the Internal Revenue Service will soon be responsible for administering some of the most important provisions of the Affordable Care Act, otherwise known as ObamaCare, including the individual mandate. In other words, the Internal Revenue Service will be responsible for administering a law that affects one-sixth of the U.S. economy, and it will be collecting even more information about individual American citizens.

Are we comfortable with dramatically expanding the power of an agency that has proven so abusive and so untrustworthy? I know I am not, which is why 2 months ago I introduced a piece of legislation that would prevent the Internal Revenue Service from participating in its current role of implementing ObamaCare. Yesterday I submitted this legislation as an amendment to the appropriations bill we are currently considering.

Rather than give more power to the Internal Revenue Service, we should be giving more power to patients and their doctors. Remember, even before ObamaCare became law, the IRS had enough power to destroy the lives of American citizens. In the famous words, I believe, of a Supreme Court Justice, the power to tax is the power to destroy. He had it right. Now is the worst possible time to give this agency such massive influence over the U.S. health care system, and this is past overdue action on our part. Instead, we should be curtailing the power of the Internal Revenue Service, replacing ObamaCare with sensible, patient-centered alternatives, and my amendment would do that.

Before I conclude, I wish to mention another amendment we will be filing to the appropriations bill—one I cosponsored with my friend from South Carolina Senator GRAHAM. Our amendment would prevent any funds in this bill from being used to bail out Detroit or any American city that mismanages its public finances. We have a Federal bankruptcy code—chapter 9, specifically—that was designed to handle these problems, and Detroit has filed for bankruptcy. There is no good reason why Detroit or any other American city ought to receive a taxpayer-funded bailout from Washington. I hope that the normal bankruptcy process will be allowed to go forward, and I hope that the bankruptcy follows the rule of law and that the Obama administration resists any temptation to meddle in the process and play politics.

My colleagues might recall that during the 2009 government-run Chrysler bankruptcy process, the company's secured bondholders received much less for their loans than the United Auto Workers pension funds. My colleagues might also recall that during the runup to the 2011 Solyndra bankruptcy, the Obama administration actually made taxpayers subordinate to private lenders, in violation of the law.

Detroit's financial woes offer a warning to all cities and States that are struggling with pension obligations and unfunded liabilities. And speaking of unfunded liabilities, the Federal Government currently owes more than $100 trillion worth of unfunded liabilities ourselves for Medicare and Social Security—something that urgently needs our attention. It is time for government officials at all levels—State, Federal, and local—to make the hard fiscal choices we have been postponing for way too long.

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

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

The legislative clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. HELLER. Mr. President, last summer the Supreme Court narrowly upheld as a tax the massive government takeover of health care in America, known more commonly as ObamaCare. Since then, as the law's provisions have slowly been implemented, the size and scope of this colossal monstrosity have become clear.

I opposed the ObamaCare bill from the very beginning as a Member of the House of Representatives serving on the Ways and Means Committee. Back then Americans were told that Congress needed to pass the bill before they could know all that was in it, but the more the American people learn about it, the less popular it becomes. In fact, news reports tell us the administration is now looking for help from Hollywood celebrities to push a bill that many Americans clearly do not support. That tactic has been used before. In the 1950s and the 1960s, Hollywood and some athletes were used to sell and glamorize tobacco products. Today, Hollywood and some athletes are being asked to peddle the Affordable Care Act, perhaps to make up for past sins.

While the American people grow more uncomfortable with this law, the administration has allowed $54 million to be spent on ''navigators'' to help push people toward this program. Reports have suggested that there will be 175,000 of these so-called navigators, whose job it is to facilitate this law. Add that to the 16,000 new IRS agents who are being hired to implement ObamaCare, and it has become even clearer now just how flawed this law is. It is being widely circulated that the administration is willing to spend nearly $1 billion on advertisements to entice the American people into buying something they do not want.

The President's recent decision to delay for another year the law's mandate on employers and small businesses is more compelling evidence that the ObamaCare approach to health care reform is not working and is only going to make matters worse. It is remarkable that the same administration that pushed so hard for this health care takeover is now hesitant to put in place the very measures contained in the law, but I think the administration has a very good reason to be hesitant.

Since ObamaCare's inception, middle-class families have seen their premiums skyrocket by an average of $2,500. Nearly 75 percent of small businesses in this country have been forced to fire their employees or cut their hours and turn full-time employees into part-time workers. In fact, just last month 322,000 workers were forced into part-time employment. So the administration has created quite the balancing act for middle-class families: At the same time they are dealing with increased health care costs and higher premiums, they are confronted with reduced work hours and the threat of being forced into part-time positions. I say that is an unacceptable situation in which to put the American people.

Clearly, at a time when we are approaching 5 straight years with an unemployment rate over 7.5 percent, ObamaCare's job-crushing provisions are only making things worse for our economy, and that is why the administration is having second thoughts.

No one argues that the health care system in this country is perfect. There are absolutely steps we can take to increase access to high-quality, affordable health care. But ObamaCare's massive expansion of the Federal Government's role in the health care industry is not turning out to be the solution its supporters said it would be. That is why the architects of the legislation are cherry-picking which parts of the law to enforce, delaying some of its key provisions. It is obvious this legislation is well on its way to collapsing under its own weight, and that will only further hurt the American people and cause even greater damage to our economy.

I have a three-part test that I have told my constituents about countless

times. It is a test that I apply whenever I evaluate legislation, and it is called the more-higher-less test. When legislation hits my desk, I evaluate whether that bill will lead to more competition, higher quality, and less cost—hence the more-higher-less test. If the bill passes the test, then it is a bill I will consider supporting.

That test is rooted in my belief that the American free market system has created the world's greatest economy and allowed innovation and creativity to thrive. Competition is the key to improving our health care system, not burdensome regulations and mandates, especially when they are selectively enforced by government bureaucrats.

Perhaps the Obama administration has the same concerns about ObamaCare that I have, and that is why they would rather not fully enforce it until after the next election. But if that is the case, they need to make the tough decisions to address the problems instead of pretending those problems do not exist.

When I was recently back in my home State of Nevada, I toured a medical school and spoke with a number of bright, hard-working students who expressed serious concerns about the effects of ObamaCare. I told them that one of my biggest fears was that the law would turn them all into government employees and it would put a bureaucrat between them and their patients.

Instead of a system like that, we need to reduce the cost of health care services by enacting meaningful tort reform, making insurance more affordable, and providing market-based solutions to meet consumer needs. We need to create an atmosphere that will foster economic growth and job creation instead of punishing the middle class with higher health care premiums and fewer hours at work.

I can understand the Obama administration's decision to delay the employer mandate that is crushing small businesses across the country. That is why so many of us opposed the law to begin with. But the American people deserve far better than a cherry-picking, tax-increasing approach to health care reform. American families should not have to juggle higher health care premiums with the threat of losing their jobs or losing hours at work. They deserve commonsense solutions that will reduce costs and increase access to high-quality care. ObamaCare clearly is not that solution.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. THUNE. Mr. President, this week, the President of the United States, President Obama, has made yet another pivot back to the economy and to jobs, issues the American people have not had the luxury of pivoting away from.

While the President is yet again attempting to refocus on jobs and the economy, giving speeches is not a real solution to our Nations problems. In fact, yesterday President Obama said in his speech that Washington is taking its eye off the ball. Mr. President, you are Washington. You have been President now for 4½ years. These are your policies, policies that are hurting our economy and costing Americans jobs.

As for taking your eye off the ball, the President appears to be swinging with his eyes closed, with his eyes closed to the impact that his policies are having on the economy in this country. We do not have to look very far to see the impact of those policies. The ObamaCare legislation is having a crushing impact on jobs in this country—a crushing impact on the economy.

As we look at the unemployment rate, it is still over 7½ percent. It has been there now for 54 months. That is the worst job record of any President since the Great Depression.

The President's signature law, ObamaCare, continues to hamstring the job market. In June alone, the last month for which we have data, 322,000 Americans were forced into part-time employment status. Those are people who otherwise would have been willing to work full-time but because of these policies that are encouraging more employers to push their employees into part-time status, we have 322,000 individuals in this country who want to work full-time that are now having to work part-time.

ObamaCare and other policies put forward by this administration have been probably the best thing that has happened to part-time jobs. Unfortunately, for most Americans, they want to be working full-time. A recent chamber of commerce survey shows that nearly 75 percent of small businesses are firing workers or cutting hours. As implementation of the ObamaCare law continues, the number of small business owners who take those steps, unfortunately, is only going to increase.

According to a recent Wall Street Journal article:

> Rod Carstensen, owner of 11 Del Taco restaurants around Denver began in April converting his mostly full-time workforce into one comprising mostly part-time help to minimize his health care costs. . . . He is plowing ahead despite the ObamaCare administration's reprieve, he said, because we need to get there anyway, and it will take until January 1 of 2015 to make this transition.

He is referring, of course, to the employer mandate which the President has chosen to delay for this next year when it was supposed to take effect, until January 1 of 2015. Most employers, unfortunately, are not taking great consolation in the fact that this is being delayed by 1 year. They know at some point they are going to have to comply with it.

So they are taking those steps already, which is adding and fueling the data—the numbers I just mentioned with regard to people being forced into part-time jobs. Americans are facing decreased hours which means decreased wages. Additionally, families are facing higher insurance premiums, which further erodes their disposable income and opportunities to invest in a new home or a better education for their children.

A growing number of Americans are realizing ObamaCare is the wrong prescription for families who are at the mercy of an already struggling economy. The administration has been forced to concede that the employer mandate, which is a key component of the ObamaCare legislation, is broken and unworkable, which is why they have delayed it.

We are starting to see Democrats, who have historically been supportive of the law, suddenly jumping from the ObamaCare sinking ship. On Monday, a headline in the Washington Post read, ''Moderate Democrats are quitting on ObamaCare.''

The article disclosed that fewer than 50 percent of moderate to conservative Democrats now support ObamaCare, which is down more than 25 percentage points since 2010 when it passed. Congressional Democrats are also becoming increasingly skittish about ObamaCare. The House vote last Wednesday on the employer mandate delay passed 264 to 161—35 Democrats joined 229 Republicans in support for that bill.

Additionally, there were 22 House Democrats who voted to delay the law's individual mandate. Even a Democratic Senator has introduced legislation for a 2-year—not a 1-year but a 2-year employer mandate delay. In a recent letter to the Democratic leadership, three large unions expressed grave concerns with the law, led by the Teamsters Union, the organization that Jimmy Hoffa leads.

Once some of the biggest supporters of ObamaCare penned a letter—three major unions penned a letter basically saying that the health care law will ''shatter'' health benefits and cause ''nightmare scenarios.'' Shatter health benefits, create nightmare scenarios, that is what the unions are saying. The unions also slammed the law for defining a full-time employee as one who works less than 30 hours.

The unions went on to say in their letter that the law ''will destroy the foundation of the 40 hour work week that is the backbone of the middle class.''

It is very clear that even those who were vocal, those who vigorously defended and supported the ObamaCare

legislation, recognize this is not working and are making it abundantly clear in the statements that they are now making.

Just yesterday, as I mentioned, the President delivered a speech aiming to yet again pivot, as he says, back to jobs and the economy. He used the speech to kick off another campaign-style tour of speeches in hopes that touting his continued commitment to an economic recovery will overshadow these harsh realities of ObamaCare and other economic woes that plague this country.

During yesterday's speech, the President claimed he is dedicated to the middle class and growing the economy from ''the middle out.'' What do these concerns tell us about the state of the middle class? Hard-working Americans are now fearful about their job security, about their health care coverage, and their ability to make ends meet all because of this catastrophic law.

The President's strongest political allies who represent millions of workers say the President's signature domestic achievement is ''destroying the backbone of the middle class.'' Although the President continues to pivot to and away from these issues, Senate Republicans remain focused on creating jobs and growth in this country. It is time for a real recovery. The American people are ready to get back to work.

For 54 months, we have seen unemployment at or above 7½ percent. That number does not reflect the people who have given up looking for work. Let's remove the heavy hand of Washington regulations from our job creators. Let's create certainty for employers so they might hire new employees, not cut the hours of those they already have.

Let's spare the middle class from premium increases. I have seen studies all over the place that suggest, for families, for individuals, premiums across this country are going up. According to Kaiser, for families, it is $2,500. In order to achieve the goals of addressing these issues in our economy, we have to start with a permanent delay of ObamaCare for all Americans—not just for the employers, not just the employer mandate but the individual mandates, the other regulations that are 20,000 pages high—7½ feet tall are the regulations that have been promulgated to implement this law. It continues to grow by the week.

We did not need a 2,700-page bill. We did not need 20,000 pages of regulations to address the problems we have in our health care delivery system and health care coverage system today. But that is what we got. But the President's job-killing tactics do not stop just at health care. The President's proposed climate change regulations alone would cost 500,000 jobs and reduce household income by up to $1,000 per year.

Dodd-Frank has already cost $15.4 billion and 58.3 million hours in paperwork burdens on businesses across the country. Rather than more campaign-style speeches touting the same old flawed ideas, the President should work with Congress to put more Americans back to work.

By working together, we can enact meaningful regulatory reform that will provide relief to employers and to employees alike. We can fix our health care system in a manner that lowers costs while allowing families to keep the doctors they want. We can enact tax reform that will create economic growth, lower the unemployment rate, and reduce our unsustainable budget deficit.

We can expand access to domestic energy resources in a manner that fully realizes the benefits of increased energy production. This cooperation must start with President Obama getting off the campaign trail and getting to work with Congress on these important issues. So instead of pivoting yet again to the economy, in campaign-style speeches, we need a President that is here, that is working to address the economic woes American families are experiencing.

If you want to start by going out and touting things that you are going to do for the economy, start right away by approving the Keystone Pipeline. That is a no-brainer, in most people's estimation. In fact, the President's own administration has analyzed and reviewed and scrutinized and studied this thing now four different times and concluded it would have not an impact on the climate.

It would create immediate jobs, thousands of jobs, construction jobs, and then jobs over a long period of time. It would help lessen the dependence we have on foreign sources of energy by freeing up transportation of energy resources that come from friendly allies in countries such as Canada to get to American consumers in this country.

There are things the President could be doing that actually will create jobs. Come up here and engage in the debate on tax reform. Commit to tax reform that is revenue neutral, that does not raise taxes on people who create jobs in this country but, rather, lowers the rate to unleash economic growth and job creation in this country. Work with us to repeal, permanently delay, the ObamaCare regulations that are crushing jobs and the economy and, as I pointed out earlier, are forcing more and more Americans into part-time jobs, forcing employers to either cut and reduce their workforce or not hire people they otherwise might hire, and raising premiums for hard-working middle-class families.

Mr. President, it is not Washington that does not have its eye on the ball, it is you who does not have your eye on the ball.

We need you to focus like a laser on the economy and recognize that you can't close your eyes to the harmful, economic impact that your policies are having on too many middle-class Americans and small businesses who create jobs in this country to generate the economic growth that is necessary to improve the standard of living and the take-home pay of every American family. This is what we need.

I hope the President will get off the campaign trail, come back, and focus on what really matters to middle-class Americans; that is, jobs, the economy, and a better life for their children and grandchildren.

I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

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

The legislative clerk called the roll.

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

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

ORDER OF PROCEDURE

Mrs. MURRAY. Mr. President, I ask unanimous consent that morning business be extended until 11:30 a.m., and at 11:30 a.m. the Senate proceed to executive session to consider Calendar No. 186, as provided under the previous order.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

THE BUDGET

Mrs. MURRAY. Mr. President, as the House and Senate have begun debating our separate appropriations bills for the coming year, we have been forced to take a very hard look at the numbers and exactly what so many important programs and services will look like next year under cuts that are forced by sequestration. I am here to tell you, it is not pretty.

As chair of the Budget Committee, it has only served as a reminder to me of just how important it is to fully replace the across-the-board cuts that sequestration has forced us to make, because it is only getting worse.

Some of my Republican colleagues in the Senate, and most of them in the House, it seems, don't believe sequestration has had a real impact on families, their communities, and our military.

I wish to take a few minutes to talk about what I have already seen in my home State of Washington, where the impacts of sequestration have been very severe.

Washington State has a proud history of supporting our Nation's Armed Forces. From Fairchild Air Force Base in eastern Washington to Joint Base Lewis-McChord in the Puget Sound region, our State is home to thousands of military families.

In addition to those active-duty servicemembers, Washington State is also home to thousands of civilian defense employees who work at these various military installations. Under sequestration, these men and women have borne the brunt of these across-the-board budget cuts. This month, weekly furloughs began for nearly 10,000 of these civilian employees in my home State of Washington. So now, once every week, they can't go to work. That amounts to a pay cut for them of 20 percent.

These are men and women—many of them veterans—with mortgages and medical bills and tuition costs, just like the rest of us. And thanks to the gridlock here in Congress, their lives have become 20-percent tougher. One of those people who is impacted is Will Silva. He lives in Tacoma, WA, and he works at Joint Base Lewis-McChord. We call it JBLM. Will is a former marine, he is an amputee, and he is a fire inspector at the base. Thanks to sequestration, he is one of 6,700 people in that community who won't be going to work tomorrow because Friday is furlough day at JBLM.

So tomorrow, Friday, in my home State of Washington, the 911 call center and fire departments will be understaffed, air fields will be shuttered except for emergencies, the military personnel office and the substance abuse center will be closed, the Madigan Army Medical Center will be forced to close clinics, and even the wound care clinic is going to be understaffed. All of this is because of the cuts we all agree are hurting our country.

Jennifer-Cari Green is another person who won't be going to work at JBLM tomorrow. Jennifer happens to be a single mother of a 6-year-old boy. She works at the Madigan Army Medical Center in the neurosurgery department. Her job is to care for servicemembers, many of whom are undergoing serious brain operations.

Jennifer was here in Washington, DC, on Tuesday to testify at our Budget Committee hearing about the impacts of sequestration. It is impossible to forget her story. Jennifer works very hard. She started there as a volunteer in the surgery center but has worked her way up. She doesn't make much money to support herself and her young son, and so she budgets every month right down to the dollar. She has no luxuries, and in her only spare time she cares for her son and works toward an associate degree at the community college.

Jennifer told me that because of these furloughs her take-home pay will be almost exactly $1,000 a month—$1,000 a month. That isn't enough for her to pay her most basic expenses. But even with all of the challenges she faces, Jennifer came here to talk about what those cuts will mean for others, for the people she cares for at the army hospital where she works.

Because she has been furloughed—by the way, along with doctors and technicians and other employees at the hospital—servicemembers and veterans aren't going to get the care they need. These furloughs mean that everything from routine checkups to brain surgeries is being delayed for these men and women who served our country. Let me repeat that: brain surgeries at military hospitals are being delayed because of cuts from sequestration. That is unacceptable and, unfortunately, it is very real.

The impacts on our civilian defense employees are just the tip of this iceberg. Sequestration has resulted in dramatic cuts to countless other programs throughout our country. Head Start facilities have been forced to shut their doors, Meals-on-Wheels Programs—vital to our Nation's seniors—are serving less needy seniors, and even our judicial system has been forced to let go of prosecutors and public defenders. The cuts are clear and they are, across the board, impacting so many people in this country in our communities and in our families.

I understand many of us have different opinions here on how to address our Nation's financial challenges, but before we do that, all of us have to understand the devastating impact sequestration has already had on our Nation. I want to remind all my colleagues that it doesn't have to be this way. It doesn't have to be this way. It is now 124 days since the Senate passed a budget that fully replaced the sequestration, and 17 times my colleagues and I have stood here and asked to go to conference with the House to fix these ridiculous cuts. But 17 times now our Republican colleagues have said no. They have refused.

So I am here today absolutely committed to replacing sequestration. If some of my colleagues think this is about politics or this is some kind of game, I would ask them to talk to Will or Jennifer or any of the thousands of families who suddenly today can't pay their bills, because, for them, these cuts are very real and they need a solution now.

I hope other Members of the Senate will come and talk about these cuts. We can fix this. We can replace sequestration. We can manage our country responsibly. We can be much smarter about what we are doing, but we need the will of the Senate to allow us to go to conference to fix this and move forward and tell Will and Jennifer we, as a country, can work for them.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF DEREK ANTHONY WEST TO BE ASSOCIATE ATTORNEY GENERAL

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

The assistant legislative clerk read the nomination of Derek Anthony West, of California, to be Associate Attorney General.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled in the usual form prior to a vote on the nomination.

Mr. LEAHY. Mr. President, today the Senate considers President Obama's nomination of Tony West to be the Associate Attorney General, the No. 3 position at the Justice Department. He is a superbly qualified veteran of the Department of Justice who has been serving in this position in an acting capacity for over a year. He had previously been confirmed by the Senate to be the Assistant Attorney General for the Civil Division.

Before his work in the Justice Department, Mr. West spent 8 years in private practice in San Francisco, where he was a partner at a well-respected law firm and specialized in complex commercial litigation. He also served as a special assistant attorney general in the California Department of Justice, as an assistant U.S. attorney for the Northern District of California, and as a special assistant to two Deputy Attorneys General at the U.S. Department of Justice. Mr. West earned his B.A. from Harvard, and his J.D. from Stanford University Law School, where he was elected president of the Stanford Law Review.

The Judiciary Committee received dozens of letters in support of Tony West from various individuals and organizations, including the International Association of Chiefs of Police, the U.S. Conference of Mayors, the National Association of Attorneys General, the National Sheriff's Association, and Taxpayers Against Fraud. The National Association of Black Law Enforcement Executives wrote that "throughout Mr. West's career, he has proven to be an effective partner to law enforcement. With this experience, we believe him to be well-qualified to serve as Associate Attorney General and look forward to working with him on a broad range of law enforcement and public safety issues. It is our hope that the Senate will confirm Mr. West promptly to serve as the Associate Attorney General of the United States."

This endorsement is typical of the many letters sent in support of Mr. West. I ask unanimous consent that a list of all 36 letters of support for Mr. West's nomination be printed in the RECORD at the conclusion of my statement.

I am confident that Tony West is well-qualified to be Associate Attorney General, and I hope he will be confirmed without further delay.

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

LETTERS RECEIVED FOR TONY WEST

May 14, 2013—Esta Soler, President and Founder, Futures Without Violence

May 14, 2013—Ann Harkins, President and CEO, National Crime Prevention Counsel

May 14, 2013—William J. Bratton, President and CEO, The Bratton Group LLC

May 15, 2013—Randy I. Bellows, Circuit Court Judge, Fairfax County

May 15, 2013—Gregory P. Suhr, Chief of Police, San Franciso

May 15, 2013—Robert Wolf, CEO, 32 Advisors, LLC

May 15, 2013—Anthony W. Batts, Police Commissioner, Baltimore Police Department

May 15, 2013—Charlie Beck, Chief of Police, LAPD

May 16, 2013—Christine Varney, former AAG (Antitrust)

May 16, 2013—Aaron D. Kennard, Executive Director, National Sheriff's Association

May 16, 2013—Richard Parsons, Senior Advisor, Providence Equity

May 16, 2013—Kim J. Raney, President, California Police Chiefs Association

May 16, 2013—Scott R. Seaman, Chief of Police, Los Gatos/Monte Sereno Police Department

May 16, 2013—Jamie S. Gorelick, former DAG

May 17, 2013—Luis G. Fortuño, Former Governor, Puerto Rico

May 17, 2013—Alejandro J. Garcia-Padilla, Governor, Puerto Rico

May 17, 2013—National Organization of Black Law Enforcement Executives

May 20, 2013—Jefferson Keel, President, National Congress of American Indians

May 20, 2013—MARCIA L. FUDGE, Chair, Congressional Black Caucus

May 20, 2013—David S. Kris, former AAG (National Security)

May 20, 2013—NAACP

May 20, 2013—William M. Lansdowne, Chief of Police, San Diego

May 20, 2013—Bill Lee, former AAG (Civil Rights)

May 20, 2013—Ken Salazar, former Secretary of the Interior

May 21, 2013—Mai Fernandez, Executive Director, National Center for Victims of Crime

May 21, 2013—Bernard K. Melekian, former director, DOJ Office of Community Policing Services

May 22, 2013—State Attorneys General

May 22, 2013—Craig T. Steckler, President, International Association of Chiefs of Police

May 22, 2013—Leadership Conference

May 22, 2013—Michael A. Nutter, Mayor of Philadelphia, President of the U.S. Conference of Mayors

May 22, 2013—Mark L. Shurtleff, former Utah Attorney General

May 22, 2013—Catherine W. Sanz, President, WIFLE Foundation, Inc.

May 23, 2013—National Association of Attorneys General

May 23, 2013—Janet Murguia, President and CEO, NCLR

May 28, 2013—Neil Getnick, Chairman, Taxpayers Against Fraud

May 28, 2013—Michael Brune, Executive Director, Sierra Club

Mrs. FEINSTEIN. Mr. President, I am pleased that the Senate is considering Tony West's nomination to be Associate Attorney General of the United States today. I have a great deal of respect for Tony. As a fellow Californian, I know he will serve the position of Associate Attorney General with distinction.

The role of the Associate Attorney General—the third-highest ranking position at the Department—is to help lead the Justice Department and to oversee the Department's civil units, such as the Civil Division, Antitrust Division, and Tax Division, as well as the Office of Justice Programs, which provides grants, including to State and local law enforcement.

Mr. West's qualifications for this position are unquestionable. He has served as Acting Associate Attorney General since March 2012. He also spent 3 years as Assistant Attorney General of the Civil Division, so he is no stranger to the responsibilities and demands of leadership in the Justice Department.

From 2001 to 2009, Mr. West was a partner at Morrison & Foerster LLP, where he represented major corporations in securities litigation, antitrust cases, and white-collar criminal defense.

From 1994 to 1999, he served as assistant U.S. attorney in the Northern District of California for 5 years. He prosecuted high-tech crimes, bank robberies, fraud schemes, and sexual exploitation offenses.

He received his bachelor's degree from Harvard University and later earned his law degree at Stanford Law School, where he was president of the Stanford Law Review.

Simply put, Tony West brings a great deal of experience in Justice Department leadership, private practice, and criminal prosecution to this position.

I am confident he will do an outstanding job, and I urge my colleagues to support his nomination.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the time under the quorum call be divided equally.

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

Mrs. MURRAY. Mr. President, I yield the floor and I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

THUD APPROPRIATIONS

Mr. VITTER. Mr. President, I rise to propose and support two amendments to the appropriations bill that is on the floor today and will continue into next week. They both have a common theme, and that theme is to keep faith with the American people; to not put ourselves here in Washington, here in Congress, in a different, higher class than middle-class Americans but to be one of them; to truly represent them; to truly fight for them here in Washington.

The two amendments address this in different ways. One is to block a pay raise that would otherwise happen for Members of Congress even in the midst of this very sluggish economy, barely getting out of the recent recession. There is an automatic pay raise in the law. This was done years ago, really behind closed doors in a bit of a smoke-filled room, to put an automatic pay raise for Members of Congress in the law so that almost every year it just happens automatically. There is no inconvenience of having to propose it, actually having to come to the Senate floor and come to the floor of the House of Representatives and justify it and, God forbid, have to vote for it. It just happens.

I disagree strongly with that system. I think that entire system and premise is offensive. For that reason, Senator CLAIRE MCCASKILL of Missouri and I have a bill, a proposal to undo that and require that any future pay raise has to be proposed, justified on the floor of the Senate and the floor of the House, and actually voted on. This amendment is not that entire bill. This amendment is focused on the here and now, to block the automatic pay raise that would happen this year if we do not act.

You will hear from members of the committee, handlers of this appropriations bill, that this amendment is not relevant, is not germane to this bill. The folks who set up the automatic pay raise system several years ago were very clever. They figured out a way that an amendment such as this would not be germane to any appropriations bill, would not be germane to any bill. That is why we need to act on this bill—because this may be one of the few appropriations bills, spending bills we actually deal with on the floor of the Senate this year.

To the credit of Congress, in the midst of the recent recession Congress denied itself these automatic pay raises, so they have not happened since 2009. But we are not into healthy growth. The American middle class is not doing just fine. Unemployment is still over 7.5 percent—7.6 percent, which is well above the 5 percent promised when Congress and President Obama passed a $1 trillion stimulus. In fact, we have had 53 straight months with unemployment above 7.5 percent. That is not a healthy economy. That is not recovery.

As Americans continue to suffer, continue to look for work, continue to look for full-time work as part-time becomes more the norm, particularly in the era of ObamaCare, we need to relate to them and not set ourselves

apart. We need to be a fighter for them, not a member of a higher, different class in Washington. One simple but important way to do that is to say no pay raise when we are in the midst of this very sluggish nonrecovery.

Again, Senator CLAIRE MCCASKILL of Missouri has joined me in this effort. I appreciate her partnership on the broader bill, and I appreciate her partnership on this amendment, the Vitter amendment No. 1746. I urge all my colleagues, Democrats as well as Republicans, to adopt and support this commonsense amendment.

This is an important message. This is an important statement. The question and the choice is simple: Are you going to be a true representative of the folks back home, relate to them, be one of them, or did you really come to Washington to put yourself in a different, higher class? The answer needs to be the first answer provided. We need to represent the folks back home, not put ourselves in a different, higher class. This pay raise amendment is one way to do that. Say no to any congressional pay raise in the midst of this horribly slow economy.

My second amendment also continues this theme. It relates to our health care benefits, but it is really the same issue, the same theme. Are we one with the folks we were elected to represent or are we trying to set ourselves out as a different, higher class here in Washington?

This amendment is Vitter amendment No. 1748. It would ensure that all Members of Congress, all congressional staff, and all executive appointees deal with ObamaCare in the same way ordinary Americans do. They have to go in the exchange; they have to deal with their health care that way. They do not get special treatment.

In the midst of the ObamaCare debate, that issue came up. I brought up the issue. I brought an amendment to the floor. My Louisiana colleague JOHN FLEMING did the same thing in the House. Because of the attention we focused on that issue, there was a limited provision in the law that said Members of Congress and their direct staffs would be in the exchanges. However, very conveniently, some of the details were jiggered around so that Members of the leadership and their staffs and committee staffs would somehow be in a different, higher category and they would not be subject to the same ObamaCare rules. They would benefit from the very generous and very lucrative Federal Employees Health Benefits Plan that Congress has traditionally been under.

I think we should undo that. I think we should be one of the American people, relate to the American people, and get the same treatment through the exchanges that the great majority of them will get under ObamaCare. The problem is that here on Capitol Hill, again behind closed doors, the effort is largely in the opposite direction.

The Wall Street Journal unveiled this on April 25 of this year. It reported that Senator REID and Congressman STENY HOYER had initiated some behind-closed-doors secret discussions to actually fix the problem, as they saw it, and put all Members of Congress and all of our staffs back in that select category—not with the American people, not in the exchanges, but in that select higher category and be granted preferential treatment. Because that hit the press, because that word got out, I am hopeful that those secret negotiations have stopped. We need to make sure we do not move in that direction.

ObamaCare is a train wreck. Implementation is causing dramatic problems for millions upon millions of Americans. But the solution is not to fix it selectively for us; the solution is to fix it for everybody, to fix it for average middle-class Americans. If we do that we would benefit as well.

So this amendment not only blocks the effort by Senator REID and STENY HOYER and others to move Members of Congress and our staffs back into a select category and protect us from the train wreck of ObamaCare implementation, the solution is to broaden that pool and actually have that same treatment, along with ordinary Americans, for every Member of Congress, for all of our staffs, for leadership, for committee staffs, and also for President Obama's appointees.

My amendment, Vitter amendment No. 1748, on which DEAN HELLER is a cosponsor, would do just that. It would ensure that all bureaucrats, all Obama appointees, all congressional staff, all Members, leadership and otherwise, all of our staffs, committee and otherwise, are subject to ObamaCare and are not put into a select higher class and offered preferential treatment—again, the common theme with my other amendment. That is how we relate to the folks we represent. That is how we are truly one of them.

ObamaCare is a problem. Implementation is a train wreck. But the solution is not to put ourselves in a higher class, divorced from that problem; the solution is to live that problem ourselves, and hopefully that will promote us and motivate us to solve that problem for all of the American people.

This is not a partisan amendment. This should not be a partisan fight. This is about are we truly part of the States we represent? Do we truly relate to those citizens who sent us to Washington or do we come here and put ourselves in a select, different class, give ourselves preferential treatment under law, after law, after law—in this case, ObamaCare?

Again, this is Vitter amendment No. 1748. I urge all my colleagues—Republicans, Democrats, Independents, everyone—to support it, to tell your constituents: No, I did not come here to put myself in a special class. I did not come here to get preferential treatment. I came here to fight for you.

And, yes, ObamaCare has major issues, major problems. Implementation is, as one of my Democratic colleagues has forthrightly said, a train wreck. But the solution is not to fix it behind closed doors selectively for us; the solution is to fix it—which personally I think means delay or repeal it—for the American people.

I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, am I in order to speak about the nomination of Tony West?

The PRESIDING OFFICER. The Senator is in order.

Mr. GRASSLEY. Madam President, today the Senate will vote on the nomination of Tony West to be Associate Attorney General. Although I will be supporting Mr. West's nomination, I have some concerns about his record that I want to share with my colleagues.

This is a very important position. The Associate Attorney General is the third highest ranking official within the Department of Justice. Mr. West is currently serving as Acting Associate Attorney General, and as far as I can tell he has generally done a pretty good job. However, before serving as Acting Associate Attorney General, Mr. West was confirmed as Assistant Attorney General for the Civil Division. My concerns are with his record while serving in that position.

Specifically, while heading the Civil Division, Mr. West was involved in and even defended the quid quo pro deal between the Department of Justice and the City of St. Paul, MN. That scheme was orchestrated by Tom Perez, who headed the Civil Rights Division and was recently confirmed by the Senate to be Labor Secretary.

My colleagues have heard me on the floor of this body many times talking about this quid pro quo, most often emphasizing Tom Perez's involvement with it, but not too much about Mr. West.

The quid pro quo involved the Department agreeing to decline two False Claims cases pending against the City of St. Paul. Remember, if successful, those two False Claims cases were estimated—and they were pretty good cases—to bring $200 million back into the Federal Treasury. In exchange, the City of St. Paul would agree to drop a case pending before the Supreme Court.

As I have said, I have spoken at length on the St. Paul quid pro quo as it relates to the nomination of Mr. Perez to be Secretary of Labor.

As my colleagues know, I have been a major supporter of whistleblowers and their protection under the laws of this country. Whistleblowers are a very important source of information in helping us if laws are not being abided by

or money is being misspent. Of course, that is why I authored the 1986 amendments to the False Claims Act. It was to protect whistleblowers, but it also gives a resource for getting money back into the Federal Treasury if it is misspent.

Those amendments—meaning the False Claims Act amendments—revitalized the law by empowering individual qui tam whistleblowers to come forward and file suits on behalf of the Federal Government to recover taxpayer dollars lost to fraud. Since those amendments were enacted, over $40 billion has been recovered.

Under Mr. West's tenure as head of the Civil Division, that Department has been successfully utilizing the tools of qui tam whistleblowers' information. Of course, they are not shy about saying so, and as far as I am concerned it is their right to do that. The more publicity we can have about recovering money under the False Claims Act, the more we may encourage more whistleblowers to come forth and recover even more money.

The False Claims Act is within the purview of the Civil Division, which Mr. West oversaw at that time, not the Civil Rights Division. However, in the quid pro quo, the evidence uncovered by my investigation suggests that Mr. West allowed Tom Perez to take control of the Civil Division in order to cut this deal that saved Mr. Perez's favored legal theory referred to as the ''disparate impact'' theory. As I have discussed previously, Mr. Perez was concerned the Supreme Court was going to strike down this theory as unconstitutional.

In doing so, the Department undercut a viable case against St. Paul and, in the process, left the whistleblower who filed the suit to fight the City on behalf of the American taxpayers all alone—left him out there twisting in the wind.

This is not how I expect the Department to treat good-faith whistleblowers. They are patriotic people. They are people who probably destroyed their opportunity of livelihood because they know something is wrong and they want to report it, just as patriotic people ought to do. In fact, I believe it is contrary to the assurances Mr. West gave me during his confirmation hearing in 2009 when he indicated he would protect whistleblowers and vigorously enforce the False Claims Act.

Let everybody understand there is not a single individual subject to Senate confirmation in the Justice Department who comes before the committee or to my office for an interview that I don't ask them their view of the False Claims Act, because I don't want anyone serving in the Justice Department who doesn't support vigorous enforcement and use of the False Claims Act.

As I have said, ultimately Mr. Perez was the architect of this ill-advised quid pro quo that left Frederick Newell, a good-faith whistleblower, hanging out there to dry. In my view, Mr. Perez bears the most responsibility in this whole matter. He was the one who was manipulating the process and he did so at times behind the back of Mr. West.

Nonetheless, Mr. West was the individual in charge of the Civil Division, and as head of that division the decision regarding whether to join those False Claims cases fell to Mr. West.

It is troubling to me that Mr. Perez, who at the time was head of the Civil Rights Division, would be the one who was so clearly orchestrating the deal, and acting as de facto head of the Civil Division. Unfortunately, Mr. West let him get away with it. So that concerns me as it relates to the nomination of Mr. West to be the third highest ranking official at the Department of Justice.

We need individuals serving in these positions who are willing to stand up to those who are trying to advance a political agenda; and that is exactly what Mr. Perez was trying to advance. In this instance, at least, it doesn't appear that Mr. West stood up to Mr. Perez as he should have.

On the contrary, the record appears to indicate Mr. West allowed Mr. Perez to orchestrate this deal on behalf of the Civil Division even though Mr. Perez was head of the Civil Rights Division.

However, notwithstanding these concerns, I am willing to give Mr. West the benefit of the doubt and vote for his nomination. Part of the reason I am willing to do so is because the Civil Division, under the leadership of Mr. West, has established a respectable record in utilizing the tools available under the False Claims Act amendments that I got passed in 1986 and that have brought back into the Treasury approximately $40 billion.

And, as an instance of the use of the False Claims Act by Mr. West, the Civil Division secured approximately $4.9 billion coming back into the Federal Treasury in the single year of 2012. Taken together over the last several years, the Civil Division has secured a total of approximately $13.3 billion.

Obviously, this is not an insignificant amount of taxpayer dollars coming back. Although the Department's recovery of this money, on the one hand, does not excuse their behavior in the quid pro quo matter, I do believe Mr. West deserves a certain degree of credit for his leadership in this area.

So, as I said, I will support his nomination, and I expect he will be confirmed. It is my sincere hope he will perform his job well and not let somebody undercut him as he let Mr. Perez undercut him in regard to the quid pro quo and the False Claims cases involving St. Paul, MN. But I want him to know, and everybody else to know, that I plan to conduct aggressive oversight of the Department to ensure the mistakes that occurred as part of the quid pro quo that potentially cost the taxpayers nearly $200 million lost to fraud are not repeated.

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.

The PRESIDING OFFICER. The Senator from Montana.

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

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

Mr. TESTER. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Derek Anthony West, of California, to be Associate Attorney General?

Mr. TESTER. 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 clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 186 Ex.]

YEAS—98

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

NAYS—1

Coburn

NOT VOTING—1

Moran

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1243 which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

Pending:

Murray (for Cardin) amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck.

Coburn amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability.

Coburn amendment No. 1751, to prohibit Federal funding of union activities by Federal employees.

Coburn amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal programs.

AMENDMENT NO. 1760, AS MODIFIED

Mrs. MURRAY. Madam President, I call for the regular order with respect to Amendment No. 1760 and to modify it with the changes which are at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1760), as modified, is as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 127. Funding made available under the heading ''FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON ADMINISTRATION EXPENSES'' shall be made available to submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

Mrs. MURRAY. I understand my colleague is here to offer an amendment. I yield to him at this time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to call up amendment No. 1783.

The PRESIDING OFFICER. Is there objection?

Objection is heard.

Mrs. MURRAY. It is my understanding the Senator from Connecticut was going to call up an amendment. There was an objection?

The PRESIDING OFFICER. The Senator is correct.

Mrs. MURRAY. 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. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1783

Mr. MURPHY. I call up amendment No. 1783 and ask that it be pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. MURPHY] proposes an amendment numbered 1783.

Mr. MURPHY. 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 require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy America requirement for Federal-aid highway projects prior to issuing the waiver)

On page 34, line 23, after ''shall'' insert ''assess the impact on domestic employment if such a waiver were issued and''.

Mr. MURPHY. Mr. President, there is a broad consensus among the people of this country that when we spend dollars through the Federal Treasury, when we spend taxpayer dollars, they should be used to fund American jobs. In fact, that has been a law on the books since the early part of this century. For a long time the Buy American Act has required that when we buy things, whether it be through the military or through the Department of Transportation, we buy things from American contractors. That makes more sense today than ever before because as we struggle to try to get our economy back up and running, one of the sectors that is hurting more than others is the construction sector. Every time we violate the Buy American provisions of our law, we lose the opportunity to try to alleviate great stress that is currently upon our construction industry.

Thankfully, the DOT has been one of the best agencies, actually, when it comes to making sure American-made material goes into construction projects. The $41 billion the Highway Administration receives in this bill to be spent on roads and bridges is an important engine of job growth throughout the country. I have to say they generally do a pretty good job, as opposed to some other agencies—the Department of Defense at the top of the list—in making sure those dollars go to American companies.

There are circumstances in which the Buy American provisions are waived. There are a number of ways you can waive those provisions, but it is important for us to have full transparency and disclosure when the Department of Transportation and FHWA are considering awarding a major project funded by American taxpayers to a foreign company.

When the Buy American statute is waived, the requirement that American-made material be used is null and void. What this bill says is that when the FHWA provides public notice that they are considering waiving the Buy American clause for a particular project, they include in that public notice a consideration of the impact on American jobs. It is worth knowing whether a waiver is simply going to result in the loss of 10 American jobs or the loss of 500 American jobs.

This amendment very simply says that when a waiver to the Buy American law is pending, we should know from the Department of Transportation and from the FHWA how many American jobs are at risk. That gives us the opportunity to weigh in and try to make sure that waiver is not granted. This, frankly, gives American companies a little bit better information to use when they are trying to make the case that they can actually do the work that may be being considered for a foreign company.

We all know what is happening to jobs in the building trades. In some parts of the country unemployment is hitting 20 percent when it comes to carpenters, operating engineers, plumbers, and sheet metal workers.

I wish to applaud the DOT for being one of the models when it comes to trying to make sure taxpayer dollars are kept here at home. This amendment would make sure that in those limited cases where the DOT is sending work overseas, we get a chance to understand what the real impact will be.

We have a lot of work to do when it comes to tightening our Buy American laws. We are talking about the DOT, but the real problem is another agency we will hopefully have a chance to talk about later on the Senate floor; that is, the Department of Defense. Seventy percent of Federal purchasing comes through the Department of Defense. They have been expediting the offshoring of defense work at a rate that should make every single Senator on this floor shudder.

This is an important amendment that I hope will get bipartisan support. I thank Senator COLLINS for allowing it to become pending on the floor. I think it is just the beginning of a lot of work we have to do when it comes to enforcing a very simple principle. When our constituents send their hard-earned tax dollars to Washington, DC, and they are used to buy things or build things for the U.S. Government, we need to hire U.S. companies and American workers to do the job.

I ask unanimous consent that there be a period for debate only until 2:15 p.m. today.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. 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. CHAMBLISS. Mr. President, I come to the floor today to voice my concerns with the Transportation, Housing and Urban Development appropriations bill.

I do not take issue with the bill's specific spending provisions, and I believe my home State of Georgia needs a strong bill that recognizes the importance of ongoing infrastructure and housing and development projects. As some of my colleagues have already noted, this bill includes many taxpayer protection provisions, specifically that extravagant conferences will be curtailed, an issue many of our constituents as well as Members of Congress were shocked to learn about. But my concern is with the overall spending level and the decision of the majority to write this and other appropriations bills to levels that exceed the Budget Control Act.

In 2011, Congress passed the Budget Control Act which placed caps on what the Federal Government could spend. I voted against that bill in August of 2011. Over the years I have served in both the House and the Senate and there have been too many times when I have seen both bodies come together to bust spending caps. For us to have no checks and balances on the ability of either the House or the Senate to bust the spending caps that were set in 2011, I thought, was wrong because they were going to get busted. Well, guess what. Here we are, and this is not the first time since 2011 we have had a vote in the Senate that will ultimately bust those spending caps.

The THUD appropriations bill the Senate is now debating completely disregards the 2011 Budget Control Act. THUD is the first of 12 appropriations bills the Senate will consider on the Senate floor. So my question to my colleagues is, What kind of precedent are we setting for the remaining spending bills?

While all Americans deserve for Congress to pass appropriations bills, we simply cannot afford to pass bills that spend more than our government can fund. This Senate bill alone costs $5 billion more than is allowed under the Budget Control Act. How can we demand a cure to our fiscal woes if we cannot take our own medicine of fiscal restraint? We should focus our efforts on legislation that can pass both Chambers of Congress and be signed into law by the President, not create another political nightmare that negatively affects the country as well as our constituencies.

Right now, the Senate can correct this mistake and allocate spending in a manner that is consistent with the law we passed. Shortly, my colleague from Pennsylvania, Senator PAT TOOMEY, will come to the floor and offer a motion that would require the Appropriations Committee to change the spending levels of this bill to comply with the Budget Control Act or, in other words, to comply with current law. I urge my colleagues to follow Senator TOOMEY's lead and vote to recommit.

We should work toward a bill that adheres to the budget guidelines set by the Budget Control Act and provides the needed appropriations for the Department of Transportation, Department of Housing and Urban Development, as well as the independent agencies. While I would like to see the Senate pass a Transportation, Housing and Urban Development appropriations bill, the bill before us now does more harm than it does good.

Mr. 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.

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

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

SEQUESTRATION

Mr. WARNER. Mr. President, I rise today to talk about the very real effects sequestration is having. I want to speak about the people of Virginia, but I am sure it is equally true of folks in New Mexico and for that matter folks all across the country. I remind folks, sequestration was set up so it would be so stupid, so draconian, so outside the realm of possibility that no rational people would ever let it happen. We are actually seeing now that we did not pass that bar. Sequestration is happening. It is actually stupidity on steroids.

Earlier this week a group of us heard from Dr. Francis Collins, the head of NIH. NIH, as we all know, is America's premier health research institution. Dr. Collins told us of the real world impacts of sequester cuts. He gave heartbreaking examples of lifesaving medical research that is being disrupted, perhaps irrevocably, due to budget cuts and employee furloughs.

Two days ago I had the opportunity to chair a Budget Committee hearing about the impact of sequestration on our Nation's security. We heard policymakers talk about what sequestration was doing to military readiness. But what drove home the point to me was Virginia business owner Mark Klett who had actually been named as the Small Businessman of the Year back in 2011, who said this start-and-stop environment, where you did not have any predictability of whether your funding was coming through, was completely wrecking his business model and it already had caused him to bench over a third of his 60 employees.

In the last 2 weeks alone, since sequestration has started, I have received over 500 letters, e-mails, phone calls from Virginians who are bearing the very real brunt of our failure to do our job, with real consequences on real people with potentially devastating impacts on a dedicated, experienced Federal workforce. This is no way to run a business. It is no way to run an enterprise as large as the Federal Government.

One letter is from Virginia Beach. Hampton Roads and Virginia Beach are our most concentrated area of naval installations and Air Force and Army installations. This woman is from Virginia beach. Her husband is a retired Navy officer who is now furloughed once a week for the next 11 weeks. She writes that her husband came home with a letter about the furlough, that he felt his moral character and the oath he had taken to protect his Nation would not allow him to write, so she said she was going to write. She says:

> It pains me to see what he has worked so hard to defend, you're working so hard to tear down. This country is deserving of good leadership and right now Congress is not providing it.

Another Navy employee from the Fredericksburg area writes:

> Three years of pay freezes followed by a furlough seriously makes me question if this is where I want to spend the rest of my career.

Think about the hours and dollars that we as a public have invested in getting these individuals trained to provide these services. They are now saying they are not sure this is where they want to work.

A woman down at the Portsmouth Naval Hospital writes:

> Both my husband and I are DOD employees and will be taking a 20 percent pay cut for 11 weeks.

She points out they may be able to get by but a lot of her coworkers do not know how they are going to make ends meet.

A Federal employee from Woodbridge, VA, down the road in Prince William County, says:

> I want all my elected officials to know how disappointed I am that we have been abandoned and let down by our representatives in Congress.
>
> I have three children in college, and I am paying for college loans of two children who have graduated. Eleven furlough days don't sound like much, but over the year a loss of over $4,000 in income is crucial. If I ran my own budget like this, I would have to fire myself.

This employee I do not think is going to get a sequestration discount on repaying those student loans.

A West Point graduate and Iraq war veteran says:

> The failure of Congress is having a tangible and real negative impact on people's lives and livelihood. I do not see leadership, I do not see accountability, and I do not see selfless service that rises above partisan politics.

Finally, a former Army officer who lives in Springfield, VA, says:

> The morale in our agency is so poor that most workers who used to work 10 or 11 hours a day are planning to work their exact 8 hours [only].

So the 20 percent cut 1 day a week is actually cutting productivity in a much greater percentage.

I could stand here the rest of the afternoon and go through letter after letter that has the same theme. What strikes me about these letters—I am sure, again, the Presiding Officer is hearing from New Mexicans what we are hearing from Virginians—is that none of these letters talk about the red team or the blue team. None of these letters say this is all the Democrats' fault or Republicans' fault. None of these letters say this is a House problem; the Senate has the solution.

They are saying, regardless of party, regardless of whether you are in the House or the Senate, your job is to get this fixed. It is appropriately targeted at the entire Congress and, while our dismal performance recently may be great fodder for late night comedians, I think having a 90-percent-plus disapproval rating candidly undermines Americans' basic faith in our democratic institutions.

Let me try to respond. Here is what I have done and will continue to do. I will keep fighting for the significant Federal workforce that lives in the Commonwealth of Virginia. In the 4½ years I have been in the Senate, I have come down to the floor on a regular basis to celebrate the great work of individual Federal employees. I will continue to come down to the floor and appeal to my colleagues and provide real examples of the real impacts that this funny name—sequestration—is actually having on people's livelihoods.

On a personal basis I am giving up 20 percent of my salary through the end of this budget year. I am donating it to the Federal Employee Education & Assistance Fund, which provides emergency loans as well as childcare assistance, scholarships, and other financial help for the families of Federal and postal workers.

I will continue to work with any colleague, Democrat, Republican, Independent, libertarian, vegetarian—it doesn't matter—who is willing to try to, yes, replace sequestration in a more rational way and get our debt and deficit under control.

I am proud of the fact that the 3½ years—I guess 4½ years I have been here, there is no issue on which I have tried to work harder. I am proud of the fact I was one of the founders of the so-called Gang of 6 that built on the very good work of the Simpson-Bowles plan. And I remind my colleagues, anyone who thinks there is any solution that is not going to involve raising additional revenues and starting to reform our entitlement programs either can't read a balance sheet or has not grasped the magnitude of this issue.

I will continue to advocate for a balanced bipartisan blueprint that will work on these issues: Raise the revenues, not to grow the size of government but to pay our bills, make sure the promise of Medicare and a Medicaid and Social Security are here, not just for today's generation but for future generations, in a way that is responsible.

We are soon coming up on another series of important fiscal and budgetary deadlines. I know many of my colleagues and the American public probably got to budget fatigue after the end of the fiscal cliffs and supercommittees and debt ceilings and thought maybe we were past a little bit of that.

Well, the economy is recovering and the size of the deficit is decreasing but our challenge is still in front of us. We are soon set to come to the end of this fiscal year which will present these issues again at the end of September. The debt ceiling will be not far after that. I have heard there are only slightly more than 20 legislative days left before the new fiscal year starts. It is incumbent upon us to recognize, to reflect the voices of these Virginians who, again, don't call out red team, blue team or House or Senate, but say to us in Congress, implore us to do our jobs.

We have been joined by my colleague, the Senator from Maryland. I think we could debate whether Maryland or Virginia is more ground zero for the negative impacts of sequestration. But whether it is NIH workers in Bethesda or civilian Navy employees in Woodbridge, the stories are the same. This is not fair. It is not right. None of these folks are getting a 20-percent discount on daycare, rent or, as the one person said, repayment on their student loans.

It is incumbent upon us to get this problem fixed and that is going to require the kind of hard work on revenues and entitlement reform so many of us have tried to avoid; otherwise we will not see an America that will stay as competitive as it needs to be and we will disrespect the literally hundreds of thousands if not millions of workers who work directly or indirectly to protect our Nation and are trying to provide the services that are so essential to our people.

Let's not do any more harm. Let's not waste any more time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I have not been on the floor during the entire remarks of my friend from Virginia, but I did hear part of it. I first want to thank him for his extraordinary leadership on behalf of the people of Virginia and on behalf of a sensible way to resolve our budget problems. The Senator has been a leader in building bridges and recognizing how devastating sequestration is, not just to the Federal workers who live in his State, not just to the people who live in his State, but to our entire country.

This is dangerous, sequestration. The Senator has been a leader in pointing that out.

He has also made it very clear that sequestration is mindless across-the-board cuts and that we have a responsibility to make priority decisions. When we use sequestration we are on automatic pilot but it is an automatic pilot that cannot carry out its current mission. It cannot safely navigate the air. That is where we are.

I applaud my colleague for taking on this issue of saying to our friends on both sides of the aisle: Let's listen to each other. We know we are divided. We have different views. But we need to sit down, work together, and come up with a sensible way to balance the Federal budget to give the predictability that is necessary and to eliminate these sequestration cuts.

It is particularly painful right now when we have so many Marylanders, so many Virginians, so many people in this country who are receiving paychecks with a 20-percent cut. Yet the work they have to do is the same.

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

Mr. CARDIN. I will be glad to yield.

Mr. WARNER. I thank the Senator from Maryland for his comments. Let me say no Senator has served with more distinction, both here in the Senate and prior to that in the House, in being a constant advocate for Federal employees and being willing to step up to protect them and rebut what we too often hear from some of our colleagues who, across the board, without distinction, demean and denigrate the extraordinary good work that so many countless unnamed Federal employees do.

I thank the Senator from Maryland for that work. I thank him for his continued willingness in conversations with me and others to talk about: Hey, we all have to stretch a little way to get things done. I know he is hearing the same thing in Maryland. People are not distinguishing red shirt, blue shirt. They want us to get this done. I thank the Senator for his good work and I look forward to working with him and folks on both sides of the aisle on this issue.

Mr. CARDIN. I thank my colleague for his comments. I understand he already mentioned what has happened at the National Institutes of Health and the fact that, because of the sequestration cuts, the number of grants being given out this year, contracts with young scientists to do research, is going to be cut by the hundreds.

We don't know which one of these researchers would have come up with an advancement, a major breakthrough, but there would have been some. And they are going to be denied. They may get discouraged, the people who would have received these grants, and they may go into other fields. We may lose them forever. They may go to other professions. They may go to other countries. But we know they are not doing the work they are trained to do and we know they had a proposal that went through the most difficult vetting process and was selected for funding and should have been funded but is not being funded because of these sequestration cuts. That we know. That much we know for sure.

We also know it is not just that researcher who has been hurt by the sequestration cuts. It is the businesses that depend upon the basic research—many of which are small companies—in order to build upon that research to create the products that go into the marketplace and create the jobs that are necessary for our economy. There is a direct loss to the economy of our country as a result of these sequestration cuts. It is time we move forward and resolve the problems of our country.

I agree with my friend from Virginia that we have to find a way on both sides of the aisle to come together, but I must point out it has been extremely difficult, particularly with the climate in the other body. In the current issue of New York magazine, Jonathan Chait writes:

> The chaos and dysfunction have set in so deeply that Washington now lurches from crisis to crisis, and once-dull, keep-the-lights-on rituals of government procedures are transformed into white-knuckle dramas that threaten national or even global catastrophe.
>
> The Republican party has spent 30 years careering ever more deeply into ideological extremism, but one of the novel developments of the Obama years is its embrace of procedural extremism. The Republican fringe has evolved from being politically shrewd proponents of radical policy changes to a gang of saboteurs who would rather stop government from functioning at all.

This brinkmanship is preventing the economic recovery from gaining steam, it is preventing us from addressing urgent problems, and it is punishing all Americans, not just Federal workers.

If we come together on behalf of the American people, we can replace sequestration with a measured and balanced approach to deficit reduction. We can agree on a path forward to fiscal solvency that spreads the burden equitably. We can begin to solve our problems instead of compounding them, but I will tell you what we can cannot do. We cannot balance the budget on the backs of Federal workers. It isn't feasible, and it isn't fair.

Increasingly, Federal workers are asked to do more with less. According to the Office of Management and Budget, the size of the civilian workforce relative to the country's population has declined dramatically over the last several decades, notwithstanding occasional upticks due to military conflicts or the taking of the census.

In the 1950s and 1960s, there were, on average, 92 Americans for every Federal worker. In the 1980s and 1990s, there were 106 Americans for every Federal worker. By 2011, the ratio had increased to 145 Americans for every Federal worker. Since the 1950s and 1960s, the U.S. population has increased by 76 percent, and the private sector workforce has risen by 133 percent, but the size of the Federal workforce has risen by just 11 percent.

Relative to the private sector, the Federal workforce is less than half the size it was back in the 1950s and 1960s. The picture that emerges is one of a Federal civilian workforce whose size has significantly shrunk compared to the size of the U.S. population it serves, the private sector workforce, and the magnitude of Federal expenditures.

I previously talked about the adverse effect of sequestration on many of our domestic agencies. I have talked a little bit today about the circumstances at NIH. I have talked about the Food and Drug Administration, the Social Security Administration, and other domestic Federal agencies.

I will focus, if I might, for the next few minutes on the impacts of sequestration on a particular group of Federal workers: the Department of Defense civilian employees who are part of a Total Force team providing invaluable support to our men and women in uniform serving in harm's way. These proud individuals have in the past few weeks suffered unnecessary hardships due to sequestration.

The primary priority of our government is the defense of our Nation and sequestration adversely affects the civilian men and women who help provide that defense. DOD civilians serve our Nation by advancing scientific research, providing logistical support to our servicemembers while forward deployed, and ensuring institutional stability within DOD offices as servicemembers rotate to different duty stations.

Recently, some in the media have promoted the idea that the $85 billion sequestration cut triggered on March 1 isn't causing drastic effects. CNN called the cuts ''not as bad as advertised,'' and the Washington Post reported that the cuts are less ''scary'' than predicted. Tell that to the 46,000 DOD employees in Maryland and another 103,000 in the Capital region who are being furloughed, losing up to 20 percent of their weekly pay through the rest of this fiscal year.

Earlier this month, the Defense Department began furloughing 652,000 civilian employees nationwide, forcing them to take up to 11 unpaid days off through September. This is in addition to the furloughs at the Department of Housing and Urban Development, the Environmental Protection Agency, and the Internal Revenue Service. These furloughs disrupt our national and economic security and put hundreds of thousands of Federal workers and their families in financial hardship. Our government cannot continue to provide for the defense of our Nation by maintaining such a harmful policy toward our civilian workers.

I have visited installations throughout Maryland. I have heard about and have seen the impact of furloughs of Defense Department employees and other Federal employees and the impact it will have on their ability to carry out their mission. These cuts and furloughs are affecting the ability of the agency to carry out its legal mission.

For instance, at Indian Head Naval Surface Warfare Center in Charles County, over 1,870 civilian employees—about 97 percent of the total government civilian workforce—are being forced to take leave without pay 1 day per week. It puts base police and fire protection, safety programs, air operations, air quality programs, and facilities at risk.

At Walter Reed National Military Medical Center, furloughs will hit 2,400 Defense Department civilians—94 percent of the civilian staff. Walter Reed is the country's top facility for wounded combat soldiers. Its Department of Orthopedics and Rehabilitation is the largest within the Department of Defense. Its seven specialty service clinics include one for traumatic brain injuries. Soldiers needing expert care might have to wait longer for appointments or be forced to nonmilitary facilities, both of which will drive up costs and compromise the quality of care.

I cannot say how many of us have taken the floor to talk about our commitment to make sure our service people—our wounded warriors—get the type of treatment they deserve. Many of us have visited the Walter Reed National Military Medical Center, and we are proud of the services that are being provided. Sequestration is hurting our ability to meet the mission we promised to the heroes who have served our Nation and have now come home and expect that health care to be available to them.

At Fort Detrick 4,900 Defense Department civilians will be furloughed. Those civilians support a multigovernment community that conducts biomedical research and development as well as medical material management that includes everything from advanced bandages to vaccines for soldiers on the battlefield and in military hospitals. That mission is at risk. There is no other place that can carry out the type of advanced lab work that is done at Fort Detrick.

Aberdeen Proving Ground, Harford County's largest employer, home to 11 major commands and more than 80 agencies, has approximately 11,500 DOD civilian employees subject to furlough, which is about half of APG's workforce. Before sequestration, APG reported contributing more than $400 million in payroll and $500 million in contracts annually. I can assure everyone that community will be affected and many businesses will be affected, as well as the mission at APG itself.

Just a few miles away at Fort Meade, Maryland's largest employer, sequestration is affecting the entire region. Most of its 27,000 DOD civilian employees face furloughs. These furloughs have all sorts of unintended consequences. A furloughed worker, for instance, may have trouble making his or her mortgage or car payments. Reduced credit worthiness may affect a worker's ability to maintain or obtain a security clearance. Is that how we

want to treat people who have helped defend us from terrorists?

Budgets cuts compounded by sequestration will lead to brain drain in the Defense Department, with some of the best and the brightest defense professionals in the Federal Government deciding to seek opportunities elsewhere.

The Federal workforce is better educated, older, and more experienced, on average, than its private sector counterparts. A significant number of Federal workers provide their services to the American people at a discount. They could command higher salaries in the private sector, but they choose to work for the Federal Government because they are patriots and they believe in public service.

The world is still a dangerous place. In such uncertain times, we cannot afford to let political dysfunction get in the way of ensuring our national security. Sequestration is harming our national security readiness.

Sequestration is not just about compromising the ability of Federal workers to carry out their critical missions on behalf of all Americans, and it isn't just hurting Federal workers and their families economically. Private sector businesses and communities across the country are being hurt by the reduced purchasing power of furloughed Federal workers.

Federal workers are similar to everyone else; they support the local businesses in their communities: auto dealers, restaurants, dry cleaners, you name it. They all suffer when Federal employees suffer. The local economy suffers and the recovery becomes that much harder and slower.

We need to stop demonizing and scapegoating and punishing Federal workers. We need to replace sequestration with a rational budget. One of the greatest attributes of the American character is pragmatism. Unlike what some other Federal employees are actually doing, in Congress, balancing a budget is not rocket science. We know the various options.

Former President Lyndon Johnson was fond of quoting the prophet Isaiah: ''Come, let us reason together.'' That is what we need to do. We can acknowledge and respect our differences, but at the end of the day the American people have entrusted us with governing and with being pragmatic. Let us do our job so Federal workers can get back to doing their jobs.

I yield the floor.

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

Ms. COLLINS. Madam President, it is my understanding that the Senator from Arizona wishes to address the Chamber about an upcoming motion to recommit the bill.

I yield time to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, this is the first appropriations bill we are considering for fiscal year 2014. Unfortunately, in my view, it gets us off on the wrong foot because of the spending level. The bill spends more than $54 billion, which is about $5 billion above last year's spending level and more than $10 billion over the House proposal for this coming fiscal year. Considering that our debt stands at over $17 trillion, we ought to be spending less, not more this year.

This bill already takes a larger portion of the allowable spending compared to last year. People will point out that the budget agreement we agreed to in 2011 simply sets an aggregate number and that we can spend whatever we want in certain appropriations bills as long as the total doesn't go over $967 billion. That is true, but it is impossible.

I can say that with experience in the House and now in the Senate; that if we overspend on the initial appropriations bills, we will somehow cut back in the bills that come later. Often the last bill to come up is the Defense bill. Nobody is going to undercut our troops or spend less on a defense bill, but that would be required if we were to stay under the budget control agreement number. When we overspend on the initial appropriations bills like this, it simply means one thing: that we are going to bust the budget.

I can tell my colleagues, to have any credibility with the taxpayers, we have to stick to the agreement that was agreed to in 2011. We passed so far. We even went through the sequester because we couldn't come up with an agreement to prioritize spending. But now, to go over the spending limit on the first appropriations bill would not set the right precedent moving ahead into the appropriations bills. We simply have to deal with this debt and deficit. This isn't the way to go.

That is why I support the upcoming motion to recommit that Senator TOOMEY will offer in a few minutes that will simply recommit the bill to the Appropriations Committee and say: Come back with something that fits within the Budget Control Act that is similar to what was spent last year, not overspending by $5 billion. I hope we will pass this motion to recommit. I hope it will start off the appropriations bills in the Senate on the right foot.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I yield 5 minutes to Senator HOEVEN.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Maine, as well as Senator TOOMEY from Pennsylvania. I wish to express comments in regard to the motion to recommit we will be voting on around 3 o'clock.

THUD is an important bill. It includes funding for things we consider absolute priorities, including, certainly, transportation, roads, bridges, funds for housing and for other purposes. So we very much want to fund the Transportation, Housing and Urban Development bill.

The problem we have is we haven't agreed, as far as the appropriations bills, as to an overall total of how much we will spend. That is really the problem we are confronting with this legislation.

Under the Budget Control Act, the total for all of the appropriations bills cannot exceed $967 billion. That is the law. That is the law. But the majority party is appropriating to $1.058 trillion. That is a problem. So as appropriators we want to go through prioritized spending, make sure we are funding the things that should be funded, and then for things that are lower priorities, not funding those so we can truly fund the priorities that are important to the American people.

The problem is we are not going to be able to do that unless we get an agreement on the total funding level, and that agreement is exactly what the BCA—the Budget Control Act—provides, and it says specifically $967 billion. That is the law. That is the law.

We have a $17 trillion debt. We have a deficit this year that CBO projects to be in the range of $750 billion. That is a real problem for our country. That is a problem we have to address. We have to get the deficit and the debt under control. There are two ways to do that. One is to raise revenue that comes from economic growth, not higher taxes. It comes from economic growth and getting our economy going. Of course, the other way to reduce our deficit is to control spending, and that is what a budget is all about—and sticking to that budget. We ought to have a balanced budget amendment, which I very much support. But what we have right now is the Budget Control Act. It is the law.

So the question I ask is, Why is the majority party saying we are going to appropriate 12 appropriations bills that total $1.058 trillion rather than $967 billion? How are we going to get our deficit and our debt under control if we don't adhere to the budget guidelines that are set?

So the simple and very clear point I wish to make is this: As appropriators and as Senators, I believe we all want to prioritize funding. We want to make sure we fund the things that are important, such as infrastructure, such as housing, and other priorities. For things that shouldn't be funded, we should say we are not going to fund those items. That is the difference between prioritizing and the so-called sequester—the across-the-board cuts.

We are headed down a trail right now, if we approve this bill as is and bring other appropriations bills to the floor and approve them as they are, the sequester automatically kicks in again. Under the law, the sequester comes right back in and will bring these bills down to a total of $967 billion. So what have we gained? We

haven't accomplished what we are trying to do, which is to prioritize the funding.

So let's find a way across the aisle to come to an agreement to make sure we prioritize funding and do so within the BCA limit of $967 billion because that is what the law says. That is what the law says we have to do. We need to find a way to come to an agreement.

With that, I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

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

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

Ms. COLLINS. Madam President, later this afternoon, Senator TOOMEY will be offering a motion to recommit the Transportation-HUD appropriations bill back to the Appropriations Committee. While I commend Senator TOOMEY's goal of ensuring that the fiscal year 2014 spending levels comply with the Budget Control Act spending caps, I do not believe this is the right approach.

Let me be clear. I voted in the Appropriations Committee, as did every Republican member of that committee, for a top-line level of $967 billion. That is the amount that is in the Budget Control Act. That is law. But this is the very first appropriations bill that has been brought to the Senate floor. We have no idea where we are going to be at the end of the process.

The two leaders of the Appropriations Committee have called for regular order, and I commend them for bringing appropriations bills to the floor starting with this one, one at a time, for debate, amendment, and full consideration. We have had many amendments filed to this bill. Several of them would reduce spending that is in this bill. One reduces spending by $50 million for the HOME program that is being offered by the Senator from Arizona. There is another that reduces spending by over $1 billion for the Community Development Block Grant Program. That is not a cut I happen to believe should be made, but that is a legitimate amendment that, if it passes, would reduce spending in this bill by $1 billion. There are other amendments that have been proposed to reduce spending in this bill.

So this is turning the process upside down. It is recommitting to committee a bill before we have had the opportunity to determine what the final spending level in the bill is even going to be as a result of the many amendments that have been filed. Furthermore, we are not going to know if we have reached the cap until we finish all of the appropriations bills.

I realize my Democratic colleagues want a far higher spending cap than I do and that the Budget Control Act provides, but I don't think we should short-circuit the process when there has been a good-faith effort to bring appropriations bills to the floor.

What I would propose in lieu of the approach offered by my friend and colleague Senator TOOMEY is an amendment which I am going to file this afternoon that says not later than October 1, the Committee on Appropriations shall revise the suballocations to the subcommittees for fiscal year 2014 such that the suballocations comply with the discretionary spending limits that are in the Balanced Budget and Emergency Deficit Control Act—what we refer to as the Budget Control Act, the BCA.

To me, this is the proper way to do it. If, at the end of the fiscal year, we find that the appropriations bills that have been passed exceed the statutory cap in the BCA, then we should reopen the process and reallocate the funds—the ceilings, the caps—across each of the subcommittees and produce bills that comply with the law.

Frankly, since current law applies this cap anyway, if we don't do that, sequestration will take effect on January 1 of next year. I do not think that is a good approach because it treats all programs as if they are the same and does not allow us to set priorities.

So I think the approach of the Senator from Pennsylvania is premature, a blunt instrument, and there is a reasonable alternative. I think it discourages a return to regular order where we bring the appropriations bills to the floor and where Members are free to eliminate whole programs, to cut billions if they wish to do so. Indeed, Members have worthwhile amendments that would reduce spending, but to send the bill back to committee before we have even had a chance to consider those amendments and before we have allowed the Senate to work its will is, to me, completely upside down of the way the process should work.

Furthermore, I will make the point once again that this is the first appropriations bill. How can we say the cap is breached when it is the very first bill to be brought before the Senate? Frankly, having gone through this process where we did have a free-standing Transportation-HUD bill and Senator MURRAY and I went to conference with our House counterparts, we came back with a consensus bill that became law that was in between the amounts in the Senate bill and the House bill. So we ended up at a lower level, which we knew we would, and which I will not feel I am going out on a limb in predicting we would in this case as well, since the Senate bill is higher than the House bill.

Why can't we let the process work? Why can't we consider the amendments that have been offered, some of which may well pass and reduce spending? Why can't we go to conference with the House where I believe additional cuts are probably likely? And why can't we let the appropriations process unfold the way it should? Why should we short-circuit it now by saying, that is enough, let's return the bill to committee, we don't trust what is going to happen, when there are safeguards we can put in to ensure that at the end of the day we will be at the cap of $967 billion?

As I said, I will file my amendment this afternoon to give us an actual mechanism to ensure that at the beginning of the fiscal year we are at those levels. That is one approach, and I think it is a far better approach.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 1756, 1803, 1785, AND 1789 EN BLOC

Mrs. MURRAY. Madam President, I ask unanimous consent that the pending amendment be set aside and the following amendments be called up en bloc: Coburn No. 1756, McCain No. 1803, Boozman No. 1785, and Udall of Colorado No. 1789; that the amendments be agreed to, en bloc, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1756

(Purpose: To require public disclosure of certain reports)

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency to the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives under this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

AMENDMENT NO. 1803

(Purpose: To prohibit the obligation or expenditure of funds made available to the Department of Transportation for cyber security until the Secretary of Transportation submits to Congress a detailed plan describing how the funding will be allocated and for what purposes)

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

SEC. 1____. None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to the appropriate committees of Congress a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.) and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

AMENDMENT NO. 1785

(Purpose: To establish the Sense of the Congress that any vacancy in the position of Inspector General of the Federal Housing Finance Agency should be filled in compliance with the Federal Vacancies Reform Act of 1998)

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) The Housing and Economic Recovery Act of 2008 established an Office of Inspector General within the Federal Housing Finance Agency (in this section referred to as the ''FHFA'').

(2) The President has nominated Steve A. Linick, the current FHFA Inspector General, to be the next Inspector General of the Department of State.

(3) The nomination of Steve A. Linick to be Inspector General of the Department of State occurred on June 27, 2013, following a 1,989 day vacancy that began on January 16, 2008.

(4) The Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345 et seq.) prescribes requirements for filling, both permanently and temporarily, vacancies that are required to be filled by Presidential appointment with Senate confirmation, and generally provides a limit of 210 days for persons serving in an ''acting'' capacity.

(b) It is the Sense of Congress that should a vacancy occur in the position of Inspector General of the Federal Housing Finance Agency, the President should act expeditiously to nominate a person to fill the position on a permanent basis and should wait no more than 210 days to nominate a person to serve in this position in the event of a vacancy.

AMENDMENT NO. 1789

(Purpose: To require the Federal Railroad Administration to evaluate regulations that govern the use of locomotive horns at highway-rail grade crossings)

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration, in consultation with appropriate local government representatives, shall—

(1) evaluate existing regulations governing the use of locomotive horns at highway-rail grade crossings to determine whether such regulations should be revised; and

(2) submit a report to Congress that contains the results of the evaluation conducted pursuant to paragraph (1).

Mrs. MURRAY. Madam President, it is my understanding we have a Republican Senator who is coming to the floor shortly to make a motion to recommit. For the information of all Members, at some point to be agreed upon, we will dispense with that motion this afternoon. We are hoping to do that. I know a number of Members have asked the timing on that. I will work with the Senators and our staffs to try and do that as soon as possible. I know many Members are waiting.

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

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

TAX CODE REFORM

Mr. BAUCUS. Just outside this Chamber are the likenesses of Washington, Jefferson, Lincoln, and dozens of statesmen cast in bronze and marble. I often look to these individuals for inspiration and quotes when writing a speech.

On a recent walk across the Capitol to meet my colleague, Congressman DAVE CAMP, I passed a giant statue of Andrew Jackson, our Nation's seventh President.

It was Jackson who famously said—and I quote him

The wisdom of man never yet contrived a system of taxation that would operate with perfect equality.

Those words were spoken by Jackson in 1832. More than 180 years later, our Nation still struggles with a broken tax system.

Our Tax Code today is inequitable, inefficient, and incomprehensible to the overwhelming majority of Americans. It contains nearly 4 million words—4 million. If someone were to try to read the entire code out loud, it would take them more than 18 uninterrupted days.

Not only is the code long; it is maddeningly complex. There are 42 different definitions of a small business in the code—42. There are 15 different tax incentives for higher education—so many that the IRS had to publish a booklet to explain and simplify the higher education tax incentives. And that book—I have it with me—is 90 pages long—just on the education tax incentives. Here it is. I defy anybody to read it, let alone somebody trying to go to college or a parent trying to help his or her child go to college.

The code is such a labyrinth that 90 percent of American taxpayers have to use an accountant or some kind of computer software to file their tax returns. Even with all this assistance, it still takes the average taxpayer 13 hours to gather and compile the receipts and forms to comply with the code.

The Tax Code today is also inefficient and unfair. It is riddled with loopholes and deductions that result in more than $1 trillion in lost revenue each year.

This complexity in the code is eroding confidence in our economy and creating uncertainty for America's families and businesses. Many Americans think of the other guy, the fancy lawyer who can take advantage of the code and pay lower taxes, which means more tax burden on to me. It is not fair. Confidence is eroding.

It is also threatening to undermine the competitiveness of the United States in the global marketplace.

Harvard Business School did a survey last year asking 10,000 of its graduates who live and conduct business around the world about the challenges of doing business in America. These individuals—these 10,000—are leaders on the frontlines of the global economy, and they are pessimistic about America's economic future.

The vast majority of those surveyed—71 percent—expected U.S. competitiveness to deteriorate over the next several years.

And what did they identify as the root of America's competitiveness problem? Respondents pointed to America's Tax Code—to the code—as one of the greatest weaknesses in the U.S. business environment.

Dig deeper and you learn respondents were deterred from investing in the United States not simply by a higher statutory corporate tax rate, but also by the sheer complexity and uncertain future of the Tax Code. I might say, when I mention that report to people, to businesses, to Americans, they nod their heads in agreement. That is what they have found themselves too.

The survey concludes with a dire warning—and I quote the survey:

For the first time in decades, the business environment in the United States is in danger of falling behind the rest of the world.

That's bad news for everyone. A fundamentally weakened U.S. economy is not only an American problem but also a global risk.

Chairman CAMP and I have been working together for more than 2 years on comprehensive tax reform. Here in the Senate I have been working on tax reform for the past 3 years with my good friend Senator HATCH, the ranking member of the Finance Committee. We have held more than 30 hearings and heard from hundreds of experts about how tax reform can simplify the system for families, help businesses innovate, and make the United States more competitive.

A lot of people talk about more jobs. There is a lot of talk about more jobs. This is one way to get more jobs. If we reform the Tax Code, it will unleash so much positive energy in this country. It would create a lot more jobs than any other plan I have recently heard of.

We held more than 30 hearings, heard from hundreds of experts on how reform can simplify the system, help businesses innovate, and make the United States more competitive. Last month Senator HATCH and I completed work with the Finance Committee on an extensive, 3-month, top-to-bottom review of the Tax Code. We met as a full committee every week to collect feedback on different topics in tax reform and issued a series of 10 discussion papers to kick off that conversation.

In an effort to include the entire Senate in our efforts, we recently called on all Senators to partner with us and provide their input and ideas for reforming the code. Starting with a blank slate, we called on every Senator to submit their proposals for what they want to see in a reformed code. This is

an important exercise. Everyone needs to be involved. We need every Senator to weigh in on tax reform. I might say, the deadline is this Friday, tomorrow. I encourage all of my colleagues to submit their ideas and make their voices heard.

I might say, your constituents are certainly making their voices heard. We have received more than 10,000 comments and ideas so far through the Web site that Chairman CAMP and I created called taxreform.gov—actually, 10,258 responses, to be exact.

Overwhelmingly, Americans, from every corner of our country, are calling for a simplified Tax Code. People think they should not have to spend hours upon hours and hundreds of dollars to prepare their taxes, and I for one agree.

Let me share a couple of submissions we have received on our Web site.

Jennifer, from Hollywood, MD, writes:

> I've been doing my family's taxes for 22 years. This year my husband suggested we use a tax service. Why? The tax code is too complicated and he was concerned we were missing deductions.

Mike, from Fort Collins, CO, provides an example of the complexity in the code, writing:

> I have been a tax assistance volunteer for 19 years. It is difficult to tell someone who knows what a child is that there are actually four different definitions for ''a child'' in the tax law. Make the same definition apply across the entire tax code. The best way is the simplest way.

Wendy from Irving, CA, writes:

> I do not mind paying taxes—we need education, infrastructure, and a defense. What I do mind is that it is a complete mystery and a complete game to find every allowable deduction and that it is a significant burden as well as a significant expense to pay a qualified preparer. How has this come to be? My returns are 20–50 pages long. Why is it more than two? There must be a way to simplify the process.

You know what. Wendy is right. There must be a way to simplify the process.

That is the same message Chairman CAMP and I heard earlier this month in St. Paul, MN. We were in the Twin Cities for the first in a series of trips we are taking across the country to speak with people about tax reform.

We want to get out of Washington. We are doing it this summer. We are going to Philadelphia next Monday to get input and feedback from people on dealing with America's tax system.

St. Paul was a great trip. We met with leaders of two distinctly different types of American businesses—one a U.S.-based multinational corporation with more than 85,000 employees, the other a family-run bakery with 85 employees. While dramatically different in size and in industry, they face similar challenges when it comes to dealing with America's Tax Code. In conversation after conversation we heard the same thing: We need a simpler Tax Code.

St. Paul was just the first stop. As I mentioned, the next trip is Philadelphia. Then we plan to go to the west coast. We have other trips planned over the next couple of months. We are going to talk to groups about how we can make the tax system fairer and easier to deal with, and we want to learn how we can restore some confidence in the code.

Our efforts on reform have been ramping up. We are continuing to build momentum. Reform provides a historic opportunity to give families certainty, spark growth, create jobs, and make businesses more competitive to provide America a real shot in the arm.

I will conclude my remarks as I began them—with a quote. These words are from our Nation's sixth President, John Quincy Adams. President Adams:

> Patience and perseverance have a magical effect before which difficulties disappear and obstacles vanish.

That is where we are. We are patient. We are persevering. We have a lot to do. The difficulties will disappear, obstacles will vanish, and the best result will be that the American people have a simpler, fairer code to provide more jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MOTION TO RECOMMIT

Mr. TOOMEY. Madam President, I rise to describe a motion to recommit that I am going to offer. Let me start by providing a little bit of context to why I am offering this motion to recommit. That has to start by reminding my colleagues about the Budget Control Act that was signed into law in 2011, about 2 years ago.

The Budget Control Act—which, again, is an act, not a bill—has been signed into law. It is the existing law of the land. It established spending caps—limits on discretionary spending—in a modest effort to try to bring out-of-control spending somewhat under control. So we have a statutory limit on how much the Federal Government is permitted to spend. It is a limit on both the defense side and the nondefense side, but it is a limit. It is an attempt to control that which has been so difficult to control in this town, which is Federal spending.

I should point out that even if we abide by the spending caps that are in the existing law, if we follow the law, we are still going to run a huge deficit. Next year the deficit will be about $560 billion. That means that next year, if we have the spending discipline of living within the law, we will still increase our total outstanding debt by more than $½ trillion and our debt as a percentage of our economy will rise to 76 percent—76 percent debt-to-GDP ratio. Our debt-to-GDP ratio is already higher than it should be. It is already costing us economic growth and jobs. It is going to rise further. That is assuming we stick to the spending cap.

I should point out that the way we got to this point is just spending on autopilot, just growing spending every year. I will give one example. Since 2000, total Federal spending has doubled. That is the scale of the increases in spending we have been experiencing. That is why we have been running huge deficits. We now have a massive debt. The accumulated debt is causing this big drag on our economy and preventing us from having the kind of job growth we ought to have.

Here is my big concern. The bill we are considering right now, the Transportation-HUD bill, puts us on a direct path to bust the caps, to break the law, to spend even more than the statutory limits we put in place just 2 years ago. Let me walk through how we get there.

The fact is that under the Budget Control Act the cap that is set on discretionary spending for the fiscal year we are currently debating, 2014, is $967 billion. That is the number. If you add up the spending sums for all of the appropriations bills my Democratic friends want to pass, it adds up to $1.058 trillion. It is $91 billion more spending than is permitted under current law.

It busts the caps by almost $100 billion. We cannot afford this kind of spending. We cannot afford the spending we are currently contemplating, much less nearly another $100 billion.

Now, I should be clear. Any single bill does not bust the caps all by itself. It is what they do in combination. But this bill is one of a series that in combination is designed to bust the caps. All you have to do is add up the total spending in each bill, and you get a number that is much greater than the cap. So it is very clear.

This particular bill, by the way, is a huge increase. The Transportation-HUD bill spends over $54 billion in its current form, as currently contemplated. That is $5 billion more than in 2013. That is a 10-percent increase in just 1 year. It is almost $10 billion more than what the House proposed. It is even more money than what the President of the United States asked for in his own budget request. He did not ask for this much money. Yet here it is on the Senate floor, a bill that busts the cap, increases spending dramatically, and spends more money than the President even asked for, at a time when we are running huge deficits that are costing us economic growth.

I think this is a very bad idea, so I have a motion. I am grateful to have the support of many of my colleagues, including Senator SHELBY and Senator HOEVEN, both who are appropriators. I think Senator HOEVEN is intending to speak in support of this motion. Let me explain clearly what it will do. What my motion will do is send the bill back to committee with instructions to lower the spending in the bill to $45.455 billion. That is the number that would be consistent with the spending caps. It would allocate an amount of money to this appropriations bill, the Transportation-HUD bill, in proportion to what the Transportation-HUD bill spends under the current fiscal year. It would do that for the next fiscal year.

I am not suggesting that I would go through and line by line make all of

the individual adjustments within the bill. I would leave that to the committee that has the most expertise, the Appropriations Committee. Let them do their work, but let them do it in a way that ends with a product that is consistent with the law, consistent with the spending caps.

One point I should make about the spending caps in the Budget Control Act—I think there are some folks in this town who mistakenly think that since deficits have gotten a little smaller in recent years than they were in the past few years, somehow we do not have a deficit problem anymore and we can just crank up spending. I have to say I think that is a profoundly mistaken view. We still have a huge problem with the spending path. A $½ trillion deficit is a devastatingly large deficit. As bad as that is, several years in the future, under current projections—again, this assumes that we live within the law—within a few years these deficits start to explode again even beyond the current levels, which are already unacceptable.

So I think this is very important. This is the first appropriations bill the Senate is considering this year. This is the one that is going to determine whether we are going to go down a path of disregarding the bipartisan, Presidentially signed law of the land which is in existence right now. This bill is designed to be part of a process to bust that wide open so that we spend more money that we can't afford. That would be a huge mistake.

This is a motion to recommit back to the committee, report out a bill where they can establish the priorities and the allocation within the limit but set the limit at a level that is consistent with the caps.

I move to commit S. 1243 to the Committee on Appropriations with instructions to report back with such changes as may be necessary such that total budget authority for fiscal year 2014 is not greater than $45.455 billion.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. Madam President, I rise to strongly oppose this motion that is now before the Senate. I urge all of my colleagues to vote against it as well. Senator COLLINS and I have worked very closely together to write a bipartisan transportation and housing bill that works for our families and our communities. We have been working here together on the floor to have an open debate and accept amendments from both sides of the aisle. We just accepted a number of them a few minutes ago.

In addition to six Republicans who explicitly supported this bill in committee, along with all of the Democrats, a total of 73 Senators voted to start debate on this bill. But now this motion that is now before us would take all of that bipartisan work we did on this bill in committee and it would take the strong bipartisan support coming out of committee and just throw it all away and ask us to simply now adopt the House Republican budget and start all over again. There is absolutely no reason for us to go back to the drawing board, especially not under the conditions that are laid out in this motion.

Back in March we had a very vigorous debate here in the Senate about our values and our priorities when it came to the Federal budget. We debated about the future of Medicare. We talked about how the wealthiest Americans should contribute their fair share. We debated what should be done with overall spending levels and the automatic cuts from sequestration that were put in place in the bipartisan Budget Control Act in order to bring both sides to the table to replace them with more responsible deficit reduction.

Everyone will remember that we spent dozens of hours debating the budget on the Senate floor. Then my colleagues had a choice. We ran an open process. Any Senator could bring an amendment to the floor. We considered over 100 of them from Democrats and Republicans. One of my Republican colleagues even offered the House budget as an amendment, which locks in that overall sequestration level but actually ignores the Budget Control Act by simply pushing the entire burden onto seniors and families in our communities. But, as we all know, the House budget was rejected by the Senate. It got only 40 votes here, and 5 Republicans actually voted against it. The Senate budget we ended up passing replaces sequestration with an equal mix of responsible spending cuts and new revenue by closing tax loopholes that benefit the wealthiest Americans.

The House passed their budget that locks in sequestration on steroids. The Senate passed our budget that replaces sequestration with more responsible deficit reduction. I absolutely agree with my colleagues that we cannot finish that budget process until we find a way to bridge that divide between the House and Senate. But I want to be clear here. A motion to recommit on an appropriations bill is not the place to have the debate on the overall spending levels. That is what a budget conference is for. That is where the two sides need to go to work out a deal. But, as my colleagues all know, despite the efforts of many Republicans and Democrats alike, a few Senators—very few Senators—continue blocking a bipartisan budget conference. So far we have been unable to even get in a room to talk about that.

We are going to keep trying to start a budget conference and work toward a bipartisan deal. Until we do, the bipartisan work that is being done in the Appropriations Committee now, led by the chairwoman Senator MIKULSKI has to continue.

Now that my colleague has brought this motion to the floor that attempts to lock in sequestration and force the House budget onto our transportation and housing bill, let's talk about it for a few minutes.

The bill we are debating right now, the transportation and housing bill, could not exist at the worse-than-sequestration levels that are being pushed in this House. My partner on this bill, Senator COLLINS, has been clear, as I have, that the differences between the House and Senate transportation bills could not be more stark.

Our bipartisan bill here in the Senate continues to invest in our communities through the Community Development Block Grant Program, CDBG, while the partisan House bill cut that in half to the lowest level ever, which would mean 40,000 fewer jobs in this country. Communities across the country would have to halt projects they are planning to help get their communities moving again.

Our bipartisan bill in the Senate invests in Essential Air Service and makes sure there is enough in the program to cover all the communities that currently participate in it.

The House partisan bill that this motion would recommit and put us back into the position of considering would shortchange the entire program and cut it more than one-third. It includes additional language that would kick out communities in States such as Montana and New Mexico that absolutely depend on this.

The bipartisan bill the Senate has invests in our families to make sure they have a roof over their heads when they need it most, to help them if they are disabled or seniors who need to stay off the streets. The partisan House bill would serve 132,000 fewer people, many of whom would end up homeless without this support.

Those are only a few examples. I could name many that are in this bill. If sequestration numbers were to be blocked in the way this motion that is before us envisions, we will continue seeing the impact across our entire Federal Government.

As Secretary Hagel has made very clear, the defense worker furloughs would continue and get worse. In my home State of Washington—I talked about it on the Senate floor this morning—we have seen the consequences of those cuts. Do you know where we are seeing them? In places such as Madigan Hospital where a young woman came and told me about being furloughed on Fridays and what it translated into in terms of people having their brain surgeries delayed because of the shutdowns on Friday. This is what we are talking about, doctors and nurses being furloughed in our Army hospitals as we have injured soldiers who need care.

This sequestration is going to impact funding for our firefighters who are protecting our homes and lands, civilian employees, and it will hit the law enforcement officials who are protecting our cities from the threat of terrorism. It will strip funds from cancer research at NIH. Our roads, bridges,

and rails will continue to crumble, and small businesses will pay the price.

This would be happening while a lot of other countries that are our competitors in the global marketplace are doing the opposite. They are investing in themselves. They are setting themselves up to compete in the 21st century economy.

This is the reality of sequestration. It may not make the news every single day in every paper. We may not see all the impacts right away, but it is very real, and it will truly be devastating. It will be devastating for our families. It will be devastating for our national security and our long-term economic growth if we don't replace it. By the way, it is not just Democrats who are saying this. Economists such as Ben Bernanke have said it is hurting the economy. Many of my Republican colleagues have spent a lot of time going around the country talking about how devastating it is on the defense side.

I am happy to have this debate. I don't think this bill, the appropriations bill, the transportation and housing bill, is the place to do it.

If the Senator from Pennsylvania and others wish to start a debate and a negotiation between the Senate budget and the House budget, they should stop objecting to us going to conference. That is where this should occur.

Until then, I urge my colleagues to reject this motion and allow us to continue working on the bipartisan bill we have worked so hard to bring to the Senate. Let's work in creating jobs, investing in communities, and lay down a foundation for long-term and broad-based growth.

I move to table the motion, and I ask for the yeas and nays.

The PRESIDING OFFICER (Ms. WARREN). Is there a sufficient second?

There appears to be a sufficient second.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. I ask that I be allowed to speak for 5 minutes.

Mr. MURPHY. I would ask the Senator if the Senator from Maryland could speak for 5 minutes. I would notify all of my colleagues that we intend to go to the motion to table once that debate occurs.

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

The Senator from Alabama.

Mr. SESSIONS. I wish to thank my colleague Senator TOOMEY for raising this matter and asking to recommit the legislation so the Senate committee, the appropriate committee, would produce a THUD plan for spending that complies with the Budget Control Act, which is a law of the land.

Senator TOOMEY is one of our most knowledgeable Members on finance in the Senate. He is a member of the Budget Committee. He fully understands the significance of this matter.

If this legislation passes at the level it is moving forward today, then we are eviscerating the promises we made to the American public in August of 2011. In August of 2011, everyone should remember quite well, that we said we would raise the debt ceiling by $2.1 trillion. We will reach that by the end of this year. We will have used up and borrowed another $2.1 trillion before the end of the year, but we said that we would reduce spending by $2.1 trillion over 10 years to make it easy on ourselves and to spread out the spending cuts.

This was passed into law with bipartisan support and signed by President Obama. This is not some law that was made up out of thin air. It was a law that was debated and passed in both Houses of Congress. Republicans and Democrats agreed to it, and it improved our spending a little bit.

We were then spending at the rate of $37 trillion over 10 years. We were projected to increase spending to $47 trillion over 10 years. This bill reduced it to $45 trillion.

Under the current spending limits we now have, as Senator TOOMEY has so ably pointed out, we are going to increase spending over next 10 years. We are going to increase it from $37 trillion to $45 trillion at a time when we have been running the largest deficits the Nation has ever seen, bar none. An absolutely irresponsible level of debt has been added to our country.

Even this modest proposal agreed to by the President, voted on by the majority party in the Senate, supported in a bipartisan way—is set to be demolished before 2 years is up: Oh, it is too tough. We can't reduce the growth of spending from $47 trillion to $45 trillion. Oh, this is going to destroy America.

Well, why don't we look for ways to spread out the cuts and distribute some to the departments and agencies that got zero reductions in spending, such as Medicaid and food stamps zero reduction. No, we can't touch those. They are sacrosanct, and other programs too.

We have some reductions in spending on the discretionary accounts that we can sustain, and it will be tough. That is what we are paid to do.

The bill should properly go back to the committee, and a vote in favor of the Toomey motion would instruct the committee to produce a bill that is consistent with the Budget Control Act.

May I inquire how much time remains?

The PRESIDING OFFICER. The Senator has 1½ minutes remaining.

Mr. SESSIONS. Essentially, the majority leader has already said that he intends to bring up the defense bill last, national security last. Why is he going to do that? He is going to do that because he is going to let all these other bills go over the budget limit, and then he is going to produce the defense bill and say: Oh, colleagues, we have to add more money to the defense bill, putting us over the BCA limits that were agreed to and passed into law. We have to waive that and spend more.

This is how a Nation goes broke. This is how we lose credibility with the American people.

We looked them in the eye in August 2 years ago and we said we were going to reduce the growth of spending a little bit, $2.1 trillion, in exchange for raising the debt ceiling $2.1 trillion.

The majority party here is blithely walking in, pretending that never happened and saying: Oh, we didn't intend to pass a limit.

Why did you vote for it then, if you didn't intend to pass it? We did intend to pass it. We promised the American people $2.1 trillion in reducing the growth of spending not a reduction in spending, just a reduction in the growth of spending.

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

Mr. SESSIONS. We need to honor that promise.

I yield the floor.

The PRESIDING Officer. The Senator from Maryland.

Mr. CARDIN. I wish to thank Senator MURRAY and Senator COLLINS returning us to regular order and bringing an appropriations bill to the floor that is consistent with the budget resolution passed by this body. I also wish to compliment my colleague from Maryland, the chairman of the Senate Appropriations Committee Senator MIKULSKI.

We are returning to regular order in the Senate. I find it amazing. It was only a week ago my colleagues on the Republican side were saying we don't want to turn the Senate into the House. Now we have a motion to recommit that would take the House numbers. We didn't do that.

Should we only have a unicameral legislature? I thought we thought this body was important. Yet this motion to recommit will have the effect of saying that what we do in this body doesn't make any difference; let's just take the House's bill. I don't think that is what we want.

The House bill that has been reported I don't think it has yet been voted on was a partisan bill. What we did in this body is have Democrats and Republicans working together. That should be the model we use in this institution. The motion to recommit would destroy that, would take that away. That doesn't seem to make a lot of sense.

Let me talk on the merits, if I might, for one moment, and that is what this motion would mean as far as jobs in this country and responsible investments. Remember that we are operating under a budget resolution that will reduce the deficit. It gets us to actually stronger efforts to reduce the deficit.

I can't speak to every category of spending, but I do know something about transportation. I serve on the Environment and Public Works Committee. There is bipartisan support on our committee to do more than what is in this budget. We have trillions of dollars' worth of roads and bridges that are falling down. We have to invest, to create jobs. We understand transportation creates jobs. The motion to recommit would take us to numbers that are lower than the sequestration numbers.

I was just on the floor a few minutes ago talking about how the sequestration is hurting this country—it is hurting job growth, hurting our economy, hurting Federal workers, and hurting ordinary Americans. Well, this motion makes it worse. It goes below the sequestration numbers. We need to invest in job growth, we need to do it in a balanced, responsible way, and that is exactly what Senator MURRAY did in wearing her hat as chairman of the Senate Budget Committee. She has now brought out an appropriations bill totally consistent with the action there.

Here is the real hypocrisy. What we have said on our side of the aisle is we understand there is a difference. Let's go to conference and resolve the differences. And the same people who are supporting this motion will not let us go to conference to resolve the differences. We should return to regular order. Reject this motion to recommit.

Ms. MIKULSKI. Mr. President, I rise today in strong opposition to the Toomey motion to recommit. This motion to recommit would send the transportation-housing bill back to the committee with a new allocation of $45.5 billion, a cut of $8.5 billion from the Senate bill's current level of $54 billion. The THUD subcommittee would then have to rewrite its bill to the new, lower allocation.

This motion is simply a backdoor approach to make sequester the new normal by slashing the THUD bill. This is a cut of the magnitude proposed in the Ryan budget. I remind my colleagues the Ryan budget puts a moat around defense spending, and cuts $91 billion from domestic programs. I will not accept sequester, I will not accept the Ryan budget, as the new normal.

The allocation for the THUD bill is based on a topline of $1.058 trillion. This is the presequester topline contained in the American Taxpayer Relief Act, a law that passed the Senate by a vote of 89 to 8 in January. The allocation for THUD proposed by the Toomey amendment is based on a topline of $967 billion, the postsequester level.

Those who support $967 billion want to make sequester the ''new normal.'' They say: We must follow the law, and sequester is the law. First of all, the House is not following the law. The House ignores the law by taking all $91 billion of cuts out of domestic discretionary programs.

This committee's spending allocations assert that sequester will be replaced with a balanced solution to the deficit problem that will be decided in a conference on the budget resolution. But guess what. Six Senators have objected to a conference on the budget resolution. And now this motion to recommit is further sand in the gears of the appropriations process. But I am determined that this committee will not be undermined by this obstructionism. While we wait for the Budget Committee to be able to do its job, we will continue to do our job.

Colleagues, this isn't a disagreement about whether we should have across-the-board cuts. Nobody thinks across-the-board cuts are smart. This is a disagreement about how much we will invest in America, in our infrastructure, our people, and our national security.

The Toomey motion to recommit would require huge cuts—in this case, $8.5 billion in cuts—but it provides no specifics. The THUD bill keeps America moving on land, at sea, and in the air. This motion to recommit stops America in its tracks. If this motion passes, roads will not be resurfaced, bridges will not be replaced or repaired, air traffic controllers will not be hired, and airports will not be upgraded. And all these cuts mean one thing—fewer jobs—fewer good American jobs.

The FAA modernization program will be delayed—again. This delay will cause more congestion at our airports and leave America further behind in the global economy. And these cuts mean safety will be put at risk, with fewer resources for the agencies charged with keeping us safe on the roads and in the air. These cuts today have consequences for years to come. This is true for our physical infrastructure, and it is true for our human infrastructure.

This motion is irresponsible and should be rejected. It demands $8.5 billion in unspecified cuts, which would have terrible impacts on America's infrastructure, and on our efforts to create good jobs right here at home.

I believe our government should meet compelling human needs. It should provide for the national defense. And our government should make smart investments today so our Nation will grow stronger tomorrow.

This motion to recommit puts all of these essential functions at risk and would have terrible near-term and long-term impacts. I strongly oppose the Toomey motion to recommit.

Mrs. MURRAY. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion to recommit, offered by the Senator from Pennsylvania.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—56

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

NAYS—42

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

NOT VOTING—2

Hirono	Moran

The motion was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to let all Senators know that we have made tremendous progress on the transportation and housing bill. We intend to make more progress next week. We are going to stay in morning business this afternoon. We have a few issues we are working out through the weekend. We will be back at this next week.

I wish to thank all of the Members who have worked very hard with us this week, and I look forward to working with them again next week.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I too wish to comment on the progress we have made this week. We have been considering this appropriations bill under regular order. We have actually cleared several amendments today. We have had some votes. We have defeated a motion to recommit the bill to committee so that we can proceed to go forward.

Senator MURRAY and I will be here on Monday, ready and open for business. We will start sequencing amendments.

I hope Members on both sides of the aisle will approach this bill in a cooperative spirit with respect to further rights of Senators to offer their amendments and get votes, and that we will not see Members drawing lines in the sand or deciding that they are going to block action going forward because I think this bill could be a model of how we should operate.

Thank you, Mr. President.

AMENDMENT NO. 1744

Mr. LEAHY. Mr. President, on Tuesday, the Senate adopted an amendment offered by the junior Senator from Louisiana, which effectively imposes a lifetime ban on individuals who have been convicted of certain serious crimes from obtaining Federal housing assistance. Today is a new legislative day, and many of us in this body may have already moved on to the next meeting, the next issue, the next vote. But as I have reflected on that amendment, I am concerned the direction these types of amendments are taking us.

I had significant concerns with the lack of notice given to Senators about the amendment offered by Senator VITTER, and the speed with which a vote was scheduled. In the span of roughly 90 minutes, the amendment was filed, made pending, and set for a rollcall vote. This amendment was never considered by the relevant subcommittee in the markup of the bill, nor vetted for unintended consequences.

I am deeply concerned about what the sort of amendment offered by the junior Senator from Louisiana says about us as a Senate, and as a Nation. Following on the heels of a similar amendment offered by Senator VITTER on the farm bill, I expect that similar amendments will be filed and offered on virtually every future bill. This has to stop.

In our system of justice, when someone is convicted of a crime and serves a sentence, I believe that person deserves a second chance and an opportunity to reintegrate as a productive member of society. That is a principle of fairness and justice that I know not only from my days as a prosecutor, but through my time as chairman of the Judiciary Committee. It is a basic notion instilled in me from an early age, and reinforced by my faith. As I have long heard from the faith community, it is our moral obligation to rehabilitate and restore people who have committed crimes. We all have made mistakes, and I challenge any Member to come to the floor and say that they haven't themselves sought forgiveness or a second chance.

We have to get past the point where we are scoring political points on the backs of those who have committed crimes but have served their sentence. We must find a way to reintegrate them into society. That is how we make our communities safer.

No one in this body should want a convicted felon to become a repeat offender. And I assume no Senator wants to punish the family members of an offender for crimes they did not commit. Yet that would be the effect of the Vitter amendments. Such measures have the effect of extending punishment beyond the original term; they would act as a lifetime ban and make it harder for ex-offenders and their families to get back on their feet. I reluctantly supported the amendment this week because Federal regulations already give housing officials the ability to keep dangerous criminals, sex offenders, and domestic abusers out of public housing. While this diminishes somewhat the overall impact of that amendment, the mandatory draconian nature of the Vitter amendment remains deeply troubling. As the senior Senator from Louisiana stated when Senator VITTER offered a similar amendment a few years ago, such an approach is simply ''mean-spirited and counterproductive.''

I am concerned that this is just the first of a series of similarly mean-spirited and counterproductive amendments. Now that the Senate has moved to impose a lifetime ban on food and housing assistance for some who have served their criminal sentences, what will be next? Will we next decide to take away education or employment assistance? Should we ban ex-offenders from libraries or public parks? The aggregate effect of such efforts will be to relegate an ex-offender and perhaps his or her family to a lifetime of poverty, homelessness, and isolation. That does not make us safer. It just makes us meaner and less compassionate. I hope we will stop using this political tactic and work together to help give people a second chance.

I know many Senators here share this goal. This is a complicated issue that demands thoughtful solutions, and we must work together if we have any hope of achieving real change. Public safety is about more than lengthy prison sentences. It also requires efforts to reintegrate into our communities those who have served their time. We know that reentry efforts reduce recidivism and we must be thoughtful when we take options off the table like we did this week.

I praise groups like the Conference of Catholic Bishops, Prison Fellowship, and the Sentencing Project who have worked tirelessly to help provide opportunities for individuals who have committed crimes, and to work toward the rehabilitation and restoration of their families. At the core of their work are fundamental notions of justice and compassion—the same principles that I hope will guide the work of the Senate as we go forward.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate go to a period of morning business, with the time equally divided between the minority and majority, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Florida.

FUNDING LEVELS

Mr. NELSON. Mr. President, what we have seen is a recognition that these are tough times and we need some belt-tightening. But to go back to this level of sequestration is not the right thing to do because that is taking a meat cleaver approach, across-the-board, on cutting Federal programs. It is just not a responsible way of belt-tightening. Fortunately, this motion to recommit, to in essence go to the level of appropriations for Transportation and Housing and Urban Development that was to take it to the level of the House, which is considerably lower than what has come out of our Appropriations Committee in the Senate—fortunately, this motion to recommit was defeated.

Why do we want to cut funding, as the House bill does, to critical areas such as air traffic controllers?

It is dangerous, shortsighted, and we have been to this rodeo before. As a matter of fact, doesn't anyone remember that earlier in the year we had to fix the sequestration cuts that went into effect in the current fiscal year because it was cutting out all kinds of air traffic controllers and furloughed a number of them and closed the contract towers for the small airports? We had to reverse that. The public rose and said: This is not the right nor intelligent thing to do when it comes to the public safety.

In addition to compromising the safety of the traveling public, those air traffic cuts would have increased the flight delays by hours and hours and caused a lot of cancellations. Lo and behold, when the American traveling public saw that was exactly what was happening, they rose and they said: Enough. The body politic responded. Here was an attempt to repeat that. If we reduce the top line of funding for this next fiscal year on this bill, we are going to be right back in the same situation where we were last spring: scrambling to keep our aviation system functioning safely and again delaying the next generation of air traffic controllers which we are desperately trying to set up.

This House of Representatives sequestration budget—outside of aviation—is going to mean more crumbling roads and bridges, more families unable to put a roof over their heads, and our infrastructure will continue to be falling into further disrepair. So it is our responsibility to keep our country safe and the economy moving. Thank goodness we rejected this attempt to go back to the Dark Ages, but we are going to have more and more of this.

We have a bill that is coming up next Tuesday in a markup in the Commerce Committee of the NASA authorization bill. Here is a bill that has never been partisan. It is not only bipartisan, it has been nonpartisan. We have never

had a partisan vote on a NASA authorization bill. Three years ago on the NASA authorization bill that broke a lot of new ground, we passed it out of the committee and out of the whole Senate unanimously.

I am very saddened to report to the Senate that next Tuesday we are going to have a markup of the NASA authorization bill. There is not a disagreement as to the balance we have in the bill between the big rocket called the Space Launch System, its capsule, its spacecraft, Orion, or what we balance against commercial rockets trying to get cargo and crew to the International Space Station. There is not a disagreement on that.

There is not a disagreement on keeping up the programs on our weather satellites—all of the stuff we put up for NOAA so that, in fact, we can predict our weather, and in hurricane season that becomes especially important. There is not a disagreement about continuing the exploration program with the robotic spacecraft to Mars and to other planets as well as putting up a satellite, in part for the Department of Defense, to warn us against the solar nuclear explosions on the surface of the Sun so we can get ready to save our satellites by the time that nuclear radiation gets to Earth. There is no disagreement on that.

There is no disagreement on the future of the new space telescope called the James Webb Space Telescope that is going to replace the existing one when it goes on the blink. It has uncovered all of these secrets of the universe as we peer back into time on the universe.

There is no disagreement on the substance of this bill. The partisan vote that is going to occur on Tuesday in the Commerce Committee is going to be because of the funding level. The bill Senator ROCKEFELLER and I have offered that will be voted on will be, unfortunately, a partisan vote because it takes the level of funding of the budget resolution which is $18.1 billion. The vote will be partisan because of those who want the sequester to apply, and as such they want $16.8 billion instead of $18.1 billion or even lower, as the House of Representatives has done, $16.6 billion.

I can tell everyone that little agency, NASA, can't do all of these things I just mentioned that there is no disagreement we need to do. Getting humans back into space, preparing for the next major exploration with humans in the decade of the 2030s, going to the planet Mars—there is no disagreement with that. But we can't do it if we don't provide the funds now to develop the techniques, the technology, the procedures, and build our way like building blocks to ultimately where we can send humans multiples of millions of miles away from the home planet and bring them back safely.

Sadly, I am afraid we are going to have a partisan vote because of that disagreement on the level of funding. It will be the first time ever we are going to have that kind of vote recorded on that little agency called the National Aeronautics and Space Administration. So, just like today, here we go.

Down the road, this is going to have to be decided, and it probably will come very late in the year. It will probably come when we come to another crisis point of having to raise the debt ceiling. It will probably come to the point where we have all kinds of good and new ideas on tax reform that will be coming out—a major tax reform—of the Finance Committee. We are limping along on appropriations bills just to keep us funded and to keep the government functioning after October 1 in the new fiscal year. At some point, all of this is coming to a head, including what level of funding is it going to be.

I hope we will start using some common sense and act accordingly.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Florida.

THE MIDDLE CLASS

Mr. RUBIO. Mr. President, even as I speak at this very moment—or maybe he has wrapped up—the President is in Jacksonville, FL, today. He is discussing the middle-class and how to get the middle class growing again in America, and it is a very worthy topic.

I wish the President would do less talking and more listening. If he listened to the middle class—and particularly those middle-class Americans who either work at a small business or own a small business—he would hear the No. 1 concern many of them now have is about ObamaCare.

Recently, I made the statement that I don't believe we should pass a short-term budget here that pays for ObamaCare. Since that time, I have heard the comments of some that that is an unreasonable request. I wish to outline one more reason why I think it is an unreasonable request to actually fund it. It is unreasonable because of the impact ObamaCare is having on real people—particularly those in the middle class in the United States.

I wish to focus on small businesses today because they truly are the backbone of the American economy. People here throw that term around all the time, ''the backbone of the economy.'' It truly is.

I live within a few blocks of 8th Street, the famed Calle Ocho, where literally every business is a small business, such as bakeries, sandwich shops, you name it. They are primarily run by immigrants who are here in search of a better life and the American dream. They own these small businesses. They will be impacted by the changes this law will have, and I wish to describe some of them.

Yesterday, we had a hearing in the Small Business Committee where the administration spoke first. Basically, their take on it is that ObamaCare will be good for small businesses for two reasons: One, we will set up these health exchanges small businesses can go to and offer health insurance to their employees on these exchanges.

Basically, the exchange is a one-stop shop. A company owner can go online—and there are theoretically 8 or 10 private insurers—and the owner of the business gets to pick a plan from one of those choices and their employees get insured from it. In theory that is not a bad idea. However, in a moment I will outline why that is not working out.

The second thing they brag about is the tax credit that small businesses will be able to use. I want to use the testimony—not just of them but of small businesses—to outline why, in fact, these things are not only not going to work, but ObamaCare is going to be deeply hurtful to small businesses and the middle class.

Let's talk first about the exchanges. The exchanges are not unfolding as they were planned. I asked the administration yesterday: Is it going to be ready about October 1? Are businesses going to be able to go on this exchange and find an insurance plan for their employees? They said they are sure it is going to happen. But the truth is it is not working out that way.

There are 17 States that have decided to go on to their own exchanges. All 17 of those States are behind schedule in one form or another. Maryland was one of the first States to embrace it. They asked for a delay in April because they couldn't get it going on time.

A recent report from the Government Accountability Office reported that all 17 States were behind schedule and that they were missing deadlines on 44 percent of the key things they had to do.

Here is the second problem: These exchanges only work if you have a lot of companies competing against each other, but that is not happening either. Insurers are not flooding to offer insurances on these exchanges.

Let me give an example. There are three States: Washington State, New Hampshire, and North Carolina where only one company has responded. There is no competition, and that is what is supposed to drive down the rates. In another State, not a single company responded until very recently when Humana came in to save the day and actually decided to jump on board.

Here is what the vice president of a consulting firm that specializes in this—it is called Avalere Health. Caroline Pearson is the vice president and she said:

> Humana may have a difficult time building competitive networks in [Mississippi], so we could see higher than average premiums in this region.

Again, another reason to doubt that these exchanges are going to work and the impact it is going to have is terrible.

What about the tax credits? That is a great idea, right? We are giving tax credits to small businesses that they can use to buy health insurance for

their employees. That is not working out either.

Let me give an example: Only 14 percent of companies that are eligible for the tax credit are using it, and I will explain why.

I have a quote from Pat Thompson, a tax partner at Piccerelli, Gilstein & Company, in Providence, and chair of the American Institute for Certified Public Accountants, who said:

> The definition of an eligible business is challenging because it is not based on [the number of] employees, but on full-time equivalents. For companies with a lot of part-timers . . . that is not very transparent.

He went on to say that the way to decide whether you are qualified for this tax credit is so complicated that most small companies can't figure it out. In fact, the companies that benefit the most from the tax credit are the ones that are least likely to get it because they cannot afford to hire a professional accounting firm to figure it out for them.

Here is another one from the Birmingham Business Journal. The manager at a health care consulting group, Warren Averett, LLC, said that only 20 percent of the small businesses they deal with even qualify for the credit. He said many businesses he worked with offered less than 50 percent, and bumping their coverage to meet the requirement would have cost them more than the credit saved them.

These are serious problems with this tax credit, not to mention that the General Accounting Office has already said the credit is so small that it is just not enough to change the equation for these small businesses to use it.

What is the bottom line? The bottom line is that two of the things we are being told are going to help small businesses with ObamaCare are not going to. One is an exchange that is relying upon there being competition among insurers. They are not signing up, folks. The other is this tax credit that is being deeply underutilized and it is so complicated and so small that most small businesses will not benefit from it.

I say all that to my colleagues because yesterday we heard from a real small business owner—someone who is the epitome of what it means to own a small business in America. His name is Larry Katz. He owns some restaurants called Dots Diner. Here is what he said. His dream was to own his own company so he cashed in his whole life insurance policy, he calculated how much credit card availability he had, and emptied his life savings. With less than $200,000, he opened his first diner. Within 12 months he had stopped sleeping. He was down to less than $10,000 in savings. He considered two options: Either mortgage his home or declare bankruptcy. That is what he faced, but he made it through, as many small businesses make it through in America. Today he owns 6 diners, 85 employees, 65 of them are full-time.

Here is what he offers those employees today: paid holidays, vacation, dental, vision, term life, and health insurance. He offers those to them right now, but because of how much ObamaCare is going to cost him, here is what he is going to have to do. He said:

> I have unfortunately made the decision to quit offering coverage as soon as the employer mandate kicks in, as the penalty, while huge, is less than the costs of offering the required coverage to all of our employees.

What he is basically saying is that there are employees today in his business in Louisiana who have health insurance, who are happy with their health insurance, but because of ObamaCare they are going to lose that health insurance.

One of the promises made to the American people was, if you are happy with your health insurance, you get to keep it. I know of at least one business in Louisiana where that is not true, and I promise it is not limited to just this business. In fact, the evidence keeps coming in from all over the country the impact this is going to have.

Here is a quote from Texas: At Lion & Rose pubs and Golden Chick SA restaurants, 1,000-plus employees saw their work schedules reduced to part-time shifts.

From the Wall Street Journal: Ken Adams has been turning to more part-time workers at his 10 Subway sandwich shops in Michigan to avoid possibly incurring higher health care costs.

From the same article: Rod Carstensen, owner of 11 Del Taco restaurants around Denver in Colorado, began in April converting his mostly full-time workforce into one comprised of mostly part-time to help minimize the health care costs.

This is the real impact.

Interestingly, I asked an administration official yesterday: Can you tell us whether anyone who has health insurance now and is happy with it will lose it?

The answer: I can't answer that.

I don't know if she meant she doesn't know or if she meant she can't tell me. But I can tell my colleagues, and small businesses will tell us, if we talk to them, the impact this is going to have is not only that people are going to lose their health care coverage, they are going to lose their hours and get moved from full time to part time.

Here is something: The U.S. Chamber of Commerce did a poll: 74 percent of small businesses plan to deduct the costly law of ObamaCare by either firing workers, reducing hours of full-time staff and moving them to part time or not offering any coverage at all.

This is the real-world impact of ObamaCare on the middle class and working class. This is terrible for our country.

This is no longer a Republican or Democratic issue. It doesn't matter if a person voted for Mitt Romney or Barack Obama. This is going to hurt everybody. There are working-class people in America who have existing insurance who are happy with their doctor, and they are going to lose all of that because of this experiment. There are people today who are struggling to make it just as it is, and they are going to lose their hours. They are going to get forced from full-time work to part-time work. That is the real-life impact of ObamaCare. That is the impact it is having on the working class and on the middle class.

How can we go forward with this? We have a chance to stop this. It may be our last best chance, and it comes in September when we have to pass a short-term budget in this Chamber. If we vote for a budget that funds this, this is going to move forward and hurt people terribly, and those who vote for it are going to have to answer for that.

To my Republican colleagues I would just say this: If we are not going to draw a line in the sand on ObamaCare, we have no lines in the sand. If this issue is not important enough for us to draw a line in the sand, what issue is? This is not a political issue. This is not a partisan issue.

Today I am giving this speech on behalf of the hard-working men and women of this country—working class, middle class, small business owners—who are going to be terribly impacted by this law. We cannot just stand by and allow it to go further. We have to do everything we can to keep this from happening to people, and in September we will have our last best chance to do that.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

IMMIGRATION

Mr. DURBIN. Mr. President, America has a rich history of immigration. We are a nation of immigrants. There is hardly a person in America today who doesn't have an immigrant parent, grandparent, or at least someone in their lineage who came to this country from another place.

I have told this story many times on the floor: My mother was an immigrant. She was brought to America at the age of 2 from Lithuania. Her son now stands in the Senate. That is my story, that is my family's story, but it is America's story. It can be repeated over and over and over again.

We think about the Statue of Liberty and how it thrills so many people to

see it for the first time and then to understand the message of the Statue of Liberty: To ''lift my lamp beside that golden door'' so that people are welcomed to this country. We knew it from the beginning: It was the key to our future.

So many times this issue of immigration is overlooked. It is such a critical part of who we are in America. Think back in your own family history—one generation, two or three generations—to a person in a foreign land who said one day, ''We are going to America,'' who undoubtedly was questioned about that decision: You are going to a place you have never been, to a place where they don't speak our language, to a place where they eat different kinds of food? That will be quite a challenge. Well, it was. Millions of people made that trip and came to this country facing that challenge, and they made us who we are today.

In the DNA of most of us who live in America is some little chromosome that said there is a courage to move and a courage to come, and I think it makes us better.

I think immigration is one of the most important parts of America. Thank goodness immigration continues because it brings to our shores amazing people, new generations of leaders who found companies and worked hard so their children and their children's children will do better.

If that is a fact about America and our history of immigration, there is also another fact. There have always been haters—people who hate immigrants. I don't know when it started. Maybe after the Mayflower landed, the folks got off and said: Please don't send us any more. But it has been part of American history and part of American political history and part of the Congress.

I was reading a book as we started to debate the question of immigration reform entitled ''Coming To America'' by Roger Daniels, and it is a history of immigration in America. It speaks of a Member of the House of Representatives in 1924 named Albert Johnson. He was a Republican from Washington State.

When I read this book on the history of immigration, I came up with some interesting quotes. It is in 1924. Albert Johnson, a Republican from Washington State, is chairing the House Committee on Immigration. This is what he said:

> Today, instead of a well-knit homogeneous citizenry, we have a body politic made up of all and every diverse element. Today, instead of a nation descended from generations of free men bred to a knowledge of the principles and practice of self-government, of liberty under law, we have a heterogeneous population no small proportion of which is sprung from races that, throughout the centuries, have known no liberty at all. . . .

Congressman Johnson said:

> Our capacity to maintain our cherished institutions stands diluted by a stream of alien blood with all its inherited misconceptions respecting the relationships of the governing power to the governed. It is no wonder, therefore, that the myth of the melting pot has been discredited.

He said:

> The United States is our land. We intend to maintain it so. The day of unalloyed welcome to all peoples, the day of indiscriminate acceptance of all races, has definitely ended.

That was a statement made by a Member of Congress in 1924. You read it today and you think to yourself, how could anyone possibly be talking about racial purity in the United States of America, as he did? It draws so many terrifying parallels to a debate that happened not many years later in Europe over racial purity, but it happened. And it happened in the U.S. Congress. Sadly, that was not the end of hatred toward immigration in the U.S. Congress.

Twelve years ago I introduced a bill called the DREAM Act. The DREAM Act was a response to a constituent case in my office. A young woman, a Korean woman in Chicago, called our office. She had a story to tell. She said that she had brought her daughter at the age of 2 from Korea to the United States, to Chicago, on a visitor's visa, along with her husband. They envisioned that her husband would open a church. They looked forward to that day, and it never happened. Her husband continued to pray for that miracle for their family, but the mother said: I have to go to work. The mother went to work in a drycleaning establishment in Chicago.

If you have been to that wonderful city, you know that the majority of drycleaning establishments are run by Korean families—hard-working people who work 12 hours a day and do not think twice about doing it.

Well, this woman went to work, but she was not making much money, and her little girl, as well as the girl's brother and sister, grew up in deepest poverty. The little girl tells the story that when she went to middle school and high school, she would wait until the end of the lunch hour, when students were throwing away the part of their lunch they did not eat, and she would dig through the wastebasket to find food. That is how poor they were.

But something came along in her life that made all the difference in the world. In Chicago we have something called the MERIT Music Program. A woman decided 10 or 15 years ago to leave some money, and she said: Use this money to provide musical instruments to children, poor children in public schools, as well as the lessons they need so they can play the instruments. The MERIT Music Program is an amazing success. One hundred percent of the students who are enrolled in that MERIT Music Program go to college—100 percent.

Well, this little girl, this Korean immigrant girl, was brought into the program and introduced at the age of 12 to a piano for the first time. She fell in love with the piano, and she started working and practicing on it. She would stay at MERIT Music Program headquarters late into the night. They finally gave her a key because it was warm and she wanted to practice her piano.

She became such an accomplished pianist that by the time she was in high school she was accepted into the Juilliard School of Music and the Manhattan Conservatory of Music—amazing for this poor Korean girl. When she applied and went through filling out the application, she came to the line that said ''nationally and citizenship,'' and she turned to her mother and said: What do I put here?

Her mom said: I don't know. We brought you here at the age of 2, and we never filed any papers.

The girl said: What are we going to do?

The mom said: Let's call Senator DURBIN.

So they called our office, and we checked on the law. The law in the United States is very clear and very cruel. The law in the United States said that little girl had to leave this country for 10 years and apply to come back—10 years. She had been brought here at the age of 2. She was only 17 or 18 at the time.

Well, that is when I decided to introduce the DREAM Act. The DREAM Act said that if you were brought here as a child to the United States, if you complete high school, if you have no criminal record of any concern and you are prepared to either enlist in our military or finish at least 2 years of college, we will put you on a path to becoming a citizen of the United States of America. That was the DREAM Act, introduced 12 years ago, called on the floor many different times for passage. It finally passed just a few weeks ago as part of comprehensive immigration reform.

I might tell you the end of the story about this young girl. She did not qualify for any financial assistance because she was undocumented. Two families in Chicago and one woman who is an amazing friend of mine named Joan Harris said they would pay for her education. She went to the Manhattan Conservatory of Music. She excelled in the piano. She played at Carnegie Hall. She married an American jazz musician and became a citizen of the United States, and now she is working on her Ph.D. in music. She just sent me her tape for her Ph.D., and she is amazing.

Tereza Lee is her name. She is the first DREAMer, and it is because of her that I come to the floor today. You see, just yesterday it was disclosed that a Member of the House of Representatives, Congressman STEVEN KING of Iowa, spoke to the issue of the DREAMers. I do not know how many DREAMers—students who would qualify for the DREAM Act—Congressman KING has met. I have met hundreds of them. They are amazing, incredible, living their entire lives in the United States undocumented, fearing deportation any minute of any day, wondering

what tomorrow will bring, standing up in the classrooms of America and pledging allegiance to the only flag they have ever known, singing the only national anthem they know, and being told by so many people: You don't belong here. You are not part of this country.

They are completely conflicted and worried and uncertain about their future, and they are nothing short of amazing. These young people have done things with their lives that are just incredible. They are the valedictorians of their classes in many cases. They have gone on to college and paid for it out of their pocket in many cases.

I have come to the floor on 54 different occasions with colored photos of these DREAMers from all over the United States, when they gave us the permission to disclose their identities, and told their stories. And every time I have told that story about that DREAMer, someone has stopped me in the hall and said: That is an amazing story about this young person who just wants to be part of the United States and its future.

So it was troubling yesterday to pick up and read the quote from STEVEN KING, who is a Congressman from Iowa. Mr. KING is no newcomer when it comes to criticizing immigration. He introduced a bill 3 or 4 weeks ago in the House of Representatives that would have removed all of the Federal funds that are being used now to spare these DREAMers in the United States from deportation. In other words, the President has issued an Executive order so the young people who are eligible for the DREAM Act can stay. He wanted to remove all the funds so they would have to be deported immediately. He called that for a vote. It passed in the U.S. House of Representatives just a few weeks ago, overwhelmingly supported by his Republican side of the aisle. So STEVEN KING has a record of opposing immigration and doing it in a very forceful way.

But they found a quote he had made, a statement he had made on the issue of DREAMers, and that is why I come to the floor today.

In an interview with Radio Iowa, Mr. KING said yesterday, as reported in the Washington Post:

> ''It seems as though I have a few critics out there, but those who have been advocating for the DREAM Act have been trying to make it about valedictorians,'' King said in an interview with Radio Iowa. ''I don't disagree that there are DREAMers that are valedictorians, but it also would legalize those that are smuggling drugs into the United States.''

In his original comments, Congressman KING of Iowa said, ''For everyone who's a valedictorian, there's another 100 out there who weigh 130 pounds—and they've got calves the size of cantaloupes because they're hauling 75 pounds of marijuana across the desert.''

> In his interview Tuesday evening, [Congressman King] doubled down on those comments—

According to the Washington Post—

> saying, ''We have people that are mules, that are drug mules, that are hauling drugs across the border and you can tell by their physical characteristics what they've been doing it for months.''

Mr. President, if you are going to be part of this political business, you better have a pretty tough spine and a pretty hard shell because people throw criticism around all the time, and if you cannot take it, this ain't beanbag, do something else.

But I deeply resent what was said by Congressman KING about these DREAMers. It is totally unfair. It is mean, and it is hateful. Do not take my word for it; take the words of the Republican leaders who responded to Mr. KING.

House Speaker JOHN BOEHNER, commenting on Congressman KING's comments, called them ''wrong'' and ''hateful.'' That is from Speaker BOEHNER.

House majority leader ERIC CANTOR, Republican of Virginia, said they were ''inexcusable.''

During a House Judiciary Committee subcommittee hearing Tuesday, Representative JOSEPH GARCIA, Democrat of Florida, described KING's words as ''beneath the dignity of this body.''

Representative RAUL LABRADOR, Republican of Idaho, who has been heavily involved in immigration reform, expressed hope Wednesday that KING regretted his remarks. ''There's nobody in the conference who would say such a thing and I hope that he, if he thought about it, he wouldn't say such a thing again,'' LABRADOR said.

It is heartening to know that Members of Congressman KING's own political party—Republicans—have stated unequivocally how awful his statement was. It troubles me and it is heartbreaking to think that these DREAMers—these young people who are simply asking for a chance to be part of the United States—would be characterized as dope smugglers and drug smugglers.

Obviously, Congressman KING has never read the DREAM Act because if you have ever been convicted of a crime, you cannot be approved through the DREAM Act for citizenship—not a serious crime. That is part of the law. He should know better, but I am not sure that he cares.

I am glad Members of his own party have stepped up and branded these comments for what they are. What I have to say to him is, take a moment away from the media, meet some of these DREAMers, and hear their stories. Hear what they have been through, and hear about what they want to do with their lives for the future of the United States of America.

To the DREAMers themselves, this is not the first criticism they have run into. They have taken a lot. They are courageous young men and women.

When I started this trek, this 12-year trek on the DREAM Act, I used to give speeches in Chicago about the bill, and there would be audiences full of Hispanics usually. Nothing much would be said. I would go out to my car afterward, and in the darkness there would be a couple students waiting by the car. They would call me to the side, after they looked both ways to make sure no one was around, and they would say: Senator, we are DREAMers. We are counting on you to give us a chance. Over the years, these young people who waited to greet me in the darkness when no one was around have now stepped up. They are identifying who they are so America knows what is at stake.

When you meet the DREAMers, you will realize how awful and wrong these statements by Congressman KING are. There will always be critics of immigration in America. It is part of our national tradition. But I do believe the vast majority of Americans are fair people. They are people who believe in justice. They do not believe that a child—that a child—should be held responsible for any wrongdoing by their parent. If their parent brought them to the United States as a baby, they had no voice in that decision. Why should they be penalized for that decision? They should be given their own chance to become part of this Nation's future.

I will close by saying that maybe Tereza Lee was not the first DREAMer in my life. My mother was brought here at the age of 2 and certainly did not have much of a voice in the decision to come to America. But thank goodness her mother and father decided to make that trip and that my grandparents located in Illinois and gave me a chance to grow up in a great place with a great family. That is my story, and that is America's story.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, Senator DURBIN is such an eloquent champion for righting injustice, and I am always impressed with him, and I do agree that the American people are good and decent people. They want the right thing. They want the right thing on immigration. Part of that is a lawful system of immigration that serves the national interests of our country. We disagree on how to get there sometimes, but you cannot dispute the passion of Senator DURBIN.

THE ECONOMY

Mr. SESSIONS. Mr. President, I want to share some thoughts about the President's tour today and the last couple of days talking about jobs.

Well, I have to say, first and foremost, this country is not doing well economically. It is just not.

You hear the stock market is up, and people try to translate that into substantial progress in the economy. But it is just not there, particularly with jobs. The fourth quarter of last year, our GDP growth was .4 percent. By the time the first half of this year concludes, we are not going to have 2 percent growth over that period.

You are not going to create jobs unless you have economic growth. We are not seeing it. Wages are down. Wages have declined since 1999 for working Americans by virtually any calculation. Wages have been declining. Unemployment is up. The number of people working today is 2.1 million fewer than in 2007. We have 2.1 million fewer people working today than in 2007.

This is the slowest economic recovery since the Great Depression, there is no doubt about that. But we have done all kinds of extraordinary things. We had the biggest stimulus—all borrowed—spent. They are going to stimulate the economy and create growth. Has it produced real growth or is it just a sugar high, as one of the Wall Street gurus referred to it? It appears quite clear that it is a sugar-type high.

We have more and more plans from our leadership here in the Senate. It is basically tax and spend. The American people are hurting. Their wages are falling and so forth. They have unemployment problems. So we promise to tax more and we are going to spread more money around and borrow more. And this is somehow going to put us on a sound path to prosperity, job growth, and wage increases, which is what we need. Please note these facts.

I do not mind the President talking about the issue. I know he is using the words ''middle class.'' Well, he should. Middle-class working Americans, struggling Americans—someone needs to be thinking about them. But you also have to have policies. A speech is not a policy. A speech is not tangible, something that creates growth, jobs, prosperity, and increased wages. GDP growth last quarter was only 1.8 percent and has averaged at or under 2 percent since the end of the recession in 2009.

There is a major corporation, a CEO—which is common throughout the business—he just said quite frankly: We are not hiring anybody if the GDP growth in America is not over 3 percent.

Well, we haven't had 3 percent growth—hardly had it—since 2009. He actually is not filling vacancies still even though we are having modest growth and people possibly are trying to oversell that.

I am just saying that the economy is struggling. It is not growing rapidly enough to create jobs. We have record unemployment.

The Wall Street Journal panel of economic experts expects slow growth for the rest of this year at 2 percent or less. They have revised their forecast down. The President and Congressional Budget Office a year or so ago were predicting higher numbers than this. They are not coming in. Now they are revising downward what they expect the economy to do in the second half of the year.

We need more than a speech, in my opinion. After 6 years since the beginning of the recession, we still have not created as many jobs as existed in December of 2007. Americans are working 5 billion less hours than in 2007. Think about that—5 billion less hours than in 2007.

Some say: Well, our immigration plan—my colleague recalled my attention to it—is somehow going to fix that. We will bring in more workers, and everyone is going to get pay raises, and unemployment is going to be reduced.

But that is not what the Congressional Budget Office told us.

At a time when we are struggling to find jobs for American workers, many of the unemployed are immigrants to the country, African Americans, poor people struggling to get by, and you continue to bring in a larger flow of labor than the country can absorb. As Mr. Peter Kirsanow from the U.S. Commission on Civil Rights said, we do not have a shortage of workers in America, we have an excess of workers in America. We have more workers than we have jobs.

The fastest growing type of work today is part-time employment. Over 320,000 part-time jobs were created last month compared to 95,000 full-time jobs. They are counting these part-time employment jobs as employment. Well it is better than nothing, I suppose. We are having a surge of part-time employment, driven in large measure by the President's health care policies. It just is. Everybody knows that.

New unemployment claims, which came out this week, are up. In other words, the number of people who are filing for unemployment insurance has gone up, I hate to say. There were 7,000 more in July, to 343,000.

The average net worth of American households is down. Someone said recently that net worth was back to nearly what it was prior to the recession. That was something we heard based on, I guess, the stock market primarily. But another analysis looked at it and said: Well, what about the share of the debt of Americans? That has increased dramatically since 2007. Once you calculate the debt all of us owe as American citizens to the total debt of America, household net worth is 60 percent lower than it was in 2007.

It is time for this Nation to begin a serious discussion about what it is that is causing our economy to slide and what we can do realistically to create jobs, increase growth, get higher wages, and so forth. One of the things we should not do is bring in more labor than we have jobs for. That is pretty simple to me. One of the things we should do is try to bring down the cost of energy, not increase the cost of energy. One of the things we should do is eliminate the unnecessary regulations that drive up costs and produce nothing but a burden in exchange. We need a tax system that favors growth. We need to defend on the world stage the legitimate interests of America and our working people. We have not effectively fought back against unfair trade. We can do a better job of that. There are a lot of things we can do that do not revolve around taxing more, borrowing more, and spending more. That is what the policies are here.

We have a bill on the floor right now that busts the budget wide open. We agreed to these limits 2 years ago. Senator SHELBY, the ranking Republican on the Budget Committee, stood firm for the agreement levels we agreed to. It was not easy, but we agreed to it. Oh, no, the majority has to spend more than the amount that currently is limited by law.

So I guess what I would say is that President Obama is correct to at least talk about this issue, but we need to do more than talk. About all we are hearing when the President talks is plans to invest more, to spend more, to tax more, and to borrow more. That will not change the debt course of America. We need real policies to put us on a path to prosperity that protects the American worker from unfair foreign competition, from excessive labor brought into the country, and from too high energy costs. There are a lot of other things we can do that would promote prosperity in the country.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Alabama.

THE ECONOMY

Mr. SHELBY. Mr. President, as we all know, we have a jobs crisis in America. High unemployment and weak economic growth have festered for nearly 5 years. American families are increasingly dependent upon government, and businesses are being suffocated by it all over this country.

I believe our ability to emerge from this jobs crisis stronger than before depends upon government performing its proper role in the economy. In my view, that role is to establish the conditions for job creation and economic growth in the private sector. Through stable fiscal policy, a simplified tax code, and streamlined regulation, the government can create an economic environment conducive to risk-taking and innovation that leads to real job creation in this country. Unfortunately, the same toxic combination of government overreach and inaction which has failed to produce a jobs recovery in this country thus far also threatens to prolong the jobs crisis, I believe, for years to come.

We learned in the last few days that President Obama is planning a PR blitz to gloss over his failed economic agenda. Over a series of speeches he will give around the country, he said he will discuss his vision for the future. But he will offer nothing new. According to the New York Times, his jobs plan is ''largely repackaging economic proposals that the President has offered for years.'' We need a fresh free market approach to job creation. Stale Obama policy leftovers will not cut it. They are not new ideas. It is not a new beginning.

I will preface my remarks here on the fiscal, tax, regulatory, and monetary policy challenges we face in this country with a more detailed description of the current macro-economic conditions, starting with job numbers.

The official unemployment rate in the United States is 7.6 percent. That makes 54 straight months of unemployment above 7½ percent. However, as grim as those figures are, they do not tell the full story. The Bureau of Labor Statistics reports that the real unemployment rate in this country—known as U6—is 14.3 percent unemployment. U6 includes those who are unemployed, those who want to work but have stopped searching for a job, and those working part time because they cannot find full-time work. Some 22.6 million Americans fall under this category I have just described. That is the real unemployment. That is sad.

The real unemployment rate was 14.2 percent when President Obama took office in January of 2009. It peaked at 17.1 percent in late 2009 and early 2010 but has not fallen below 13.8 percent during his time in office. By all measures this has been a jobless Presidency thus far.

Digging further into the numbers reveals more troubling trends. The number of people working part time because their hours were cut back or because they cannot find full-time work increased by 322,000 people last month to 8.2 million people in this country. The percentage of the unemployed who have been without work for 27 weeks or more also remains dangerously high at 36.7 percent.

An analysis by the Hamilton Project in February of this year found that we will not get back to full employment for another 10 years based on recent job-creation numbers. Meanwhile, economic growth remains sluggish.

The most recent figures from the Bureau of Economic Analysis indicate that the U.S. real gross domestic product, GDP, grew at a tepid 1.8-percent annual rate in the first quarter of 2013—this year.

Average annual real GDP growth was just 0.8 percent over President Obama's first term in office, the full 4 years.

We are experiencing the weakest economic recovery since the Great Depression. As a consequence, government dependency in this country is on the rise. Under President Obama, the number of Americans on food stamps has increased by 47 percent to 47 million people; 8.9 million Americans collect disability pay, and that number is increasing by 70,000 people a month, unheard of in the past.

These are alarming figures. How did we get there? I will explain.

Overspending. The current job crisis, I believe, is a product of the 2008 financial meltdown we all went through. No one denies that President Obama was dealt a tough hand coming into office. He was. But the question is, What did he do about it?

President Obama's first act in office, if you will recall, was to ram a $787 billion stimulus package through Congress. He promised the American people it would keep the unemployment rate from rising above 8 percent. Instead, the unemployment rate hit 10 percent in October of 2009 and remained above 8 percent for the next 43 consecutive months, according to the Bureau of Labor Statistics.

But President Obama's spending binge was just getting started. According to the Congressional Budget Office, the congressional budget deficit in 2009 was $1.413 trillion. In 2010, an additional $1.294 trillion. In 2011 it was another $1.3 trillion, and in 2012 $1.087 trillion—not billion, trillion. Although the 2013 deficit we are in now is projected to get below $1 trillion, it will still be $183 billion higher than any pre-Obama deficit.

Looking at the big picture, the national public debt now stands at just under $17 trillion, an increase of nearly 60 percent under President Obama.

What has been the result of this spending spree? Taxpayers got more debt, but job seekers didn't get more work.

Compounding our fiscal difficulties, Social Security and Medicare remain on an unstable long-term footing. These programs alone already account for 38 percent of Federal spending. But over the next 25 years, the Congressional Budget Office projects their share—that is Social Security and Medicare—of GDP to increase by 40 percent.

According to the trustees of the Social Security and Medicare trust funds, Medicare is expected to run out of money in 13 years, and Social Security will go broke by 2033. Saving these essential programs requires Presidential leadership. Unfortunately, there has been none to speak of. President Obama's spending binges have precipitated multiple budget showdowns and, as a result, they have also presented many opportunities for spending and entitlement reform.

But President Obama has not risen to the occasion yet, despite broad consensus that we must take action to save Social Security and Medicare. President Obama used the power of his office to campaign pre- and post-election for one thing, tax increases.

Tax increases are not the solution to a spending problem. Tax hikes do not create jobs. Tax hikes will not generate growth. Tax hikes kill jobs and allow President Obama to spend more and for Congress and the President to borrow more. I believe what we need in this country is structural tax reform, not tax increases.

According to the most recent data from the Internal Revenue Service, the top 1 percent of taxpayers, those making $369,000 or more, pay 37.38 percent of all income taxes. I wish to say it again. According to the IRS, 1 percent of the taxpayers paid 37 percent of all income taxes.

The top 5 percent of taxpayers, those making $161,000 or more, paid 59 percent of all income taxes. Think about it. The top 10 percent of all taxpayers, those making $116,000 or more, paid 70 percent of all income taxes.

The top 25 percent of taxpayers, those making $69,000 or more, pay 87 percent of all income taxes.

The top 50 percent of taxpayers, those making $34,000 or more, pay 97 percent of all income taxes.

Meanwhile, the other 50 percent, those making $34,000 or less, pay 2.36 percent, a little over, not quite 2.5 percent of all income taxes. In addition, approximately half of U.S. households pay no income tax.

Despite these imbalances, President Obama increased taxes on the wealthiest Americans by $617 billion in January of this year. Still, a Heritage Foundation analysis of Treasury Department data finds that President Obama's fiscal year 2014 budget contains an additional $1.1 trillion in proposed tax increases. This is a tax-and-spend administration.

The size and complexity of the Tax Code adds to the tax burden on the economy. The code contains 55,600 pages, I am told. Taking into account all explanatory materials and IRS rulings, the CCH-Standard Federal Tax Reporter comprises 70,000 pages. Even the instructions for the easiest tax form, the 1040EZ, run 46 pages.

The total cost of complying with the individual and corporate tax requirement in this country was $168 billion last year. According to the IRS Taxpayer Advocate Service, there has been approximately 4,680 changes to the Tax Code since 2001.

The Tax Code is filled with various credits, deductions, and corporate welfare. Analysis by the Joint Committee on Taxation finds that these so-called tax expenditures total $1.3 trillion. We could drastically simplify the Tax Code and lower individuals' rates by eliminating these provisions alone.

Unfortunately, President Obama's approach to taxes is the same as his approach to spending: more, more, more—but no structural reforms that would help us establish the conditions for job creation and economic growth in this country, which we desperately need.

Overregulation of the economy further deteriorates the conditions necessary for job creation and economic growth. The aggregate regulatory burden on American families and businesses is staggering.

A study by the Competitive Enterprise Institute estimates that total costs for Americans to comply with Federal regulations reached $1.806 trillion in 2012. This translates to nearly $15,000 annually per family or 23 percent of average household income.

According to the American Action Forum, the Federal Government so far this year alone has published regulations that will result in $61 billion in compliance costs and 80 million hours of paperwork.

Despite the failure of the stimulus package, President Obama put the unemployed on hold for more than a year

while he forced government-run health care through Congress. He promised his plan would reduce health insurance premiums by $2,500. Instead, premiums have already increased by that amount, according to the Kaiser Family Foundation employee health benefits survey. A recent Wall Street Journal analysis finds that premiums could double or even triple for healthy consumers, even under ObamaCare.

All together, ObamaCare is 2,400 pages long and creates 159 new boards, commissions, and government offices. According to the Congressional Budget Office, the 10-year spending estimate for ObamaCare is $1.88 trillion. Analysis by the Joint Committee on Taxation shows that the law creates or raises 21 taxes totaling $1.1 trillion over the next 10 years.

The impact of ObamaCare on hiring is not surprising. According to the U.S. Chamber of Commerce Q2 2013 Small Business Survey, 71 percent of small businesses say the health care law makes it harder to hire people.

The same survey finds that one-half of small businesses say they will either cut hours, reduce full-time employees, or replace full-time employees with part-time workers to avoid the mandate. In addition, Gallup finds that 41 percent of small business owners say they have held off on hiring new employees in response to ObamaCare.

I welcome recent news that the Obama administration will temporarily delay the employer mandate. But in light of the evidence that ObamaCare is increasing health insurance costs and making it harder for the unemployed to find jobs, we should delay the whole law permanently for everyone. We should repeal it.

Congress should start over and craft legislation that will actually lower health care costs and preserve high-quality care without crushing businesses with unnecessary regulations.

President Obama's expansion of government did not end with ObamaCare. In 2010, he forced through Congress his purported response to the financial meltdown, the Dodd-Frank legislation.

We were told that the financial regulatory system needed to be streamlined to prevent future bailouts, and that is true. Instead, Dodd-Frank created more government agencies than it eliminated. Moreover, the law totals 2,300 pages and calls for 400 new rules.

A study by scholars at the Mercatus Center at George Mason University estimates that Dodd-Frank had already generated 2,109 restrictions in the Code of Federal Regulations by the end of 2011, and there is more to come.

At this rate, they project a 26-percent increase in restrictions in relevant sections of the code once all Dodd-Frank rulemakings are finalized in the future. Dodd-Frank will create jobs only for regulatory compliance officers, not for people working every day in the United States.

Earlier this year I introduced legislation that would require regulators to perform a rigorous cost-benefit analysis of new Dodd-Frank regulations. Under the legislation, a regulation dies if its costs exceed its benefits to the economy.

Unfortunately, the Democratic majority in the Senate has not brought up this legislation for consideration. Some observers have subscribed to the cynical view that the legislation is nothing more than an effort to undercut financial reform.

I am the only current Member of the Senate who voted against both financial deregulation in 1999 and the Wall Street bailout in 2008. I subscribe to the view that regulations should protect taxpayers without harming job creators.

President Obama's regulatory zeal finds an outlet now in a war on coal in this country. Aware that it does not have the votes to jam his carbon tax agenda through Congress, he now will direct the Environmental Protection Agency to implement it by way of regulation. We all know his environmentalist crusade will kill jobs.

An analysis by the Heritage Foundation estimates that drastically reducing the percentage of coal in our Nation's energy portfolio would, by 2030, kill more than 500,000 jobs and increase electricity prices by 20 percent.

In contrast, a Wood Mackenzie study estimates 1.4 million American jobs could be created if the government adopted policies encouraging U.S. energy exploration and production.

I believe the Obama environmental agenda will do more to put family budgets in the red than it will to make the world green.

Instead of waging a war on coal jobs, I believe President Obama should approve and expedite the Keystone Pipeline. This would create tens of thousands of jobs and decrease energy bills for families and businesses. This is the type of clear-headed energy policy we should be pursuing in this country.

In light of the existing and increasing regulatory burden, it is not surprising the Federal Reserve estimates that manufacturers, domestic producers, and other nonfinancial American companies are sitting on a record $1.78 trillion stockpile of cash. Why? If we are to create the conditions for real job creation in this country, we must start by streamlining the regulatory burden on the economy. The rules, restrictions, and mandates facing those who wish to undertake an entrepreneurial endeavor or expand their business through investment and innovation is mind-numbing.

MONETARY POLICY

I would also like to talk a few minutes on monetary policy—very dry, complicated, but very important to all of us.

On July 17, Federal Reserve Chairman Ben Bernanke told members of the House Financial Services Committee ''if we were to tighten policy, the economy would tank.''

What does he mean? He was referring to the Federal Reserve's aggressive use of nontraditional monetary policy to prop up markets since the financial meltdown of 2008. The implied message is striking: The Fed is taking big risks through monetary policy because administration policy is not helping the economy.

The Federal Reserve's balance sheet quantifies just how big a risk Chairman Bernanke feels he must take with so-called monetary stimulus. It currently stands—the Fed balance sheet—at $3.5 trillion, and continues to grow at $85 billion a month under the Fed's so-called quantitative easing program. Among the assets included in the Fed's balance sheet are $2 trillion in U.S. Treasury securities and $1.2 trillion in Federal agency mortgage-backed securities.

To put the acceleration of the Fed's balance sheet into perspective, it took 95 years from the Fed's creation 100 years ago—1913—to reach $1 trillion. The Fed then added the second trillion in just 6 weeks, followed by the third trillion this past January. Under the current quantitative easing program, the Fed's balance sheet will reach $4 trillion in less than 6 months. Where does it end—$5 trillion, $6 trillion, $10 trillion?

As with fiscal policy, we are in uncharted monetary policy waters. The Fed's unprecedented measures carry substantial risk and uncertainty to every man, woman, and child in this country. Should inflation increase, and it will, the Fed would have to tighten monetary policy to contain it. However, should the Fed tighten monetary policy, it risks stalling an already weak economy here. As deep as our fundamental economic challenges already are, the thought that one wrong monetary policy move by the Fed could cripple our entire economy is deeply troubling.

In conclusion, I think we face a serious confluence of economic challenges in this country. It is obvious to me that President Obama's policies have not worked and they will not create work or jobs. Real job creation is a result of entrepreneurship and innovation and risk in the free market. I believe the government's role is to establish conditions for that to occur. We can do this by stabilizing our Nation's finances, simplifying our Tax Code, and streamlining our regulatory framework.

The more President Obama and this administration cling to the tired liberal ideology that more government is always the answer, the longer this job crisis will persist. America deserves better.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMERICANS WITH DISABILITIES ACT

Mr. HARKIN. Mr. President, tomorrow we celebrate the 23rd anniversary of the signing of the Americans With Disabilities Act, the ADA. This landmark civil rights legislation will always be the highlight of my almost 40 years here in the Congress.

The Americans With Disabilities Act is one of the landmark civil rights laws of the 20th century; as someone once said, a long overdue emancipation proclamation for people with disabilities. The ADA has played a huge role in making our country more accessible, in raising expectations of people with disabilities about what they can achieve at work and in life, and inspiring the world to view disability issues through the lenses of equality and opportunity.

In these times, it is valuable to remember passage of the original Americans With Disabilities Act was a robustly bipartisan effort. As the chief sponsor of the ADA here in the Senate, and as the chair of the Disability Policy Subcommittee at that time, I worked very closely with both Republicans and Democrats. At that time Senator Robert Dole was the minority leader of the Senate, and we received invaluable support from President George Herbert Walker Bush. Key members of his administration, such as White House Counsel Boyden Gray, worked so hard on this, as did Attorney General Dick Thornburgh, who was magnificent in his support for the Americans With Disabilities Act. Transportation Secretary Sam Skinner and other Members of Congress also played critical roles in passing the ADA.

First and foremost among those, I would have to say, was Senator Ted Kennedy, who was chair of the full committee at the time and who allowed me to take the bill through as the chair of the Disability Policy Subcommittee. Senator ORRIN HATCH played a key role at times, making sure we got the conservatives on the same page. Representatives Tony Coelho, STENY HOYER, Major Owens, Steve Bartlett, and I might also mention someone who is not mentioned a lot, because he was not here in the Senate at the time we passed it, but who put in a lot of his life's work and who was chairman of that subcommittee before I took it over, Senator Lowell Weicker from Connecticut. As a matter of fact, he was the first sponsor of a comprehensive disability policy bill here in the Senate. So he became a great supporter, a great personal friend of mine through all these years, and Lowell Weicker deserves a lot of credit for actually getting us focused on the issue of a comprehensive civil rights bill addressing the issue of disability.

Before the ADA, life was very different for folks with disabilities in Iowa and across the country. Being an American with a disability meant you couldn't ride on a bus because there was no lift, not being able to attend a concert or a ballgame or a movie with your family or your friends or loved ones because there was no accessible seating, not even being able to cross the street in a wheelchair because there were no curb cuts. In short, being disabled in America before the ADA meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have seen amazing progress. The ADA literally transformed the American landscape by requiring architectural and communications barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widened doorways, and—for anyone who is watching this on C–SPAN and put on the mute button—you get closed captioning for the deaf and hard of hearing.

More importantly, the ADA gave millions of Americans the opportunity to participate in their communities. We have made substantial progress in advancing the four goals of the ADA: equality of opportunity, full participation, independent living, and economic self-sufficiency—the four pillars of the ADA.

But I stand here today to remind my colleagues that we have not yet kept the promise we made 23 years ago with strong bipartisan support. We still have too many Americans with disabilities living in poverty, oftentimes in isolation and without control over the supports and services in their lives.

For example, last week in my role as the chair of the Senate Committee on Health, Education, Labor, and Pensions, we concluded an investigation and issued a final report on the state of the implementation of the part of the ADA that provides for people to be able to live and receive services in integrated settings, and prohibits people from being unnecessarily separated and isolated from their family and friends and put in institutions or other segregated settings. What we found is disturbing. Twenty-three years after the 1999 Olmstead case decision by the Supreme Court, we found that more than 200,000 working-age Americans with disabilities—many in their late teens and early twenties—remain trapped in nursing homes and institutions, separated from their families and communities against their wishes—despite the 1999 Supreme Court decision in Olmstead v. LC that people with disabilities have the right to be integrated in the community.

Our committee investigators found that only 12 States devote more than half of their Medicaid long-term care dollars to home and community-based services. The number of working-age adults in nursing homes has actually increased by more than 30,000 over the last 5 years. It is shameful.

Unfortunately, many States continue to approach community living for people with disabilities as a social welfare issue and not as a civil rights issue. This is a failure of vision on the part of many State leaders.

So how can we correct this injustice? Well, we need to clarify that under the ADA, every individual who is eligible for long-term services and supports has a federally protected right to a real choice—their choice—in where they receive these services and supports, whether in an institution or in a community.

What that also means is, at long last, Congress needs to end the institutional bias in the Medicaid system. Right now, under Medicaid, States are required to pay for long-term services and supports if you are in a nursing home. But if you want to receive those supports and services in an integrated community-based setting, Medicaid has the option of covering you. That is the institutional bias that exists in Medicaid: They have to pay for you if you are in a nursing home, and they don't have to pay for supports and services if you are in a community or integrated setting. As long as it remains that way, the deck will continue to be stacked in favor of costly institutional settings. We know from our investigations that home-based, community-based integrated settings with support services for people with disabilities is more cost effective than putting people in an institution or a nursing home—not to mention the quality of life, and the fact that so many people with disabilities want to be in an integrated community setting and do not want to be housed in a nursing home.

In my remaining 17 months that I have as a Senator here in the Senate, I plan to hold hearings and introduce legislation that will accelerate the rate at which States move their long-term services and supports in the direction of home and community-based settings.

Another area where our work is incomplete is making sure people with disabilities take their rightful place in the American workforce. Twenty-three years after the passage of the ADA, it is shameful that two out of every three adults with a disability are not even in the workforce, not working. That is shameful. We may say, Well, the unemployment rate in America is now 8 or 9 percent. Think about if you are a disabled adult; it is 60 percent or more who are unemployed.

Next week in the HELP Committee, we will mark up the Workforce Investment Act, a critical law that has not been reauthorized since 1998. The workforce has changed a lot since 1998, and a lot of the ADA generation have come of age during that period of time. So in the bipartisan draft Senators Alexander, Murray, Isakson, and I filed with the committee yesterday, we include provisions that will improve how the vocational rehabilitation system partners with schools to deliver services that will result in more young people doing internships, part-time jobs, in competitive settings. The aim is to maximize the likelihood that young

people with disabilities will leave school college and career ready—people such as Lily Siegel, who was my intern this summer from the American Association of People with Disabilities. They provide summer internships. Lily, and so many like her, have high expectations for themselves. They want to be challenged. They want to work in competitive, integrated employment. They don't want to be shunted into subminimum wage jobs with no future, no chance for advancement, no chance for challenging themselves to do better and to do more and to take more responsibility. We owe it to them to do everything in our power to help them transition to the kinds of jobs and higher education experiences that will help them build a career and maximize their economic self-sufficiency.

I can tell you from my work in this area that this generation of young people who have come of age under the umbrella of the ADA, who were born in 1990 through 1995, has been integrated into their schools. They weren't segregated as my brother was and sent halfway across the State to a State institution. They have higher expectations. They have had accessibility. They see what society has done to make sure that they can travel, they can go out with their friends and their family, they can go to school in integrated settings, they can get jobs and, under the ADA, employers have to provide reasonable accommodations for that job. They don't deserve now to be frustrated by not having the opportunity to get that competitive integrated employment.

That is what we are doing in the Workforce Investment Act, to provide for young people in high school who have disabilities, to let them know they expect more of themselves, and we do too. No longer will it be acceptable for them to leave school and go into some minimum wage covered employment where they are warehoused for the rest of their lives. They want to get out there and show what they can do. That is why we are changing the Workforce Investment Act, changing voc rehab to focus on getting these young people internships, job shadowing, mentoring, so they know what their abilities are and what they can expect to do once they leave school.

When we passed the ADA, so many people came here from other countries—legislators, parliamentarians—how can we now do this? How can we get our laws changed?

About 11 years ago, the United Nations set up a committee to look at this. Out of this came the U.N. Convention on the Rights of People With Disabilities, the CRPD. That treaty was sent to our President, and under our system the President sends it out to all his Departments in the executive branch to report back, what things do they need to do to change to conform to the treaty? In other words, if the treaty is the supreme law of the land, what laws do we have to change in order to comply with that treaty?

Guess what. After about a whole year of circulating through all of our Departments of Justice, Labor, HHS, Agriculture, and everything else, it came back: We don't have to change one law because we are the best in the world when it comes to the civil rights protection of people with disabilities.

So last year, under the guidance of then-Senator John Kerry, who is now our Secretary of State, it went to the Foreign Relations Committee. They had hearings. Senator MCCAIN and I were the two leadoff witnesses. We brought that treaty to the floor of the Senate in December, fully expecting it would pass. Under the Constitution of the United States, it requires a two-thirds vote to approve the treaty and we thought we had the votes. We brought it on the floor. We fell 6 votes short of the 67 votes we need. We had a number of Republicans and Democrats on the bill.

Why did it fail? Right before we brought it up, former Senator Rick Santorum and others began to talk about how this was going to prevent people from homeschooling their kids. I thought I knew the treaty. I had read it. I had looked at it. I thought, Did I miss something? Is there something in there I didn't find?

I went back to my staff and said, Comb through this. I got ahold of people at the U.N. and said, What is in there that would prevent people from homeschooling their kids? Nothing. Absolutely nothing. That charge was made out of whole cloth somehow, but at that time in my office calls ran 50–1 against adopting the treaty on that issue. So people were misinformed because of a few people like Mr. Santorum and others who decided to whip this up—for whatever reason, I don't know.

There were also a lot of comments made on the Senate floor by my Republican colleagues at that time that we shouldn't be adopting a treaty in a lameduck session, even though we pointed out that many treaties in the past had been adopted in lameduck sessions. I review that history to tell my colleagues that under now the leadership of Senator BOB MENENDEZ, who is the chair of the Senate Foreign Relations Committee—and I might add that the person who succeeded Senator Kerry in his position in the Senate, the present occupant of the chair, is also on the Senate Foreign Relations Committee—there are going to be some more hearings. Under the leadership of Senator MENENDEZ, we intend to bring that back to the floor this fall. We need to get the 67 votes.

People ask: Why is that so important? It is important for the United States to take leadership on this issue around the globe. Over 100 nations have already signed the treaty. They are looking to us for leadership.

I have talked to some of my colleagues and they say: Why do we need to join that? We are OK. We are doing just fine. We are doing just fine with disability law in our country. We do not need to join this convention, sign this treaty.

It seems to me that is an inherently selfish way of looking at who we are and what we are about as a nation. We have provided, I think to the world, guidance and direction on disability issues. If we are a part of the Convention, we get a seat at the table. When countries come and say we want to conform our laws, we want to make sure we meet the guidelines of the Convention on the Rights of Persons with Disabilities, this commission that is set up will be there to both guide and direct countries but also to see whether they are fulfilling their obligations. If we are not a signatory to the treaty, we are not at the table.

There is another reason we should sign this Convention. I just spoke to a group of people yesterday, people with disabilities, and I said: There are a lot of people in this country who use a wheelchair. Guess what. They would like to travel overseas. They would like to go with their friends and their family. But in many of these countries they do not have curb cuts. They do not have lifts. They do not have accessibility for people with disabilities. Shouldn't people with disabilities in this country have the same right to travel and enjoy foreign travel as anybody else? If we are a signatory to the treaty, then we can work with those countries to help change their laws, change their structures.

I cannot tell you how many veterans I have talked to, people who have come back from Iraq and Afghanistan disabled, and do you know what they say. They want us to join the treaty too because they want to travel overseas, and they feel constricted because they will not have accessibility in other countries.

For the life of me I cannot understand why people are not supporting this treaty. I do not get it. I just don't get it. It is supported by the U.S. Chamber of Commerce. It is supported by every veterans group in this country. It is supported by, I think, every faith-based group in this country. It is supported by everyone in the disability community. It is supported by every former living President, from the two Bushes to Clinton, to Carter. It has broad-based support. You would think with that kind of support it would be a no-brainer to pass it in the Senate.

We are going to bring it up again this fall. I am hopeful we can do it. No one worked harder on a lot of these issues than Senator Bob Dole. We just had his 90th birthday party Tuesday in Statuary Hall. It was quite an event. So we fell just six votes short. I look forward to working with Senators MENENDEZ, MCCAIN, AYOTTE, BARRASSO, DURBIN, UDALL, and COONS to bring the treaty back to the floor and get the additional votes needed for it to pass.

I tell you, people with disabilities, their family members, supporters, the

business community, the veterans community, faith-based and civil rights groups are mobilizing for this. They do not want to take another chance that this will not pass.

I urge my colleagues to take the time to look at the facts related to the disability treaty. It requires no changes in U.S. law. It has no budget impact. As I said, when we become a party to the Convention, we have a seat at the table with the rest of the world. We will be well positioned to accelerate progress for the 1 billion people with disabilities around the world. It is our chance to be that shining city on the hill for the rest of the world.

I might also add this is supported by the high-tech business community in America because their global leadership position on accessible products and services can be used by the rest of the world.

For all those reasons, we need to pass it. Let me just close with this one last thought. Again, I am struck by the fact that these days we are surrounded, as I said earlier, with a new generation of young adults with disabilities who grew up since passage of the ADA, including a number of wounded warriors back from Iraq and Afghanistan. I call these younger people the ADA generation. They see disability as a natural part of human diversity. They reject the prejudices and stereotypes of earlier generations. I can tell you this, they have high expectations for themselves. They want to be challenged and they want to challenge us to make sure our society is open and they have the opportunity to go as far as their talents can take them.

We cannot let these people down. If we passed the ADA, now we have to take steps to make sure it is not just a promise, but it is a promise we are keeping and that we will keep.

We in the Senate have a responsibility to keep fighting to ensure that they have an equal opportunity to be independent, fully integrated, fully self-sufficient. That, at the heart, is what the Americans with Disabilities Act is all about. Twenty-three years later, we can look at it and say, without doubt, it truly is America at its very best.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

COMPREHENSIVE TAX REFORM

Mr. HATCH. Mr. President, over the last few years, I have come to the floor many times to advocate for comprehensive tax reform. I share the belief of many in Congress that tax reform is a necessary step to ensuring economic growth and prosperity in the future. This is why, as the ranking member of the Senate Finance Committee, I have made tax reform my top priority.

We are now at a crossroads when it comes to tax reform. Before us there are two alternative paths. The first path is the one we took back in 1986. It is the path that former House Democratic Leader Dick Gephardt and former Treasury Secretary James Baker advised members of the House Ways and Means Committee and the Senate Finance Committee to take.

As you will recall, they were two critical players in the last successful tax reform effort. In 2011, at one of our hearings, they advised us to not mix deficit reduction and tax reform. This was a joint Senate Finance and Ways and Means Committee hearing. To paraphrase these two former leaders: Each is a hard enough task by itself, but doing them together is nearly impossible. That is one path we can take. The path that separates our tax reform efforts from our deficit reduction efforts.

In 2011, they both advised us not to mix deficit reduction and tax reform. They just basically said that each is a hard enough task by itself, but doing them together is nearly impossible. That is one path we can take, the path that separates our tax reform efforts from our deficit reduction efforts.

The other path we can take is to condition tax reform on the raising of additional revenues. Sadly, that seems to be the preferred path of many of my friends on the other side of the aisle. I will never fully understand why, except their propensity to spend. According to many Democrats in the Senate, there can be no deal on tax reform unless they get a second significant tax increase this year. We heard just today from the Senate Democratic leadership that they want the Senate Finance Committee to use the Senate budget, which included nearly $1 trillion in tax hikes, as the model for tax reform. Essentially, what they are saying is that unless they get a big tax hike, we have to keep the tax system as it is, with all of its complexity, inequities, and distortions. Right now this position is held by many on the other side of the aisle, and it is the biggest barrier to fundamental tax reform.

Today, I would like to take a few minutes to examine this position and to discuss the merits of conditioning tax reform on yet another significant tax increase. Last October, one of my friends on the other side put it this way:

> Tax reform 25 years ago was revenue neutral. It did not strive to cut the debt. Today we cannot afford for it not to. Our national debt today is approximately 73 percent of GDP. That is nearly double what it was in 1986.

At first glance, this argument may appear to be reasonable. However, it falls apart under further examination. If my friends on the other side of the aisle were serious about deficit reduction, they would not focus their efforts on tax hikes. If they wanted to get a handle on our Nation's debt problems, they would work with Republicans to address the main drivers of our debt and deficits, our unsustainable entitlement programs.

No one who has spent more than 5 minutes examining our Nation's finances seriously disputes that the main drivers of our current debt and deficits, and the source of the coming fiscal calamity, are Federal entitlement programs, especially our health care entitlements, Medicare and Medicaid.

I have a chart from the Bipartisan Policy Center that tracks the trend lines on Federal spending. As the chart shows, in the coming years, health care entitlement spending will overwhelm our Federal fiscal picture and consume an outsized share of our economy. That is represented by the top blue line on the chart.

All other categories of major Federal spending either increase at significantly lesser rates or decline and stabilize. As we can see, Social Security kind of levels off, discretionary spending—both defense and nondefense—we have seen that go down. This is other mandatory programs. As we can see, when it comes to deficit reduction, getting our debt under control, entitlement reform, that upper line, that is going off the charts. That is where the bodies are buried. Yet if you listen to my friends on the other side of the aisle, the problem is not our entitlement programs. The problem, they say, is that the American people simply are not being taxed enough.

Of course, the actual numbers tell a different story. Over the last 40 years, Federal revenues as a percentage of the gross domestic product have averaged roughly 17.9 percent. While in recent years that number has decreased due to the struggling economy, tax revenues are at a pace to rise over the historic average and settle around 19 percent of GDP.

Let me repeat that. Absent any changes in tax law, revenues are set to rise above historic levels relative to GDP, the gross domestic product. So despite my friends' claims to the contrary, the root of our current fiscal crisis is not the lack of revenues, it is unsustainable spending. More specifically, it is entitlement spending. That is just health care. That doesn't include some of the others. That is why all serious bipartisan deficit reduction discussions over the last few years have included structural reforms to our entitlement programs.

Without significant changes, programs such as Medicaid and Medicare and Social Security will remain unsustainable. In order to strengthen and preserve these programs for future generations, we need to reform them. If we do not reform them, we face a fiscal disaster, and it would be a terrible disaster for all of our young people living today who are going to have to foot this bill.

All of the major discussions seeking to reach a so-called ''grand bargain'' on deficit reduction have come down to a mix of different policies, but while they have all had different approaches, all of them have included structural entitlement reforms.

When I talk about deficit reduction discussions, I am referring to the Bowles-Simpson plan, the Domenici-Rivlin plan, the negotiations led by Vice President BIDEN, the G8 Senate talks, the negotiations between Speaker BOEHNER and President Obama, and the so-called supercommittee. Each of those grand bargain discussions divided deficit reduction policy issues into four categories. These categories are: No. 1, discretionary spending; No. 2, non-health mandatory spending; No. 3, health care entitlement programs; and, No. 4, revenue. Those have been the agreed-upon areas of focus in our deficit reduction efforts. Yet, if you listen to what my friends on the other side of the aisle have been saying recently, you will see that their focus is entirely one-dimensional. We don't hear much talk anymore about addressing discretionary spending. We certainly don't hear much in terms of reining in entitlement spending. No, their only focus is on raising taxes.

More precisely, their most recent argument has been that we have cut so much spending over the last few years that we are now at a point where tax hikes are the only viable deficit reduction option. Now, of course, with the exception of the sequester cuts that took effect this year, we have not really seen any real spending reductions as of yet, just promises, which future Congresses could easily undo.

Even though only a small portion of the promised spending cuts has actually taken place, my friends on the other side of the aisle like to claim they have all already happened. Still, let's take a look at the record. Let's assume for a few minutes that all of the recently enacted deficit reduction is real and take a closer look at what has been done with respect to deficit reduction categories I referred to earlier.

In the last 2 years two bills have been enacted with the purpose of major deficit reduction. The first was the Budget Control Act of 2011. The second was the fiscal cliff deal or the American Tax Relief Act of 2012.

According to the Congressional Budget Office data and consultation with the Senate Budget Committee, here is what has been done so far: The category that has been tapped the most is discretionary spending, to the tune of $1.36 trillion of promised spending reductions over 10 years. Remember, that is over 10 years. Once again, these are almost entirely promised spending cuts that have yet to be realized. If history has told us anything, it is that future promises to reduce spending aren't likely to be kept. They are very unlikely to be kept.

If you don't believe me, look at the efforts by my friends on the other side of the aisle to undo even the small amount of spending cuts that are actually in place this year. Indeed, Democrats in Congress have been actively looking for ways to eliminate the cuts for discretionary spending. If history is any indication, they may very well be successful in spite of the promises they made.

Those who argue against these cuts do not want to merely provide flexibility over how the cuts will occur. They don't want any cuts to occur even though they are spending cuts relative to a bloated baseline that was supposed to be only temporarily elevated. Still, if we assume that against all odds these spending cuts remain in place, we will have reduced discretionary spending by $1.36 trillion relative to a baseline of bloated spending.

The next highest deficit reduction category is revenues. Revenues have been increased by roughly $600 billion over 10 years—part of the fiscal cliff deal. This includes only the revenues generated by the fiscal cliff deal. It does not include the $1 trillion of new taxes enacted as part of ObamaCare.

Unlike the promised discretionary spending cuts I cited earlier, this revenue number is very real and not just promises. While it may be a 10-year number that can theoretically be changed, history tells us that once tax hikes are in place, they always tend to stay there.

So of the four deficit reduction categories, we have already taken significant steps with regard to promised discretionary spending reductions and actual revenue hikes. Where are we with the other categories?

As I said, health care entitlement spending is the driver of future deficit and debt. No one who looks at this seriously disputes this. The trust funds in Social Security, which are to finance retirement and disability payments, are on clear paths to exhaustion, with the disability insurance trust fund scheduled to dry up in 2016. Yet, to date, very little of our deficit reduction attention has been focused on entitlement spending. So far we have done absolutely nothing to deal with unsustainable Social Security promises, and we have done nothing to address the insolvency of the retirement and disability trust funds. So far we have reduced health care entitlements by a mere $81 billion over the next 10 years. That amounts to roughly 4 percent of overall promised deficit reduction we have enacted. That amount is minuscule relative to the amount of scheduled spending entitlements over the next 10 years.

Take a look at this chart. We can barely see the red line on the right side of the chart. That red line stands for $81 billion in entitlement cuts. If we look at the 10-year spending—as the chart behind me shows—over the next decade, we will spend roughly $22 trillion on the three major entitlement programs. That is trillion with a ''t.''

Despite cutting spending and reducing deficits over the last couple of years, we have only been able to reduce entitlement spending by a mere $81 billion. Look at that little red line compared to the 10-year spending on Medicare, Medicaid, and Social Security, which is unsustainable, and yet nothing is being done by the majority.

By the way, all of those spending reductions have come in the form of cuts to health care providers. They are cutting out doctors, hospitals, and health care providers, as if that is going to keep them on the job. There is a high percentage of doctors who are now ready to retire or quit and find other ways of living. All of those spending reductions have come in the form of cuts to health care providers, not structural entitlement reforms, and they know that is not sustainable. Just that little bit is not sustainable.

Once again, this approach is at odds with the grand-bargain efforts we have seen over the last few years. All of those efforts—every single one of them—put structural entitlement reform on the table. Yet, to date, my colleagues on the other side of the aisle have been unwilling to do the same.

As I said, my friends like to brag about all of the promised deficit reduction they have enacted thus far—even the deficit reduction they are actively trying to repeal—but they refuse to even entertain a serious conversation about the main sources of our future debt and deficit.

So where are we? The Senate Finance Committee is engaged in a bipartisan effort to reform our Nation's Tax Code and bring some sense of sanity to our Nation's tax system. Chairman BAUCUS and I have asked our colleagues to assist us in this effort by sharing their views on what elements of the current Tax Code should be preserved. I would like to thank my Republican colleagues on the Finance Committee for their input thus far. I have met with every one of them individually on this issue except for one, and he is meeting with my staff. I really appreciated their thoughtful comments and advice.

While I remain hopeful that we will be able to move on tax reform this year, I am disheartened by comments I heard from my friends on the other side of the aisle. Indeed, many of my Democratic colleagues have stated that they are unwilling to engage in tax reform without assurances that it will have to include another massive tax increase.

Once again, their message to the American people is that we have to keep the current system—which virtually everyone in the country agrees is a problem—unless the Republicans agree to higher taxes. They want to hold simplicity in the Tax Code hostage to demands for even more taxes. They want to hold efficiency in the economy—which stimulates growth and creates jobs—hostage to demands for the second tax hike of the year in order to pay for more of their spending and more of their expansion of government even further. They want to hold competitiveness of our businesses at home and around the globe hostage to demands that flowthrough businesses face yet another tax hike—even after having been hit already at the start of this year.

My colleagues insist that their demands for higher taxes are all about deficit reduction. But let's face it. If deficit reduction was the real goal, entitlement reform would also be on the table. It would have to be on the table. After all, that is where the money is. That is where we have a chance to really reduce the deficit. That is where the future of our young people is going to be killed if we don't attack that problem now and do it in an intelligent way.

According to my friends on the other side of the aisle, entitlement reform is not on the table. Despite the stated desire of President Obama and a number of congressional Democrats for a grand bargain on deficit reduction, when the rubber meets the road they simply are not willing to engage in a real discussion about entitlement reform. Sure, they will talk about cuts to providers and other cosmetic changes to these programs, and they will talk about modifying cost-of-living adjustments in Social Security if they get hundreds of billions of dollars of new tax revenue in return. But at the end of the day structural entitlement reforms simply are not part of their deficit reduction equation.

Despite many claims to the contrary, Republicans are willing to engage, as they have in the past, in a bipartisan grand bargain for deficit reduction. Ask Senators CRAPO, COBURN, and former Senator Gregg. They voted for Bowles-Simpson. Oddly enough, the remaining sitting Democratic Senator who voted for Bowles-Simpson has walked away from the entitlement reform concessions he made and instead has focused on calls for more revenues and as a result tax reform is being held hostage.

Republicans and Democrats agree on the importance of tax reform. Our tax system is in dire need of reform. It is, quite frankly, one of the major obstacles standing between us and sustained economic growth. Most Democrats claim they agree with this sentiment, but their desire for more revenues apparently trumps this belief in the need for tax reform.

Something has to change. As I have said before, we have been counseled by some of our former leaders not to mix tax reform and deficit reduction. I think that is pretty good advice, and these are two of the leaders who helped to put through the 1986 bill. They are both highly regarded by people on both sides of the aisle here in the Senate.

Sadly, if Democrats in the Congress continue on their current course, neither tax reform nor deficit reduction will be possible. Indeed, if they continue to condition tax reform on additional tax hikes and if they continue to refuse to engage in a real discussion about entitlement reform, very little is going to be accomplished on either front.

This spending game has got to be over. We have to start living within our means. We on this side of the aisle—and I in particular—have seen every tax increase amount to more spending, not deficit reduction, so it is a phony argument. And that is what is going to happen if we are so dumb as to increase taxes in accordance with the comments of our leadership on the other side of the aisle that were made just today. It is unbelievable that they get away with it. It is unbelievable that after all of these years we have to put up with that type of argument when we know they are not going to use that money for the appropriate reasons, and they never have.

One Senator said to me the other day: I just live for the day where we reform the Tax Code and it is not changed 4 years later by our friends on the other side of the aisle for the worse. The 1986 bill was a good bill by any standard. It did a lot of good, but in about 4 years our friends started to change it. As a result, today we have the monstrosity we call the U.S. Tax Code that nobody really believes in and everybody knows is a detriment to our country.

I am very concerned. I think we are going to have to have some folks stand up on the other side of the aisle. We are willing to stand with them, and we are willing to solve these problems in ways that will preserve the entitlement programs. They are not going to be preserved in their current form if we keep going the way we are. And tax increases aren't the answer either. We are spending so much, and it will not be long until we will be in a category with Greece if we don't watch it.

We have to overcome this because no other entity in the world is going to bail us out; we have to bail ourselves out. We have to do it by doing what is right, now, and not by increasing taxes. It means resolving these problems on a structural reform basis. It will take good people on both sides of the aisle to do it. I call on my friends on the other side to get with it. Get real. Quit the tax charade.

We know that is not going anywhere. We also know it is phony to begin with.

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

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

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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.

UNSEEN DETROIT

Ms. STABENOW. Mr. President, when people across the country flip on the news tonight, they are probably going to see pictures of Detroit. They aren't going to be flattering pictures, and they are not going to tell the whole story.

There is no question that the Detroit city government is going through an extremely difficult financial crisis, and there are many causes for that.

There are more than 20,000 people—retired police officers and firefighters and teachers and city workers—who have been loyal and hard-working employees their entire lives, who are now worried about how they are going to pay the mortgage or put food on their tables.

The TV cameras are rolling when it comes time to show us bad news about Detroit, but what aren't we seeing?

On TV, they aren't showing us the city that is the No. 1 market in the country for tech jobs—No. 1. They aren't showing a city that is one of the fastest growing in the country for new manufacturing jobs. On TV, they aren't showing us the city that is undergoing a massive revitalization, with businesses and religious leaders and community leaders and neighborhoods working together every day. They aren't showing us the Quicken Loans headquarters with 7,000 jobs in downtown Detroit; a CEO so committed to the city that he closed a beautiful building in the suburbs to bring people downtown; a CEO who is purchasing properties and investing in so many ways in Detroit, along with a wonderful coalition of business leaders committed to the revitalization of this great city. They aren't showing us the beautiful renovation of Campus Martius and the amazing things happening downtown on Woodward Avenue, where people can go on any day now and see people who are there—younger people, older people—enjoying the beautiful surroundings.

They aren't showing us the surge of innovative companies that are breaking new ground in creating opportunity in Detroit.

On TV, they aren't showing us the new Elijah McCoy Patent and Trademark Office—the very first and, so far, only satellite patent office in the country that was put in Detroit. Why? Because Michigan happens to be No. 1 in new, clean energy patents—new ideas on clean energy, coming from Detroit and the surrounding communities. They are not showing us TechTown and the venture capitalists and the 17 tech startups that are investing in technologies that are being developed in Detroit right now and that are going to change our lives in the years to come. On TV, they aren't showing us Michigan's world-class research universities and the incredible collaboration that is going on with Detroit businesses.

They are not showing us the rich depth of culture we are known for in Detroit. The city that gave the world Motown once again has an exploding arts and music scene. In fact, last weekend, in beautiful Traverse City, MI, I was speaking to someone who lives there who said his sister is coming back from Colorado who is an artist; she is moving to Detroit. When he asked her why, she said Detroit is where everybody is going because there are so many opportunities there in arts

and culture. There are exciting things happening. We have the beautiful Detroit Institute of Arts, one of the largest and most important collections of artwork in the country.

Jack White, the founder of the band, the White Stripes, stepped up and paid off with his own money the back taxes owed on the Masonic Temple in Detroit, one of the most stunning theater and music venues in the world.

Story after story such as that can be told of people coming forward and saying: We are going to make sure that Detroit is coming back.

On TV, they are not showing us Eastern Market, the Nation's longest continuously operated farmers market, and all the great things that are happening there, with new test kitchens and local agriculture. In fact, as chair of the Agriculture Committee, I was so proud to learn that we in Detroit have the national leaders in urban agriculture who are now creating jobs working with small business to create food entrepreneurs and healthy foods for families and neighborhoods.

I am so proud of the work we have been able to do with the Detroit Public Schools. Not long ago I stood at a school garden in a neighborhood that was put together by the children of the school. We now have 46—46—gardens at schools in Detroit, and in the summer the neighborhood makes sure they can help get the work done for the gardens so the children can have fresh fruits and vegetables when they come back to school.

Last month Whole Foods opened their first grocery store in Detroit, where they are featuring local foods such as Avalon baked goods and McClure's pickles and Good People Popcorn and Garden Fresh salsa and so many other things that are made right in the metro Detroit area.

We might just see a shot of the bridge to Canada on TV, but what we will not see is the more than $1 billion in trade that crosses that border every single day. Metro Detroit, in fact, is the fourth largest city in America for exports, and we have the largest, busiest northern border crossing in the country.

While the cameras are obsessed with showing us decay, we are seeing an auto industry that is roaring back. We are seeing the Chrysler plant that the New York Times called one of the most modern and successful auto plants in the world, in Detroit. That plant employs more than 4,000 people and added a third shift at the end of last year to build the Jeep Grand Cherokee.

Ford Motor Company reported record North American profits in the second quarter and growth in every sales region.

GM's global sales are up, and they too are making record profits again, hiring workers and investing in new plants and technologies.

So while it is true that the city government is going through a terrible time and a bankruptcy, and that process will be very painful and very difficult for many people in the city—many people who work very hard—it would be a mistake to count Detroit out. It would be a mistake to think there isn't opportunity in our great city of Detroit. It would be a mistake to think Detroit isn't coming back, because if a person is going to say anything about Detroit, a person has to say: Times may be tough, but so are the people of Detroit. Times may be tough, but the leaders, the businesses, the educators are tough. Our people, our businesses, are smart and talented and care deeply and are committed to making sure this great city called Detroit comes roaring back better than ever.

Thank you, Mr. President.

PRISON RAPE ELIMINATION ACT ANNIVERSARY

Mr. LEAHY. Mr. President, 10 years ago this week, Congress passed a watershed piece of legislation. The Prison Rape Elimination Act was the first comprehensive legislative effort to prevent something we had long been reluctant to even acknowledge existed—the incidence of rape in our Federal, State, and local corrections facilities.

Violence and victimization have no place in our society, including in our prisons, and we have an obligation to ensure these facilities are safe. The punishment of incarceration does not, and cannot, include a sentence of rape. And yet we know that all too often it does. A recent report by the Bureau of Justice Statistics estimated that nearly 1 in 10 inmates in America had been sexually assaulted in custody.

Too often the victims of such violence end up being the most vulnerable members of our population. Women, racial minorities, and those suffering from mental illness face increased rates of sexual violence while incarcerated.

Children in adult jails are at the greatest risk of being victimized. Juveniles housed with adults are 35% more likely than other inmates to be targeted for sexual assault, and that abuse is taking a terrible toll on this already vulnerable population. Youth under the age of 18 are 36 times more likely to commit suicide than if they were housed in a juvenile detention facility. With 100,000 youth held in adult jails and prisons every year, this is a problem we must address head on.

The Prison Rape Elimination Act gives us the tools to do that. Because of this law the Department of Justice now collects data about the incidence of sexual violence in our prisons so we can better understand the scope of the problem. We have adopted national standards and best practices to create safer environments, especially when it comes to juvenile detention and the dangers inherent in incarcerating our youth with adult prisoners. The law provides for increased training for prison staff, makes it easier for inmates to report violence, and requires prompt medical and mental health treatment for victims.

These protections make sense, and that is why we made sure that the Violence Against Women Reauthorization Act that was signed into law earlier this year made clear that these protections also apply to every immigration detention facility operated by the Department of Homeland Security. We are making good progress, but more work lies ahead.

Sexual violence in our detention facilities compromises the health and safety of the inmates, staff, and the communities to which these prisoners will someday return. Although improvements have been made in the past 10 years, let us pause on this anniversary to reflect on the importance of ensuring that every American is safe from violence, and treated with the dignity and respect they deserve.

REMEMBERING VIVIAN MALONE JONES

Mr. LEAHY. Mr. President, last night, the National Museum of Women in the Arts hosted a screening of the documentary entitled, Crisis: Behind a Presidential Commitment. As we prepare to observe the 50th Anniversary of the March on Washington, this important film focuses on four individuals who will forever be connected with the battle for racial equality and the pursuit of Dr. Martin Luther King's dream. I want to recognize one of those individuals, Vivian Malone Jones.

Ms. Malone was one of two brave African-American students to enroll at the University of Alabama in 1963, despite the threat of Alabama Governor George C. Wallace to stop integration at ''the schoolhouse door.'' The picture of Ms. Malone walking into the University of Alabama, flanked by National Guard troops, is an iconic image that is forever etched in our Nation's memory.

Ms. Malone grew up in the racially segregated city of Mobile, AL. She was just 12 years old when the Supreme Court ruled segregation unconstitutional in Brown v. Board of Education. The historic decision inspired Ms. Malone, who as a National Honor Society student in high school committed herself to efforts ending segregation. She went on to become one of the most important civil rights figures in our country's history.

In her lifetime, Ms. Malone personified dignity and strength. She also lived history. The day after she and classmate James Hood were escorted into the University's Foster Auditorium by the National Guard and Deputy Attorney General Nicholas Katzenbach, seeking to enroll in classes, civil rights leader Medgar Evers was shot and killed in Mississippi. This only made Ms. Malone more determined. She once said that she ''decided not to show any fear and went to class that day.'' While an undergraduate student, she found a community of support and

friendship among fellow members of Delta Sigma Theta Sorority—the Nation's largest predominately African-American women's organization. And in 1965, she became the first African American to graduate from the University of Alabama, earning a degree in Business Management.

Ms. Malone was not just a symbol of courage; she also set an example of forgiveness. In 1996 Governor Wallace, who 3 decades earlier stood in the entryway to the university's auditorium, flanked by State troopers, to prevent Ms. Malone from enrolling, awarded her with the first Lurleen B. Wallace Award for Courage. Later recalling their conversation, Ms. Malone said that she simply spoke with Governor Wallace about forgiveness.

Throughout her life, Ms. Malone was dedicated to the preservation and enforcement of our civil rights laws. After graduation, she worked for the U.S. Department of Justice in the Civil Rights Division. In 1977, she took over as Executive Director for the Voter Education Project following the resignation of another civil rights legend, Congressman JOHN LEWIS. Eventually, Ms. Malone rose to become a Director of Civil Rights and Urban Affairs for the Environmental Protection Agency in Atlanta, GA, before retiring there in 1996.

In 2000, she gave the commencement address at the University of Alabama and advised the new graduates: ''If there is any lesson for the graduates to take from my experience, it is that you must always be ready to seize the moment.'' Ms. Malone passed away on October 15, 2005, but her legacy continues. It lives on through her children, grandchildren, and siblings. It also lives on through the important work of her brother-in-law, Attorney General Eric Holder. He has done so much in the past 5 years to return the Civil Rights Division to its core mission. I have no doubt that his sense of purpose is informed by the proud history of the Malone family including his sister-in-law, Vivian, and his wife, Dr. Sharon Malone.

As we honor our Nation's civil rights heroes in preparation for next month's momentous anniversary of Dr. King's ''I Have a Dream'' speech and the historic March on Washington, let us honor another courageous icon who told those University of Alabama graduates in 2000, ''You may not live in a time of great social change as I did, but you will just as certainly face moral choices.'' I hope Ms. Malone's courage, determination, and forgiveness will serve as a guiding light for generations to come, and to make the right moral choices in our own lives.

CRIME GUN TRACING ACT

Mr. DURBIN. Mr. President, I rise to speak about a new bill I have introduced called the Crime Gun Tracing Act. This bill will create a strong incentive for police departments and sheriff's offices across the nation to trace every crime gun they recover. I am pleased that my colleagues Senators FEINSTEIN, WHITEHOUSE, BLUMENTHAL, LEVIN, BOXER, JACK REED and MURPHY have joined me as cosponsors of this legislation. I thank them for their support.

The issue of gun regulation is complicated, and people may not always agree on all aspects of it. But one thing we can all agree on is the need to reduce criminal gun violence. Far too many violent shootings are taking place across America. We need to catch the criminals who commit violent gun crimes, and we need to identify and stop the people who are putting guns in criminals' hands.

Crime gun tracing is a powerful tool that helps law enforcement solve gun crimes and identify gun traffickers. Law enforcement agencies should be tracing 100 percent of guns they recover in criminal investigations, and the legislation I am introducing will help get us closer to that goal.

Here is how crime gun tracing works. When a gun is recovered in a criminal investigation, a police department or sheriff's office can send the Bureau of Alcohol, Tobacco, Firearms and Explosives—ATF—information about the gun's make, model and serial number. ATF can then trace the gun from its manufacturer to its first retail purchaser. This information can help generate leads in identifying the person who used the gun to commit a crime. Also, when all crime guns in an area are traced, it can help law enforcement identify broader crime gun trends and trafficking patterns.

ATF has described crime gun tracing as a ''cornerstone'' of its efforts to combat gun crime and illegal gun trafficking. And ATF has made it free and easy for local police departments and sheriff's offices to trace guns. ATF has created an online tracing program, called E-Trace, that it makes available for free to any law enforcement agency that signs up for it. E-Trace allows gun trace requests to be sent to ATF quickly over the internet. And it provides a searchable computer database that police departments and sheriffs can use to analyze all gun traces and gun crimes in their jurisdiction.

Let us be clear: This is only a database for crime guns. This is not a registry of law-abiding gun owners. ATF only traces guns that are part of criminal investigations by law enforcement.

E-Trace is a great law enforcement tool. I have been working for years to get every police department and sheriff's office in Illinois to sign up for E-Trace and to use it for every crime gun they recover.

We are about halfway there in Illinois—around 400 out of 800 law enforcement agencies in my state are using E-Trace, and I am reaching out to the rest to urge them to sign up. But we can do better, both in Illinois and nationally.

I am introducing my bill, the Crime Gun Tracing Act, to help move us toward 100 percent tracing of crime guns nationwide. There are about 18,000 law enforcement agencies in America, and right now about 4,700 have signed up to use E-Trace. All of these agencies should sign up to use E-Trace and should use it every time they recover a crime gun.

My bill will require law enforcement agencies that apply for Federal COPS grants to report how many crime guns they recovered in the last year and how many they submitted for tracing. The bill will then give a preference in COPS grant awards to agencies that traced all the crime guns they recovered.

To be clear, police chiefs and sheriffs should not just wait for this legislation to pass before they start tracing. They should start tracing today, and I hope many will. But for those local agencies that need a push to start tracing their crime guns, my bill will give them a significant incentive.

Gun violence is a complicated problem, and there is no one solution that will stop all the tragic shootings in our nation. But comprehensive crime gun tracing will make a big difference when it comes to solving gun crimes and identifying gun traffickers. Crime gun tracing is free, it is easy, and law enforcement leaders will tell you that it is a powerful tool that helps them fight crime.

I urge my colleagues to join me in supporting this legislation. And I also urge my colleagues to call on law enforcement in their States to start tracing all their crime guns, as I have done in Illinois. Many police departments and sheriff's offices simply do not know about this free law enforcement resource called E-Trace, and once they learn how easy it is to sign up and use E-Trace, they are thrilled with it.

We can make important progress on the issue of crime gun tracing right now if we alert all our State and local agencies about this powerful investigative tool. Every additional crime gun that gets traced makes it harder for illegal gun traffickers to hide. If we can identify and root out these trafficking networks, it will help reduce gun violence in our communities. That is a goal we should pursue, and I urge my colleagues to join me in this effort.

SMARTER SOLUTIONS FOR STUDENTS ACT

Mr. LEVIN. Mr. President, the choice before the Senate yesterday was very difficult. If we had failed to pass the student loan bill, students and their families would be stuck with interest rates for student loans that are double what they were just last year. American students and parents who worry every single day about whether they can afford college cannot be burdened with such an enormous rate hike.

The cost of tuition at public 4-year colleges is up more than 15 percent since 2009. Student loan debt has reached historic proportions. Yet we allowed the rate on new federally subsidized student loans to double, to 6.8

percent, as of July 1. If we had allowed this rate increase to continue, we would have subtracted thousands of dollars from the wallets of American students and their families or, worse, be responsible for pushing college beyond the financial means of some families who already wonder whether they can afford to give their kids the education they need and deserve.

The bipartisan legislation we passed yesterday will temporarily resolve this crisis for American families, but it is far from perfect. It switches these interest rates for these critical student loans from fixed rates to floating rates, with caps that are far too high. This opens the door to rising interest rates 4 years from now that students and their families simply cannot afford.

The student debt problem which for many families is a student debt crisis requires a carefully considered long term solution. I am hopeful that such a solution will eventually emerge, but this legislation is not it.

That is why I supported an amendment offered by my colleagues, Senators REED and WARREN, and another amendment offered by Senator SANDERS, which would have mitigated some of the long-term damage of this legislation. Even though we did not adopt those amendments, I supported this bill for the simple reason that it removes the burdens facing America's students and their families in the next few years.

The chairman of the HELP Committee, my friend TOM HARKIN has pledged to try to fix the likely spiking interest rates facing students when the higher education reauthorization bill comes up next year. I will strongly support that effort.

Yesterday we in the Senate had a choice, but America's college students do not they have no choice but to pay the ever-rising cost of a college education, not if they want the skills and knowledge that hold the promise of a better life. They have no choice but to live with the decisions we make here in this Chamber.

REMEMBERING MICHAEL WINTER

Mr. HARKIN. Mr. President, this week Americans are celebrating the 23rd anniversary of the landmark Americans with Disabilities Act. As chief Senate sponsor of that legislation, I know that we could not have prevailed without the tireless, passionate, never-give-up advocacy of disability rights advocates and leaders across America. One of those outstanding leaders, Michael Winter, cannot be with us to celebrate this year's anniversary. He passed away earlier this month. But I would like to take a few minutes today to celebrate the life of this wonderful person.

Michael was born with a disability, and grew up in Chicago at a far less enlightened time, when students and other young people with disabilities were excluded from the mainstream. Michael used a wheelchair, but he was not the kind of person to take discrimination sitting down. At an early age, he began to speak up. He discovered the power of advocacy. He was determined to change the world for people with disabilities.

In 1969, Michael was enrolled in Southern Illinois University. Because the school president's wife used a wheelchair, the SIU had made a commitment 15 years earlier to become one of the first accessible colleges in the United States. But Michael was not satisfied. He believed that the university needed to be more inclusive for students with disabilities. So Michael and other students with disabilities took over the university president's office and chained a wheelchair to his desk. They did so to drive home the point that the campus needed to have accessible transportation for people with disabilities. The university, to its great credit, made improvements, and Michael had found a special focus for his advocacy. His passionate and highly effective advocacy for accessible transportation became a constant throughout his life.

In addition, Michael was one of the early leaders in the Independent Living movement. In 1977, after college and attending graduate school, he went to the fledgling Berkeley Center for Independent Living, where he completed an internship with Judy Heumann. He ended up staying on as a staff member for another 4 years. He then directed a Center for Independent Living in Hawaii before returning to the Berkeley as director of the Center for Independent Living for 12 years. During that period, Michael also served as president of the National Council on Independent Living.

As I said, Michael's special passion was to advocate for more accessible transportation. Later in his career, he held various positions at the U.S. Department of Transportation, and was responsible for helping enforce civil rights with respect to transportation under the ADA, the Rehabilitation Act, the Civil Rights Act, and other laws.

He also advocated for more accessible transportation internationally. Marca Bristo, CEO of Access Living in Chicago, recently shared a memory of Michael Winter, whom she considered a mentor on independent living. She wrote:

> I'll never forget being in Seoul riding the most accessible subway I've ever been on with my son. Later I asked my host from Rehabilitation International, Dr. Il Yung Lee, how did it happen? He said: ''The Convention on the Rights of Persons with Disabilities and Michael Winter.''

Many Americans got to know Michael in Eric Neudel's award-winning documentary, ''Lives Worth Living,'' which chronicled the rise of the disability rights movement in the United States. The documentary recounts the historic day in 1990 when hundreds of disability rights advocates crawled and climbed up the steps of the Capitol Building in Washington to protest the slow progress in passing the Americans with Disabilities Act. One person who was there recalled the scene as follows:

> A young girl with cerebral palsy, fiercely determined to reach the top (''I'll take all NIGHT if I have to!''), inspired the admittedly out-of-shape Michael Winter to follow close behind. When the activists gathered en masse in the Capitol rotunda, Winter was approached by a young, able-bodied woman who was excited by the crowd. Turns out she was a tour guide, expecting to host a group of ''handicapped'' people on a tour through the capitol. ''I have to tell you something,'' Winter wryly informed her. ''I don't think these people are here for a tour.''

Hundreds of disability rights activists are in Washington this week to celebrate the 23rd anniversary of the Americans with Disabilities Act. We also celebrate the contributions of leaders like Michael Winter, who are responsible for America's remarkable progress toward fulfilling the four great goals of the ADA—equal opportunity, full participation, independent living, and economic self-sufficiency. Despite this progress, we know that our journey is far from finished. We have not yet achieved the full promise of the ADA. But we go forward inspired by the memory and example of Michael Winter and other outstanding leaders in this movement.

Thank you, Michael Winter, for a job well done. Thank you for helping us to create a better, fairer, more inclusive and accessible world for people with disabilities.

OBSERVING TED STEVENS DAY

Ms. MURKOWSKI. Mr. President, this upcoming Saturday marks the third time Alaskans from across my home State will join together to ''get out and play'' in memory of the life and legacy of Senator Ted Stevens.

Since Ted's passing nearly three years ago, we have followed his example by getting out and embracing Alaska's great outdoors on this fourth Saturday of July. On this day, as envisioned by Senator Stevens' family, we embody his passion for Alaska's unique wilderness, his love for fishing, and his immense affection for nature. We celebrate his life, one dedicated to public service—from his days as a pilot in World War II to his four decades in the United States Senate fighting for roads, buildings, and other infrastructure needs in a State as young as ours.

This year, Alaskans in communities across the State—from Anchorage, Fairbanks, Juneau, and the Kenai Peninsula—are coming together for BBQ's, Potlucks, and fishing, while countless others take part in their own unique and special way.

We remember Ted Stevens, among many things, as one of Alaska's great leaders, the Alaskan of the 20th Century, and a tireless advocate for the 49th State. He was committed to our people, our economy, and the role we played in the success of America—from

national security to energy independence to our bountiful fisheries. As political as things get in our State and in Washington, DC, Uncle Ted had perspective: ''The hell with politics, just do what's right for Alaska.''

This weekend, however, is about Senator Stevens' deep love for the outdoors and adventure. It is as if this summer, one of the most gorgeous we have had back home in ages, Uncle Ted is looking down upon Alaskans and encouraging us to take up activities that require a little sweat, a little more effort than usual, maybe one that leaves us catching our breath afterwards. Whether one decides to walk or run, hike or climb, reel in a nice rainbow or salmon, take a spin on a bike or just play outside, I encourage Alaskans to spend some time this weekend getting out and enjoying our beautiful Alaskan Summer.

Mr. President, for Senator Stevens and the entire Stevens family: Let's get out and play.

Thank you Mr. President, I yield the floor.

TRIBUTE TO KEVIN COVERT

Mr. CARDIN. Mr. President, I wish to recognize Kevin Covert, our human rights officer at the U.S. Embassy in Moscow. Very shortly, he will move on to another assignment as is the usual practice at the Department of State. During his recent tour, Mr. Covert brought a remarkable level of initiative and leadership to his job. A diplomatic first responder to raids, attacks, and show trials, his was the face of American diplomacy there to listen to the stories of civil society leaders who found themselves branded foreign agents for simply working to better their own country. His handshake was there to remind those Russians who dared meet with him that the United States is committed to telling their story for the record and will not forget them—and Mr. Covert did just that as a lead drafter of the Russia section of the annual Country Reports on Human Rights Practices as well as through objective and incisive reporting chronicling an assault on rights unprecedented in modern Russia. All the while, his composure, and likely a good sense of humor, enabled him to listen patiently to host government interlocutors as American concerns were disingenuously construed as so much meddling while he politely, and with good judgment and integrity, reminded his counterparts of their own freely undertaken commitments to the rule of law and democracy.

As chairman of the U.S. Helsinki Commission and a senior member of the Senate Foreign Relations Committee, I have the regular opportunity, and distinct honor, to interact with the hard-working men and women of the Foreign Service. They do not wear uniforms, but they make numerous sacrifices, take significant risks, and serve our country honorably.

Our relations with Russia are at the heart of a truly comprehensive security and cooperation in Europe and I have paid close attention to this country in recent years. In that context, I am acutely aware of the challenges that our diplomats, serving in Russia under the leadership of Ambassador Mike McFaul, face. Over the past year, as a crackdown on fundamental freedoms gained scope and speed, professionals at our embassy in Russia never wavered in their support for the universal values that we as Americans hold especially dear. Our personnel, particularly those covering sensitive issues such as human rights, met adversity with poise and served our Nation with great dedication. They represent this country well and do us all proud.

Mr. Covert will be missed in Moscow by his colleagues at Post, as well as by countless Russians who got to know him in recent years. I salute Kevin Covert and all his State Department colleagues working the Russia beat during this difficult, but exciting, period of change.

TRIBUTE TO CAPTAIN JAMES T. LOEBLEIN

Mr. BARRASSO. Mr. President, I rise today to pay tribute to a close friend of the Senate, CAPT James Loeblein. Over the past three years Captain Loeblein has served as the director of the Navy Senate liaison office.

Since Captain Loeblein arrived on the Senate deck he has escorted 37 codels to 42 countries. In addition to his travels, Captain Loeblein led his team of sailors with the highest degree of professionalism in support of every Member of the U.S. Senate.

Throughout his time serving in the Senate liaison office, I got to know Jim. Captain Loeblein is a native of Salisbury, NC. Jim received his commission as an ensign after he graduated from the U.S. Naval Academy, Annapolis, MD, in May 1985. He went on to graduate from the Naval War College, Newport, RI, in 1997.

He has served as the executive officer aboard the USS *John S. McCain*, DDG 56. Captain Loeblein has also led sailors on multiple deployments commanding two strike group deployments and served as the sea combat commander for the Abraham Lincoln Carrier Strike Group all in support of Operation Iraqi Freedom and Operation Enduring Freedom.

Under Captain Loeblein's leadership and sharp instincts, his team has been instrumental in supporting the Senate's legislative responsibility to provide our sailors with the resources they need to carry out their mission. The Senate and our Nation are indebted for his service.

Next week, Captain Loeblein will officially be promoted to rear admiral, lower half. We wish him well as he prepares to take over as deputy commander, U.S. Naval Forces Central Command in Manama, Bahrain. I want to thank Captain Loeblein for his service and congratulate him on this hard earned promotion.

TRIBUTE TO EDWARD J. LODGE

Mr. RISCH. Mr. President, I rise today on behalf of myself and Senator CRAPO to give recognition to U.S. District Judge Edward J. Lodge, the longest serving jurist in the great State of Idaho. This month, Judge Lodge marked 50 years on the bench in combined State and Federal service.

His long and notable career on the bench began in 1963 when he was selected probate judge in Canyon County. Judge Lodge was then appointed by Governor Robert Smylie just 2 years later to serve on the Idaho State District Court. He was the youngest person to be appointed a district judge.

After 23 years there, his name was put forth by U.S. Senator James McClure for a seat on the U.S. District Court for the District of Idaho. President George H.W. Bush appointed him in 1989 and shortly thereafter, his nomination was confirmed in the U.S. Senate by unanimous consent.

Judge Lodge has earned the respect of his colleagues as a jurist who, no matter the pressure or how big the case, works to ensure a trial is fair. Throughout the years, he has consistently received high ratings from the Idaho State Bar.

Though it may say more about my State than I would like, Judge Lodge is believed to have presided over more murder cases than any other judge in Idaho. And, in fact, he may just be the only judge who presided over two such cases simultaneously. These cases and the many others upon which he has presided distinguish Judge Lodge as a lifelong student of the law and as someone wholly dedicated to serving the people in judicial matters.

A native of Caldwell, ID, Judge Lodge earned a bachelor's degree from the College of Idaho in nearby Nampa, where he graduated cum laude. He then went north to the University of Idaho in Moscow to earn his juris doctorate.

Many may not know that throughout his education—from high school through university—he was an outstanding athlete. He was named three times an All-American in football at Caldwell High School, Boise Junior College and the College of Idaho. In addition, he was a Golden Gloves champion and successfully participated in track-and-field. These accomplishments landed him a place in the Boise State Athletic Hall of Fame and the College of Idaho Hall of Fame.

Judge Lodge is married to long serving Idaho State Senator Patti Anne Lodge. They have three grown children: Mary-Jeanne, Edward and Anne-Marie.

Idaho is proud to call Judge Lodge a native son.

ADDITIONAL STATEMENTS

THE UNIVERSITY OF SCRANTON

• Mr. CASEY. Mr. President, today I wish to honor the University of Scranton on the occasion of the 125th anniversary of its founding. For more than a century, this esteemed institution of higher education has made invaluable contributions to the City of Scranton, the Commonwealth of Pennsylvania and, most importantly, the lives of its many alumni.

Founded in 1888 as Saint Thomas College by Most Reverend William G. O'Hara, the first Bishop of Scranton, the college was staffed by diocesan priests and seminarians until 1896, and then briefly by the Xaverian Brothers. From 1897 until the arrival of the school's first Jesuit administration in 1942, the college was administered for the Diocese by the Christian Brothers. Renamed the University of Scranton in 1938, it is today ''a community dedicated to the freedom of inquiry and personal development fundamental to the growth in wisdom and integrity of all who share its life.''

I am proud that my hometown is host to an academic institution of the caliber of the University of Scranton. An anchor of the city's Hill Section, the university has grown well beyond its roots as a commuter school into a nationally recognized and respected university with a total enrollment of over 6,000 students in undergraduate, graduate and nontraditional programs.

As a Senator representing the Commonwealth of Pennsylvania, and a member of the Senate Committee on Health, Education, Labor and Pensions, ensuring that our Nation's children and young adults have access to high quality educational opportunities is one of my highest priorities. I firmly believe that anyone with the drive, fortitude and desire to pursue the opportunities afforded by higher education should be able to realize that dream. Throughout its history, the University of Scranton has enabled countless students to further their education and become productive members of society.

It is with great pride, as both a Senator from Pennsylvania and as a native of Scranton, that I honor the University of Scranton today. The contributions that this institution has made to both our Commonwealth and to our Nation are commendable, and I wish them all the best.•

2013 STENNIS CONGRESSIONAL INTERNS

• Ms. BALDWIN. Mr. President, 2013 is the 11th year in which summer interns working in Congressional offices have benefitted from a program run by the John C. Stennis Center for Public Service Leadership. This 6-week program is designed to enhance their internship experience by giving them an inside look at how Congress works and a deeper appreciation for the role that Congress plays in our democracy. Each week, the interns meet with senior congressional staff and other experts to discuss issues such as the legislative process, power of the purse, balancing governing and campaigning, political polarization, foreign affairs, and more.

Interns are selected for this program based on their college record, community service experience, and interest in a career in public service. This year, 29 outstanding interns, most of them juniors and seniors in college who are working in Republican and Democratic offices in both the House and Senate have taken part.

I congratulate the interns for their participation in this valuable program and I thank the Stennis Center and the Senior Stennis Fellows for providing such a meaningful experience for these interns and for encouraging them to consider a future career in public service.

I ask unanimous consent that a list of 2013 Stennis Congressional Interns and the offices in which they work be printed in the RECORD.

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

Peter Aldrich, attending Grinnell College, interning in the office of U.S. Representative KEITH ELLISON; Jared Bierbach, attending University of Wisconsin—Milwaukee, interning in the office of U.S. Senator TAMMY BALDWIN; Becca Brukman, attending University of Arizona, interning in the office of U.S. Representative ALAN LOWENTHAL; Anthony Carli, attending University of Arizona, interning in the office of U.S. Representative KYRSTEN SINEMA; Jack Cartwright, attending Hamilton College, interning in the office of U.S. Representative KYRSTEN SINEMA; Julie Chen, attending Wellesley College, interning in the office of U.S. Representative CHARLES RANGEL; Steve Ciranna, attending Michigan State University, interning in the office of U.S. Representative BILL HUIZENGA; Rob Contreras, attending University of California at Los Angeles, interning in the office of U.S. Representative ANN KIRKPATRICK; Seth Coppe, attending American University, interning in the office of U.S. Senator JOE MANCHIN.

Florie Crump, attending Mississippi State University, interning in the office of U.S. Senator THAD COCHRAN; Nick Fickler, attending University of Southern California, interning in the office of U.S. Representative ED ROYCE; Jon Fox, attending Miami University, interning in the office of U.S. Representative JOYCE BEATTY; Caitlin Garn, attending University of Utah, interning in the office of U.S. Senator ORRIN HATCH; Jake Goodman, attending Temple University, interning in the Special Committee on Aging; Haley Gray, attending University of Texas at Austin, interning in the Office of the Speaker of the House of Representatives; Shannon Grimes, attending Bowdoin College, interning in the office of U.S. Representative CHELLIE PINGREE; Molly Harris, attending University of Mississippi, interning in the office of U.S. Representative AARON SCHOCK; Austin Harrison, attending University of Mississippi, interning in the office of U.S. Senator THAD COCHRAN.

Brenna James, attending University of Delaware, interning in the Senate Committee on Homeland Security & Governmental Affairs; Bobby Kogan, attending College of William and Mary, interning in the House Committee on the Budget; Ben Lassiter, attending Clemson University, interning in the office of U.S. Representative TOM RICE; Will McIlwain, attending Pepperdine University, interning in the office of U.S. Representative CHARLES RANGEL; Viviana Molina, attending George Mason University, interning in the office of U.S. Representative AARON SCHOCK; Mary Moody, attending Samford University, interning in the office of U.S. Representative STEVE STOCKMAN; Eleanor Gray Mullen, attending University of Virginia, interning in the office of U.S. Representative DON YOUNG; Alicia Oken, attending Georgetown University, interning in the office of U.S. Representative CHERI BUSTOS; Melissa Shohet, attending McGill University, interning in the office of U.S. Senator MAZIE HIRONO; Austin Stannius, attending University of Utah, interning in the House Committee on Veterans Affairs; Sara Vance, attending Mississippi State University, interning in the Office of the Speaker of the House of Representatives.•

REMEMBERING DAVID VANBUSKIRK

• Mr. HELLER. Mr. President, the State of Nevada mourns the loss of Las Vegas Metropolitan Police Department Search and Rescue Officer David Vanbuskirk. Officer Vanbuskirk was a true hero who lost his life during a search and rescue operation at Mt. Charleston. His inspiring legacy of public service will be long remembered.

Officer Vanbuskirk began his service with the Las Vegas Metropolitan Police Department 13 years ago, and was one of only seven commissioned officers charged with conducting rescues for the department. On Monday, July 22, 2013, he responded to a call for help from a stranded hiker who needed emergency assistance. It was during this dangerous rescue mission that Officer Vanbuskirk nobly gave his life in the line of duty.

Officer Vanbuskirk represented the very best of Nevada, and his sacrifice is exemplary of the highest standards of public service. His commitment to service above self is the definition of heroic, as is his willingness to place the safety and welfare of others before his own. His actions remind us that there are brave and fearless Americans who put their lives on the line every day to keep us safe, and we owe them all a profound debt for their service.

While the State of Nevada will dearly miss this dedicated officer, his memory and legacy of courage will continue to live on in our hearts. I urge my colleagues to join me in honoring this fallen Nevadan, and I offer my deepest condolences to Officer Vanbuskirk's family and loved ones during this difficult time.•

KRAFT FOODS 50TH ANNIVERSARY

• Mr. KIRK. Mr. President, I stand today to honor the Kraft Foods Group, Inc. plant and its dedicated employees in Champaign, IL, as they celebrate its 50th anniversary.

This Champaign plant has the unique distinction of being Kraft's flagship facility, employing more than 1,100 of my

fellow citizens of Illinois, and proudly producing more than any other Kraft plant in the country. From the time it opened in 1963, this facility has grown in both size and production. For generations, millions of Americans have enjoyed the products made in Champaign, from Miracle Whip and Velveeta, to Kraft Singles and Cheese Whiz. The plant continues to expand its output, with new varieties of pasta, dressing and cheese being added to their production line in 2012, and earlier this year, Kraft chose to dedicate their entire Velveeta production to this single facility.

The Kraft Foods Group has called Illinois home since its founding in 1903, and Champaign has been a critical part of this company for more than half of that time. Kraft has so greatly contributed to Champaign's economic climate, helping to make the city this plant calls home a great place to live and work. Likewise, the people of Champaign helped make Kraft great. Our State is proud of all that Kraft produces, but we are especially proud of the ingenuity, industry, and drive that this plant's workers have embodied for 50 years. It is clear that because Kraft's Champaign employees have been dedicated to achieving success, this plant has continued to thrive after half a century.

In closing, I ask all my colleagues to join me in congratulating the Kraft Foods Group on reaching this incredible milestone and honoring the employees at their acclaimed flagship plant.●

REMEMBERING ''AUNTY'' MARY BOURDUKOFSKY

● Ms. MURKOWSKI. Mr. President, I would like to take a moment to pay my respects to an Aleut elder and spiritual leader, ''Aunty'' Mary. It is with a heavy heart I say that Mary-Nicolai Bourdukofsky, age 90, passed away on June 2, 2013 in Anchorage, AK.

''Aunty'' Mary was a dedicated leader and fought to preserve the Aleut culture, language and traditions by the formation of the Aleut Dancers, sharing her knowledge of Aleut songs and stories, and native food preparation. She participated in educating youth and leaders in various venues including the Pribilof, Unalaska and Sand Point Aleut Culture Camp and the Anchorage Aleut culture camp. She worked with the Alaska Federation of Natives, AFN, Youth and Elders and served as an AFN delegate for many years. ''Aunty'' Mary also assisted with developing the Aleut culture exhibits at the Alaska Native Heritage Center and the Smithsonian Institution's Alaska Native Collections. Additionally she was honored as 2004 Aleut Corporation Elder of the Year. As a lifelong educator of traditional knowledge, she understood the importance of western education; she was one of the first women on the school board in St. Paul Island and later taught at the University of Alaska (both Fairbanks and Anchorage) and at Alaska Pacific University. ''Aunty'' Mary was a positive role model for all. She was the heart and soul of the family and the Aleut Community of St. Paul Island. She was also a proud shareholder of TDX, the St. Paul Village Corporation.

Mary Bourdukofsky was born January 9, 1923 on St. Paul Island to Nicolai and Olga Kozloff. Her role as natural leader began at an early age when she lost her own mother during childbirth and stepped up to help raise her three siblings. In 1939 she married George Bourdukofsky, and they had seven beautiful children. Despite being stricken by TB at birth and losing one of her sons to polio, she pressed on and grew into a well-respected community leader, advocating for equal rights and fair treatment of her fellow Aleut people.

During World War II, her family and the rest of the Aleut Community of St. Paul Island were forced from their homes and placed in internment at Funter Bay, AK. While all the Aleut men left as they volunteered to join the war effort, she led female advocates in filing a petition with the U.S. Government about the inhumane and unlivable conditions they were being forced to live in, knowing all the while that the Island managers had threatened them all with expulsion from their homes back on St. Paul forever if they complained. Some 50 years later she testified before the U.S. Congress, seeking an apology and retribution for how she and her fellow Aleut U.S. citizens were mistreated during WWII.

On behalf of the Senate I extend condolences to Mary's family, the Aleut community and every life she touched through her tireless advocacy. ''Aunty'' Mary was a truly remarkable individual, and I am proud to honor her as the outstanding leader that she was.●

HOME HELPERS OF EASTERN IDAHO

● Mr. RISCH. Mr. President, independence and self-sufficiency are two characteristics of adulthood that many of us simply take for granted. However, as we age, oftentimes we need a helping hand to accomplish daily tasks or deal with medical ailments. Teresa Nelson, owner of Home Helpers of Eastern Idaho and a certified senior adviser, recognizes the value of independent living and, through her hard work, has greatly contributed to the rich and full life of many Idahoans. I rise today to honor Home Helpers of Eastern Idaho located in Pocatello, ID.

Home Helpers of Eastern Idaho specializes in the at-home nonmedical care of our senior citizens and facilitates independent living. However, Home Helpers doesn't stop there. The over 50 employees and caregivers at Home Helpers also are available to assist new and expectant mothers, working parents, and individuals who are in need of recuperative home care with flexible schedules and cheerful attendants. The personal touch that accompanies each care plan makes each experience unique and maximizes the level of comfort and care available to those in need.

Conscious of the individual needs and distinct situation of each and every client, Teresa Nelson and her team at Home Helpers strive to deliver a custom-tailored plan for each circumstance. From treatment needs to payment plans, the caregivers at Home Helpers use their flexibility and expertise to increase the quality of life of all that they work with.

For over 3½ years, Home Helpers has assisted many families and individuals through challenging times. Therefore, it is only fitting that we celebrate this firm's growth and successes, as they have simultaneously helped support our loved ones and create health care jobs in Idaho. I am proud to extend my congratulations to Teresa Nelson and everyone at Home Helpers of Eastern Idaho for their tremendous efforts and offer my best wishes for their continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

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–2424. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during Calendar Year 2012 relative to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

EC–2425. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report relative to two determinations made by the Financial Stability Oversight Council on July 8, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2426. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled ''2012 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

EC–2427. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mancozeb; Pesticide Tolerances'' (FRL No. 9393–2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2428. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imazosulfuron; Pesticide Tolerances'' (FRL No. 9390–2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2429. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Hazard Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2430. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0002)) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2431. 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; Tennessee: New Source Review-Prevention of Significant Deterioration'' (FRL No. 9837–1) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2432. 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; West Virginia; Update to Materials Incorporated by Reference'' (FRL No. 9828–8) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2433. 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; Disapproval of PM2.5 Permitting Requirements'' (FRL No. 9838–1) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2434. 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 State Implementation Plans; State of North Dakota; Interstate Transport of Pollution for the 2006 PM2.5 NAAQS'' (FRL No. 9839–8) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2435. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Administrative Revisions to EPAAR'' (FRL No. 9837–4) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2436. 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 Disapproval of Air Quality State Implementation Plans; Arizona; Regional Haze and Interstate Transport Requirements'' (FRL No. 9838–4) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2437. 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 State Implementation Plan Revisions; Infrastructure Requirements for the 1997 and 2006 PM2.5 National Ambient Air Quality Standards; Prevention of Significant Deterioration Requirements for PM2.5 Increments and Major and Minor Source Baseline Dates; State Board Requirements; North Dakota'' (FRL No. 9839–9) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2438. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; Control Techniques Guidelines and Reasonably Available Control Technology'' (FRL No. 9835–7) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2439. 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. 9837–2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC–2440. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustments to the Price-Anderson Act Financial Protection Regulations'' (RIN3150–AJ25) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Environment and Public Works.

EC–2441. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interim Enforcement Policy for Permanent Implant Brachytherapy Medical Event Reporting'' (NRC–2013–0114) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Environment and Public Works.

EC–2442. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge'' (RIN0960–AH58) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC–2443. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Sunset Date for Attorney Advisor Program'' (RIN0960–AH56) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC–2444. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Mailing of Tickets Under the Ticket to Work Program'' (RIN0960–AH34) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC–2445. A communication from the Assistant Secretary for Import Administration, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Certification of Factual Information to Import Administration during Antidumping and Countervailing Duty Proceedings: Final Rule'' (RIN0625–AA66) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC–2446. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the waiver of restrictions on U.S. assistance for several governments that were triggered by either the transfer of, or facilitation of the transfer of, lethal military equipment to state sponsor of terrorism (OSS–2013–1091); to the Committee on Foreign Relations.

EC–2447. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–079, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–2448. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13–089, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–2449. 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 13–097); to the Committee on Foreign Relations.

EC–2450. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13–093); to the Committee on Foreign Relations.

EC–2451. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13–048); to the Committee on Foreign Relations.

EC–2452. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0127—2013–0135); to the Committee on Foreign Relations.

EC–2453. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Exclusion of Orphan Drugs for Certain Covered Entities Under 340B Program'' (RIN0906–AA94)

received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2454. A communication from the Program Manager, Center for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Distribution of Reference Biological Standards and Biological Preparations'' (RIN0920–AA53) received in the Office of the President of the Senate on July 23, 2013; to the Committee on Health, Education, Labor , and Pensions.

EC–2455. 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 Center (RRTC) on Disability in Rural Areas'' (CFDA No. 84.133B–8) received in the Office of the President of the Senate on July 23, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2456. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Community Services Block Grant (CCSBG) Program Report for Fiscal Year 2009'' ; to the Committee on Health, Education, Labor, and Pensions.

EC–2457. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Letter Report: Sufficiency Certification for the Washington Convention and Sports Authority's (Trading As Events DC) Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2014'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–2458. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the physicians' comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC–2459. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Homeland Security, received in the Office of the President of the Senate on July 24, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2460. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–107, ''Extension of Time to Dispose of Justice Park Property Temporary Approval Act of 2013'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–2461. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–108, ''Foster Youth Transit Subsidy Temporary Amendment Act of 2013'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–2462. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–110, ''Better Prices, Better Quality, Better Choices for Health Coverage Temporary Amendment Act of 2013'' ; to the Committee on Homeland Security and Governmental Affairs.

EC–2463. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–109, ''Heat Wave Safety Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–2464. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–111, ''YMCA Community Investment Initiative Real Property Tax Exemption Temporary Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. UDALL of New Mexico, from the Committee on Appropriations, without amendment:

S. 1371. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2014, and for other purposes (Rept. No. 113–80).

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 1372. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014, and for other purposes (Rept. No. 113–81).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. STABENOW for the Committee on Agriculture, Nutrition, and Forestry.

*Robert Bonnie, of Virginia, to be Under Secretary of Agriculture for Natural Resources and Environment.

*Krysta L. Harden, of Georgia, to be Deputy Secretary of Agriculture.

By Mr. BAUCUS for the Committee on Finance.

*F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission for the term expiring June 16, 2020.

*Joseph W. Nega, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years.

*Michael B. Thornton, of Virginia, to be a Judge of the United States Tax Court for a 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.

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. SCHUMER (for himself, Mr. HATCH, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. COONS):

S. 1362. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. HELLER:

S. 1363. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1,000,000,000 and will cause significant adverse effects to the economy; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 1364. A bill to promote neutrality, implicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

By Mr. NELSON (for himself and Ms. COLLINS):

S. 1365. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Ms. AYOTTE, and Mrs. SHAHEEN):

S. 1366. A bill to modify the appointment of Inspectors General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. 1367. A bill 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.

By Mr. BROWN (for himself, Mr. UDALL of New Mexico, Mr. ROCKEFELLER, and Mr. MENENDEZ):

S. 1368. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. JOHANNS, Mr. KIRK, Mr. TESTER, and Mr. TOOMEY):

S. 1369. A bill to provide additional flexibility to the Board of Governors of the Federal Reserve System to establish capital standards that are properly tailored to the unique characteristics of the business of insurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1370. A bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico:

S. 1371. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2014, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEAHY:

S. 1372. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MERKLEY:

S. 1373. A bill to increase access to refinancing for homeowners, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH:

S. 1374. A bill to allow traditional foods to be served at public facilities; to the Committee on Indian Affairs.

By Mr. MERKLEY:

S. 1375. A bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage

loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO):

S. 1376. A bill to improve the Federal Housing Administration and to ensure the solvency of the Mutual Mortgage Insurance Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself, Mr. RISCH, Mr. ROBERTS, Mr. CORNYN, and Mrs. FISCHER):

S. 1377. A bill to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephonic interactions by executive branch employees with individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUNT (for himself, Mr. RISCH, Mr. ROBERTS, Ms. AYOTTE, Mr. GRASSLEY, Mr. CORNYN, Mr. COATS, Mrs. FISCHER, and Mr. JOHANNS):

S. 1378. A bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS:

S. Res. 199. A resolution celebrating the 200th August Quarterly Festival taking place from August 18, 2013, through August 25, 2013, in Wilmington, Delaware; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mr. BLUNT, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. ROBERTS, Mr. KAINE, Mr. RUBIO, Mr. DURBIN, Mr. HATCH, Mr. MANCHIN, Mr. SCHATZ, Mr. UDALL of Colorado, Mr. RISCH, Mr. KING, Mr. WHITEHOUSE, Mr. WYDEN, Mr. HEINRICH, Mr. COATS, Ms. COLLINS, Mr. COBURN, and Ms. HIRONO):

S. Res. 200. A resolution designating July 26, 2013, as ''United States Intelligence Professionals Day''; considered and agreed to.

By Mr. BLUNT (for himself, Mr. SCHUMER, Mr. CARDIN, Ms. MIKULSKI, and Mr. RUBIO):

S. Res. 201. A resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease; considered and agreed to.

By Mr. KAINE (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. BAUCUS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. TESTER, Ms. KLOBUCHAR, Mr. DONNELLY, and Ms. WARREN):

S. Con. Res. 20. A concurrent resolution encouraging peace and reunification on the Korean Peninsula; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 337

At the request of Ms. STABENOW, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 381

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 403

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. UDALL) 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. 462

At the request of Mrs. BOXER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 573

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 573, a bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. CRAPO) 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. 769

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 780

At the request of Mr. WHITEHOUSE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 780, a bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles.

S. 813

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 892

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 966

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 966, a bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements.

S. 971

At the request of Mr. WYDEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Ms. HIRONO) 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. 1039

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor

of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1140

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1140, a bill to extend the authorization of the Highlands Conservation Act through fiscal year 2024.

S. 1254

At the request of Mr. NELSON, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1254, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1313

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1313, a bill to promote transparency, accountability, and reform within the United Nations system, and for other purposes.

S. 1324

At the request of Mr. BARRASSO, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1340

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1340, a bill to improve passenger vessel security and safety, and for other purposes.

S. 1343

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 1343, a bill to protect the information of livestock producers, and for other purposes.

S. 1361

At the request of Mr. MURPHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1361, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. RES. 153

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 153, a resolution recognizing the 200th anniversary of the Battle of Lake Erie.

AMENDMENT NO. 1751

At the request of Mr. COBURN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 1751 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 1783

At the request of Mr. MURPHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1783 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 1792

At the request of Mr. MURPHY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 1792 intended to be proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 199—CELEBRATING THE 200TH AUGUST QUARTERLY FESTIVAL TAKING PLACE FROM AUGUST 18, 2013, THROUGH AUGUST 25, 2013, IN WILMINGTON, DELAWARE

Mr. COONS submitted the following resolution; which was referred to the Committee on the Judiciary.:

S. RES. 199

Whereas, 200 years before the date of agreement to this resolution, in 1813, Peter Spencer founded the African Union Church, 1 of the first African-American institutions legally incorporated within the United States;

Whereas, 1 year later, in 1814, Spencer and the African Union Church convened the first August Quarterly meeting and festival in Wilmington, Delaware, bringing thousands of African Americans together to celebrate their faith;

Whereas the August Quarterly (or ''Big Quarterly'') Festival became a meeting place for African Americans celebrating freedom, sharing in solidarity, and looking for relatives lost or sold in the institution of slavery, and a means through which Harriett Tubman and other conductors and station masters of the Underground Railroad met with those looking to escape the bonds of slavery;

Whereas the August Quarterly Festival is well recognized as the longest continuously celebrated African-American festival in the United States; and

Whereas, from August 18, 2013, through August 25, 2013, thousands of people will come together in Wilmington, Delaware to celebrate the 200th August Quarterly Festival: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 200th August Quarterly Festival taking place from August 18, 2013, through August 25, 2013;

(2) recognizes the historical significance of the August Quarterly Festival and the role the festival has played since 1814 in celebrating faith, community, culture, and freedom;

(3) honors the life of leadership, faith, and service of Peter Spencer, founder of the African Union Church and of the August Quarterly Festival; and

(4) recognizes the service volunteers and religious leaders who ensure that the legacy of Peter Spencer lives on through the continuation of the August Quarterly Festival.

SENATE RESOLUTION 200—DESIGNATING JULY 26, 2013, AS ''UNITED STATES INTELLIGENCE PROFESSIONALS DAY''

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mr. BLUNT, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. ROBERTS, Mr. KAINE, Mr. RUBIO, Mr. DURBIN, Mr. HATCH, Mr. MANCHIN, Mr. SCHATZ, Mr. UDALL of Colorado, Mr. RISCH, Mr. KING, Mr. WHITEHOUSE, Mr. WYDEN, Mr. HEINRICH, Mr. COATS, Ms. COLLINS, Mr. COBURN, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to.:

S. RES. 200

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today's intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2012, was the 65th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638) created the position of the Director of National Intelligence to serve as the head of the intelligence community and to ensure that national intelligence be

timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the decade since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to ''speak truth to power.'' by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 26, 2013, as ''United States Intelligence Professionals Day'';

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

SENATE RESOLUTION 201—DESIGNATING THE FIRST WEDNESDAY IN SEPTEMBER 2013 AS ''NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY'' AND RAISING AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE

Mr. BLUNT (for himself, Mr. SCHUMER, Mr. CARDIN, Ms. MIKULSKI, and Mr. RUBIO) submitted the following resolution; which was considered and agreed to.:

S. RES. 201

Whereas National Polycystic Kidney Disease Awareness Day will raise public awareness and understanding of polycystic kidney disease, one of the most prevalent, life-threatening genetic kidney diseases;

Whereas National Polycystic Kidney Disease Awareness Day will also foster understanding of the impact polycystic kidney disease has on patients and their families;

Whereas polycystic kidney disease is a progressive, genetic disorder of the kidneys that causes damage to the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems;

Whereas polycystic kidney disease has a devastating impact on the health and finances of people of all ages, and equally affects people of all races, genders, nationalities, geographic locations, and income levels;

Whereas, of the people diagnosed with polycystic kidney disease, approximately 10 percent have no family history of the disease, with the disease developing as a spontaneous (or new) mutation;

Whereas there is no treatment or cure for polycystic kidney disease, which is one of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of patients with polycystic kidney disease reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States as the largest segment of the population of the United States, the ''baby boomers'', continues to age;

Whereas polycystic kidney disease instills in patients fear of an unknown future with a life-threatening genetic disease and apprehension over possible discrimination, including the risk of losing their health and life insurance, their jobs, and their chances for promotion;

Whereas countless friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or avoid following good health management, which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences of 7 times the national average because of their anxiety over pain, suffering, and premature death; and

Whereas the PKD Foundation and its more than 60 volunteer chapters around the United States are dedicated to conducting research to find treatments and a cure for polycystic kidney disease, fostering public awareness and understanding of the disease, educating patients and their families about the disease to improve their treatment and care, and providing support and encouraging people to become organ donors, including by sponsoring the annual ''Walk for PKD'' to raise funds for polycystic kidney disease research, education, advocacy, and awareness: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'';

(2) supports the goals and ideals of National Polycystic Kidney Disease Awareness Day to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research to find a cure for polycystic kidney disease; and

(4) encourages all people in the United States and interested groups to support National Polycystic Kidney Awareness Day through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

SENATE CONCURRENT RESOLUTION 20—ENCOURAGING PEACE AND REUNIFICATION ON THE KOREAN PENINSULA

Mr. KAINE (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. BAUCUS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. TESTER, Ms. KLOBUCHAR, Mr. DONNELLY, and Ms. WARREN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 20

Whereas the Republic of Korea (in this resolution referred to as ''South Korea'') and the Democratic People's Republic of Korea (in this resolution referred to as ''North Korea'') have never formally ended hostilities and have been technically in a state of war since the Armistice Agreement was signed on July 27, 1953;

Whereas the United States, as representing the United Nations Forces Command which was a signatory to the Armistice Agreement, and with 28,500 of its troops currently stationed in South Korea, has a stake in the progress towards peace and reunification on the Korean Peninsula;

Whereas progress towards peace and reunification on the Korean Peninsula would mean greater security and prosperity for the region and the world;

Whereas, at the end of World War II, Korea officially gained independence from Japanese rule, as agreed to at the Cairo Conference on November 22, 1943, through November 26, 1943;

Whereas, on August 10, 1945, the Korean Peninsula was temporarily divided along the 38th parallel into two military occupation zones commanded by the United States and the Soviet Union;

Whereas, on June 25, 1950, communist North Korea invaded the South, thereby initiating the Korean War and diminishing prospects for a peaceful unification of Korea;

Whereas, during the Korean War, approximately 1,789,000 members of the United States Armed Forces served in-theater along with the South Korean forces and 20 other members of the United Nations to secure peace on the Korean Peninsula and in the Asia-Pacific region;

Whereas, since the end of the Korean War era, the United States Armed Forces have remained in South Korea to promote regional peace;

Whereas provocations by the Government of North Korea in recent years have escalated tension and instability in the Asia-Pacific region;

Whereas one of the largest obstacles to peace and reunification on the Korean Peninsula is the presence of nuclear weapons in North Korea;

Whereas the refusal of the Government of North Korea to denuclearize disrupts peace and security on the Korean Peninsula;

Whereas, beginning in 2003, the United States, along with the two Koreas, Japan, the People's Republic of China, and the Russian Federation, have engaged in six rounds of Six-Party Talks aimed at the verifiable and irreversible denuclearization of the Korean Peninsula and finding a peaceful resolution to the security concerns resulting from North Korea's nuclear development;

Whereas the three-mile wide buffer zone between the two Koreas, known as the Demilitarized Zone, or DMZ, is the most heavily armed border in the world;

Whereas the Korean War separated more than 10,000,000 Korean family members, including 100,000 Korean Americans who, after 60 years of separation, are still waiting to see their families in North Korea;

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end ''take effective collective measures for the prevention and removal of threats to the peace'';

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on the Government of North Korea to abide by international law and cease its nuclear weapons program and denuclearize completely in order to resume talks that could eventually lead to peace and reunification.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1799. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1800. Mrs. McCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1801. Mrs. McCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1802. Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1803. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra.

SA 1804. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1805. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1806. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1807. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1808. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1809. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1810. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1811. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1812. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—TRANSPORTATION EMPOWERMENT ACT

SEC. 1. SHORT TITLE.

This title may be cited as the ''Transportation Empowerment Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained, and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the Federal Government's perceptions of what is best for the States;

(7) the Federal Government has used the Federal motor fuels tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this title are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 3. FUNDING LIMITATION.

Notwithstanding any other provision of law, if the Secretary of Transportation determines for any of fiscal years 2015 through 2019 that the aggregate amount required to carry out transportation programs and projects under this title and amendments made by this title exceeds the estimated aggregate amount in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

SEC. 4. FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

(i) $37,592,576,000 for fiscal year 2015;

(ii) $19,720,696,000 for fiscal year 2016;

(iii) $13,147,130,000 for fiscal year 2017;

(iv) $10,271,196,000 for fiscal year 2018; and

(v) $7,600,685,000 for fiscal year 2019.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of that title, $100,000,000 for each of fiscal years 2015 through 2019.

(C) FEDERAL LANDS PROGRAMS.—

(i) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of that title, $300,000,000 for each of fiscal years 2015 through 2019, of which $240,000,000 of the

amount made available for each fiscal year shall be the amount for the National Park Service and $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(ii) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of that title, $250,000,000 for each of fiscal years 2015 through 2019.

(D) ADMINISTRATIVE EXPENSES.—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—

''(A) $437,600,000 for fiscal year 2015;

''(B) $229,565,000 for fiscal year 2016;

''(C) $153,043,000 for fiscal year 2017;

''(D) $119,565,000 for fiscal year 2018; and

''(E) $88,478,000 for fiscal year 2019.''.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (f) and inserting the following:

''(f) TRANSFERABILITY OF FUNDS.—

''(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

''(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.''.

(3) FEDERAL-AID SYSTEM.—

(A) IN GENERAL.—Section 103(a) of title 23, United States Code, is amended by striking ''the National Highway System, which includes''.

(B) CONFORMING AMENDMENTS.—Chapter 1 of title 23, United States Code, is amended—

(i) in section 103 by striking the section designation and heading and inserting the following:

''§ 103. Federal-aid system''; and

(ii) in the analysis by striking the item relating to section 103 and inserting the following:

''103. Federal-aid system.''.

(4) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended—

(A) in paragraph (2)—

(i) in the paragraph heading by striking ''FOR FISCAL YEAR 2014'' and inserting ''THEREAFTER''; and

(ii) in subparagraph (A) by striking ''fiscal year 2014'' and inserting ''a fiscal year''

(5) NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.—

(A) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(i) in subsection (e)(1) by inserting ''on the Federal-aid system'' after ''any bridge''; and

(ii) in subsection (f)(1) by inserting ''on the Federal-aid system'' after ''construct any bridge''.

(B) REPEAL OF HISTORIC BRIDGES PROVISIONS.—Section 144(g) of title 23, United States Code, is repealed.

(6) REPEAL OF TRANSPORTATION ALTERNATIVES PROGRAM.—The following provisions are repealed:

(A) Section 213 of title 23, United States Code.

(B) The item relating to section 213 in the analysis for chapter 1 of title 23, United States Code.

(7) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking ''under subsection (a) of section 104 of this title'' and inserting ''to carry out this section''; and

(B) by striking the second sentence.

(8) FEDERALIZATION AND DEFEDERALIZATION OF PROJECTS.—Notwithstanding any other provision of law, beginning on October 1, 2014—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction phase of the project to pay expenses relating to the project, including for any environmental document or design work required for the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project described in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(9) REPORTING REQUIREMENTS.—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2014, to the use of Federal funds for highway projects by a public-private partnership.

(b) EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) EXPENDITURES FOR CORE PROGRAMS.—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1)—

(i) by striking ''October 1, 2014'' and inserting ''October 1, 2020''; and

(ii) by striking ''MAP–21'' and inserting ''Transportation Empowerment Act'';

(B) in paragraphs (3)(A)(i), (4)(A), and (5), by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2022''; and

(C) in paragraph (2), by striking ''July 1, 2017'' and inserting ''July 1, 2023''.

(2) AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.—Section 9503 of such Code is amended by adding at the end the following:

''(g) CORE PROGRAMS FINANCING RATE.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in paragraph (2)—

''(A) in the case of gasoline and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(i), the core programs financing rate is—

''(i) after September 30, 2014, and before October 1, 2015, 18.3 cents per gallon,

''(ii) after September 30, 2015, and before October 1, 2016, 9.6 cents per gallon,

''(iii) after September 30, 2016, and before October 1, 2017, 6.4 cents per gallon,

''(iv) after September 30, 2017, and before October 1, 2018, 5.0 cents per gallon, and

''(v) after September 30, 2018, 3.7 cents per gallon, and

''(B) in the case of kerosene, diesel fuel, and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(iii), the core programs financing rate is—

''(i) after September 30, 2014, and before October 1, 2015, 24.3 cents per gallon,

''(ii) after September 30, 2015, and before October 1, 2016, 12.7 cents per gallon,

''(iii) after September 30, 2016, and before October 1, 2017, 8.5 cents per gallon,

''(iv) after September 30, 2017, and before October 1, 2018, 6.6 cents per gallon, and

''(v) after September 30, 2018, 5.0 cents per gallon.

''(2) APPLICATION OF RATE.—In the case of fuels used as described in paragraph (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.''.

(c) TERMINATION OF MASS TRANSIT ACCOUNT.—Section 9503(e)(2) of the Internal Revenue Code of 1986 is amended—

(1) by inserting ''and before October 1, 2014'' after ''March 31, 1983'', and

(2) by adding at the end the following new paragraph:

''(6) TRANSFER TO HIGHWAY ACCOUNT.—On October 1, 2014, the Secretary shall transfer all amounts in the Mass Transit Account to the Highway Account.''.

(d) EFFECTIVE DATE.—The amendments and repeals made by this section take effect on October 1, 2014.

SEC. 5. FUNDING FOR HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out sections 503(b), 503(d), and 509 of title 23, United States Code, $115,000,000 for each of fiscal years 2015 through 2019.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable.

SEC. 6. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(6) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

''(A) IN GENERAL.—On the first day of each of fiscal years 2016, 2017, 2018, and 2019, the Secretary, in consultation with the Secretary of Transportation, shall—

''(i) determine the excess (if any) of—

''(I) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the taxes described in paragraphs (1) and (2) thereof (after the application of paragraph (4) thereof) over the sum of—

''(II) the amounts so appropriated which are equivalent to—

''(aa) such amounts attributable to the core programs financing rate for such year, plus

''(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

''(ii) allocate the amount determined under clause (i) among the States (as defined in section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

''(I) the percentage of that amount allocated to each State, is equal to

''(II) the percentage of the amount determined under clause (i)(I) paid into the Highway Trust Fund in the latest fiscal year for which such data are available which is attributable to highway users in the State.

''(B) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in subparagraph (A), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2014.

SEC. 7. REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS FUNDING HIGHWAY TRUST FUND.

(a) REDUCTION IN TAX RATE.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking ''18.3 cents'' and inserting ''3.7 cents''; and

(B) in clause (iii), by striking ''24.3 cents'' and inserting ''5.0 cents''.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking ''19.7 cents'' and inserting ''4.1 cents'', and

(ii) by striking ''24.3 cents'' and inserting ''5.0 cents''.

(B) Section 6427(b)(2)(A) of such Code is amended by striking ''7.4 cents'' and inserting ''1.5 cents''.

(b) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 4041(a)(1)(C)(iii)(I) of the Internal Revenue Code of 1986 is amended by striking ''7.3 cents per gallon (4.3 cents per gallon after September 30, 2016)'' and inserting ''1.4 cents per gallon (zero after September 30, 2021)''.

(2) Section 4041(a)(2)(B)(ii) of such Code is amended by striking ''24.3 cents'' and inserting ''5.0 cents''.

(3) Section 4041(a)(3)(A) of such Code is amended by striking ''18.3 cents'' and inserting ''3.7 cents''.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), by striking ''2016'' and inserting ''2021,'';

(B) in subparagraph (A)(i), by striking ''9.15 cents'' and inserting ''1.8 cents'';

(C) in subparagraph (A)(ii), by striking ''11.3 cents'' and inserting ''2.3 cents''; and

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

''(B) zero after September 30, 2021.''.

(5) Section 4081(d)(1) of such Code is amended by striking ''4.3 cents per gallon after September 30, 2016'' and inserting ''zero after September 30, 2021''.

(6) Section 9503(b) of such Code is amended—

(A) in paragraphs (1) and (2), by striking ''October 1, 2016'' both places it appears and inserting ''October 1, 2021'';

(B) in the heading of paragraph (2), by striking ''OCTOBER 1, 2016'' and inserting ''OCTOBER 1, 2021'';

(C) in paragraph (2), by striking ''after September 30, 2016, and before July 1, 2017'' and inserting ''after September 30, 2021, and before July 1, 2022''; and

(D) in paragraph (6)(B), by striking ''October 1, 2014'' and inserting ''October 1, 2019''.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2019, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2020; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2019—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2020; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel removed after September 30, 2019.

(2) CERTAIN CONFORMING AMENDMENTS.—The amendments made by subsections (b)(4) and (b)(6) shall apply to fuel removed after September 30, 2016.

SEC. 8. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this Act and the amendments made by this Act.

SEC. 9. EFFECTIVE DATE CONTINGENT ON CERTIFICATION OF DEFICIT NEUTRALITY.

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this Act will become effective only if the Director of the Office of Management and Budget certifies that this Act is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level pursuant to this Act; and

(3) the tax reduction made by this Act is not scored under pay-as-you-go and does not inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act, this Act and the amendments made by this Act shall take effect only if—

(1) the Director of the Office of Management and Budget (referred to in this section as the ''Director'') submits the report as required in subsection (c); and

(2) the report contains a certification by the Director that, based on the required estimates, the reduction in discretionary outlays resulting from the reduction in contract authority is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 5 calendar days after the date of enactment of this Act, the Director shall—

(A) estimate the net change in revenues resulting from this Act for each fiscal year through fiscal year 2019;

(B) estimate the net change in discretionary outlays resulting from the reduction in contract authority under this Act for each fiscal year through fiscal year 2019;

(C) determine, based on those estimates, whether the reduction in discretionary outlays is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019; and

(D) submit to Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE ESTIMATES.—The revenue estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and score keeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the level of discretionary outlays resulting from this Act with the corresponding level of discretionary outlays projected in the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

(d) CONFORMING ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—On compliance with the requirements specified in subsection (b), the Director shall adjust the adjusted discretionary spending limits for each fiscal year through fiscal year 2019 under section 601(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 665(a)(2)) by the estimated reductions in discretionary outlays under subsection (c)(1)(B).

(e) PAGO INTERACTION.—On compliance with the requirements specified in subsection (b), no changes in revenues estimated to result from the enactment of this Act shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

SA 1799. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 13 and 14, insert the following:

(d) Section 32906(a) of title 49, United States Code, is amended by striking ''(except an electric automobile)'' and inserting ''(except an electric or natural gas automobile)''.

(e) The National Highway Traffic Safety Administration may not expend any

amounts appropriated under this Act unless chapter 329 of title 49, United States Code, is being enforced in accordance with the amendments made by this section.

SA 1800. Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. (a) The United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport, as described in the most recent airport layout plan approved by the Federal Aviation Administration, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) The release under subsection (a) shall not be executed until the City of St. Clair, or its designee, transfers to the Department of Transportation of the State of Missouri—

(1) the amounts described in subsection (c), to be used for capital improvements within the meaning of airport development (as defined in section 47102(3) of title 49, United States Code) and consistent with the obligations of the Department of Transportation of the State of Missouri under the State block grant program of the Federal Aviation Administration; and

(2) for no consideration, all airport and aviation-related equipment of the St. Clair Regional Airport owned by the City of St. Clair and determined by the Department of Transportation of the State of Missouri to be salvageable for use.

(c) The amounts described in this subsection are the following:

(1) An amount equal to the fair market value for the highest and best use of the St. Clair Regional Airport property determined in good faith by an independent and qualified real estate appraiser on or after the date of the enactment of this Act.

(2) An amount equal to the unamortized portion of any Federal development grants other than land paid to the City of St. Clair for use at the St. Clair Regional Airport, which may be paid with and shall be an allowable use of airport revenue notwithstanding section 47107 or 47133 of title 49, United States Code.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Clair Regional Airport as of the date of the enactment of this Act and otherwise due to or received by the City of St. Clair after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) The Federal Aviation Administration shall remove the runway end indicator lighting system at St. Clair Regional Airport.

(e) Nothing in this section shall be construed to limit the applicability of—

(1) the requirements and processes under section 46319 of title 49, United States Code;

(2) the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or

(4) the public notice requirements under section 47107(h) of title 49, United States Code.

SA 1801. Mrs. MCCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

(a) DEFINITIONS.—In this section, the terms ''agency'' and ''career appointee'' have the meanings given such terms in section 5381 of title 5, United States Code.

(b) PROHIBITION.—An agency may not use amounts made available under this Act to pay an award under section 4507 or 5384 of title 5, United States Code, to a career appointee during fiscal year 2014.

SA 1802. Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 4, insert ''bridge'' before ''projects''.

On page 26, line 5, insert ''and section 24402 of title 49'' after ''title 23''.

On page 26, line 14, strike ''such title'' and insert ''title 23 or provided under section 24402 of title 49, United States Code, as applicable,''.

On page 26, line 15, after ''112–141:'' insert ''*Provided further*, That the Secretary may transfer funds provided under this heading to the Federal Railroad Administration to carry out projects under title 49, United States Code:''.

On page 26, line 18, strike ''such title'' and insert ''title 23, United States Code, or for projects under title 49, United States Code, not less than 80 percent''.

SA 1803. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; as follows:

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

SEC. 1____. None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to the appropriate committees of Congress a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.)and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

SA 1804. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Not later than October 1, 2013, the Committee on Appropriations of the Senate shall revise the suballocations to the subcommittees of the Committee on Appropriations of the Senate for fiscal year 2014 under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)) such that the suballocations comply with the discretionary spending limits under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

SA 1805. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. Funds appropriated or otherwise made available by this title for grants to be awarded by the Secretary of Housing and Urban Development shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this title, and in each fiscal year thereafter, the Inspector General of the Department of Housing and Development shall conduct audits of recipients of any grant amounts appropriated or otherwise made available under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall ensure that at least 10 percent of all grantees receiving grant amounts appropriated or otherwise made available under this title are audited each year.

(B) DEFINITION.—In this paragraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General of the Department of Housing and Urban Development that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(C) MANDATORY EXCLUSION.—A recipient of grant amounts appropriated or otherwise made available under this title that is found to have an unresolved audit finding shall not be eligible to receive grant amounts appropriated or otherwise made available under this title during the following 2 fiscal years.

(D) PRIORITY.—In awarding amounts appropriated or otherwise made available under this title, the Secretary of Housing and Urban Development shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for grant amounts appropriated or otherwise made available under this title.

(E) REIMBURSEMENT.—If an entity is awarded grant amounts appropriated or otherwise made available under this title during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Secretary of Housing and Urban Development shall—

(i) deposit an amount equal to the grant amounts that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(F) DISCLOSURE.—A recipient of grant amounts appropriated or otherwise made available under this title shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, if the recipient has ever requested that a departing employee or contractor of the recipient sign an agreement, for compensation, delaying or declining to cooperate with any audits or investigations performed by or on behalf of the United States Government relating to use of Federal housing grant amounts.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and any grant programs described in this title, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Secretary of Housing and Urban Development may not award any grant amounts appropriated or otherwise made available under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is a recipient of grant amounts appropriated or otherwise made available under this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Secretary of Housing and Urban Development shall make the information disclosed under this paragraph available for public inspection.

SA 1806. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. Section 41731 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

''(C) is located not less than 90 driving miles from the nearest—

''(i) medium hub airport or large hub airport; or

''(ii) small hub airport that was classified as a medium hub airport or large hub airport during the most recent 5-year period;'';

(2) in subsection (c), by striking ''subparagraphs (B), (C), and (D)'' and inserting ''subparagraphs (B), (C), (D), and (E)'';

(3) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(4) in subsection (d), as redesignated by paragraph (3)—

(A) by striking ''For fiscal year'' and inserting the following:

''(1) ENPLANEMENTS REQUIREMENT.—For fiscal year''; and

(B) by adding at the end the following:

''(2) DISTANCE REQUIREMENT.—The Secretary may waive subsection (a)(1)(C) with respect to a location if the Secretary determines that without the waiver there would be undue difficulty accessing the nearest medium hub airport or large hub airport as a result of geographic characteristics unique to the location.''.

SA 1807. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. It is the sense of Congress that the Secretary of Transportation should continue the process of drafting regulations on the integration of unmanned aerial systems into the national airspace system while developing the report required by section 119E.

SA 1808. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 24, add the following:

SEC. 422. (a) Funds appropriated for assistance for the Government of Egypt for fiscal year 2014 may only be obligated in the following manner—

(1) 25 percent of such funds may be made available after enactment of this Act;

(2) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the Government of Egypt is supporting inclusive political processes and institutions, including permitting pro-democracy and other civil society organizations to operate freely, has released political prisoners, and is not prosecuting political cases in military courts;

(3) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that credible elections have been conducted in Egypt and a democratically elected government is in place; and

(4) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the newly elected Government of Egypt is taking steps to govern democratically and protect human rights and the rule of law (including the rights of women and religious minorities).

(b) None of the funds appropriated for assistance for the Government of Egypt in fiscal year 2014 may be made available if such government is not abiding by the 1979 Egypt-Israel Peace Treaty.

(c) The President shall submit to the appropriate congressional committees, concurrent with the fiscal year 2015 budget request, a comprehensive and strategic review of military and economic assistance for Egypt: *Provided*, That in conducting such review, the President shall consult with relevant Government of Egypt officials and representatives of civil society, and the appropriate congressional committees: *Provided further*, That such review shall include a detailed description of the purposes of such assistance, and the specific goals and objectives of furthering political, military, and economic reforms in Egypt, including—

(1) supporting democratic institutions (including an independent legislature and judiciary), an inclusive political process, and regular conduct of free and fair elections at all levels of government;

(2) promoting the rule of law (including equal access to justice, protection of the rights of women and religious minorities, and anti-corruption efforts);

(3) supporting economic reforms (including transparent and accountable governance, private sector-led growth and job creation, and trade expansion);

(4) fostering a vibrant civil society (including free and independent media);

(5) supporting security sector reform (including civilian police forces); and

(6) combating terrorism (including eliminating smuggling networks between Egypt and Gaza in the Sinai).

(d) Notwithstanding any other provision of law, the Secretary of State shall reduce the amount of assistance made available for assistance for Egypt in fiscal year 2014 by an amount the Secretary determines is equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt.

(e)(1) The Secretary of State may waive the requirements of subsection (a)(2) not earlier than 3 months after enactment of this Act if the Secretary of State certifies to the appropriate congressional committees that to do so is important to the national security interests of the United States.

(2) The Secretary of State may waive the requirements of subsection (a)(3) not earlier than 6 months after enactment of this Act if the Secretary certifies to such committees that to do so is important to the national security interests of the United States.

(f) For purposes of this section, the term ''appropriate congressional committee'' means the Committees on Appropriations and Foreign Relations of the Senate, and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

SA 1809. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related

agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) None of the funds appropriated or otherwise made available under this title may be used by any recipient of such funds to discriminate against any person because that person is a member of the uniformed services.

(b) Any person or entity, acting in good faith, that has knowledge of any instance in which a recipient of funds under this title has discriminated or is discriminating against a member of the uniformed services may file a complaint against such recipient with the Office of Inspector General for the Department of Housing and Urban Development.

(c) For purposes of this section, the term ''member of the uniformed services'' means an individual who—

(1) is a member of—

(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

(B) the National Guard in State status under title 32, United States Code; or

(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.

(d) Nothing in this section may be construed to prohibit the use or availability of any funds appropriated or otherwise made available under this title for programs, activities, or accounts that assist or provide housing to members of the uniformed services.

SA 1810. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation may not, from any amounts appropriated or otherwise made available under this title for fiscal year 2014, award any discretionary grant amounts to any nonprofit organization that, in any of fiscal years 2009 through 2013—

(1) provided a compensation package to one or more of its officers at a level exceeding, by at least 25 percent, the maximum basic rate of pay of the Senior Executive Service;

(2) utilized an average of 12 percent or more of the discretionary grant amounts it received from either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation for the organization's grant administration expenses (including salaries); and

(3) had a finding of a significant deficiency or material weakness in any audit of that organization furnished to or conducted on behalf of either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation in connection with a Federal housing grant award.

(b) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation shall each submit a report to the Chair and Ranking Member of the Committee on Appropriations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Chair and Ranking Member of the Committee on Appropriations and the Committee on Financial Services of the House of Representatives—

(1) on the number of nonprofit organization grantees meeting the criteria established under subsection (a);

(2) that summarize the type and amount of Federal housing grants awarded to each such organization, including the percentage of each such grant that was utilized by the organization for grant administration expenses, in each of fiscal years 2009 through 2013; and

(3) that describe the steps to be taken by the Secretary or the Corporation, as the case may be, to achieve greater cost-savings and grant-administration efficiencies in the future, including a plan for requiring future grant recipients to limit their grant administration expenditures to 10 percent of grant funds received from the Secretary or the Corporation, as the case may be.

(c) For purposes of this section, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

SEC. 245. Any amounts saved, reserved, remaining, or otherwise unobligated as a result of the prohibition set forth under section 244, shall be transferred to and appropriated under the heading ''Home Investment Partnerships Program'': *Provided*, that such amounts shall only be used by the Secretary of Housing and Urban Development to rehabilitate substandard housing of children residing in rural counties with the highest poverty rates.

SA 1811. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, between lines 11 and 12, insert the following:

SURFACE TRANSPORTATION PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE

For grants to eligible applicants for eligible projects of national and regional significance (as such terms are defined in paragraphs (2) and (3) of section 1301(c) of SAFETEA–LU (23 U.S.C. 101 note)), $500,000,000, to remain available until expended.

SA 1812. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. (a) Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration shall—

(1) complete a study of the safety of movable railroad bridges and the transportation of hazardous materials over such bridges; and

(2) post a report on the Federal Railroad Administration's website that containing the results of such study.

(b) The study conducted under subsection (a) shall address—

(1) the adequacy of span locking and its relation to the practice of trains passing over bridges displaying a stop signal; and

(2) the adequacy of training received by train crews to inspect their route before passing over a bridge displaying a stop signal.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. PAUL. Mr. President, I submit the following notice in writing:

In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XVI, and rule XXII, Paragraph 2, for the purpose of proposing and considering Amendment No. 1739, including germaneness requirements.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, August 1, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

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, DC 20510–6150, or by e-mail to danielle_deraney@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224–7865 or Danielle Deraney at (202) 224–1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, the Subcommittee on National Parks has previously announced a hearing to be held on Wednesday, July 31, at 2:30 p.m. to consider several bills. In addition to the bills previously announced, the subcommittee will also hear testimony on:

S. 1328, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes, and

S. 1339, to reauthorize the Ohio & Erie Canal National Heritage Canalway.

For further information, please contact David Brooks at (202) 224–9863 or John Assini at (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 25, 2013.

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

COMMITTEE ON ARMED SERVICES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 25, 2013, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on July 25, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Partnership Between NIST and the Private Sector: Improving Cybersecurity.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 25, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 25, 2013.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be authorized to meet during the session of the Senate on July 25, 2013, at 10:30 a.m. in room SD–419 of the Dirksen Senate Office building.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. MURRAY. 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 July 25, 2013, at 11 a.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 25, 2013, at 9:30 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON WATER AND POWER

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on July 25, 2013, at 10:15 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''State of Wireline Communications.''

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Margaret Taylor, a detailee from the State Department to the Foreign Relations Committee, be granted floor privileges for the consideration of S. 1243.

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

Mr. REID. 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—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and it be in order to file cloture on Executive Calendar Nos. 208, 223, 224, 104; further, that the mandatory quorum under rule XXII be waived; finally, if this request is granted, the Senate resume legislative session after the final cloture motion is reported pursuant to this order.

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

EXECUTIVE SESSION

NOMINATION OF JAMES B. COMEY, JR., TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

The PRESIDING OFFICER. The Senate will proceed to executive session and the clerk will report the nomination.

The legislative clerk read the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk on Calendar No. 208.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation.

Harry Reid, Patrick J. Leahy, Mark Begich, Christopher A. Coons, Thomas R. Carper, Bill Nelson, Patty Murray, Martin Heinrich, Jeanne Shaheen, Benjamin A. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Sheldon Whitehouse, Charles E. Schumer, Robert P. Casey, Jr.

NOMINATION OF KENT YOSHIHO HIROZAWA TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Kent Yoshiho Hirozawa, of New York, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King, Jr., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

NOMINATION OF NANCY JEAN SCHIFFER TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Nancy Jean Schiffer, of Maryland, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. It is my understanding there is a cloture motion at the desk.

The PRESIDING OFFICER. The Senator is correct. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King, Jr.., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

NOMINATION OF MARK GASTON PEARCE TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Mark Gaston Pearce, of New York, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King, Jr., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 200.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 200) designating July 26, 2013, as ''United States Intelligence Professionals Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 200) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 201.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 201) designating the first Wednesday in September 2013 as ''National Polycystic Kidney Awareness Day'' and raising awareness and understanding of polycystic kidney disease.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 201) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, JULY 29, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., on Monday, July 29, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of Proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 4:15 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of S. 1243, the Transportation and Housing and Urban Development appropriations bill; further, that at 4:30 p.m., the Senate proceed to executive session to consider Calendar No. 208, the nomination of James Comey to be Director of the Federal Bureau of Investigation, with the time until 5:30 p.m. equally divided and controlled in the usual form; and, finally, that at 5:30 p.m., the Senate proceed to vote on the motion to invoke cloture on the Comey nomination.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be a cloture vote on the Comey nomination on Monday evening.

ADJOURNMENT UNTIL MONDAY, JULY 29, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:57 p.m., adjourned until Monday, July 29, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

VINCE GIRDHARI CHHABRIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE SUSAN Y. ILLSTON, RETIRED.

MATTHEW FREDERICK LEITMAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE MARIANNE O. BATTANI, RETIRED.

JUDITH ELLEN LEVY, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE NANCY G. EDMUNDS, RETIRED.

LAURIE J. MICHELSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE GEORGE CARAM STEEH III, RETIRED.

JAMES MAXWELL MOODY, JR., OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS, VICE SUSAN WEBBER WRIGHT, RETIRING.

LINDA VIVIENNE PARKER, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE ROBERT H. CLELAND, RETIRED.

SECURITIES INVESTOR PROTECTION CORPORATION

LESLIE E. BAINS, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015, VICE WILLIAM S. JASIEN, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT MICHAEL SIMON, OF MARYLAND, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE SHERBURNE B. ABBOTT.

DEPARTMENT OF STATE

CAROLINE KENNEDY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAPAN.

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

ROBERT A. SHERMAN, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PORTUGUESE REPUBLIC.

POSTAL REGULATORY COMMISSION

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2018. (REAPPOINTMENT)

DEPARTMENT OF DEFENSE

MARCEL J. LETTRE II, OF MARYLAND, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE. (NEW POSITION)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID M. ABEL
RODGER N. ACKLIN
IVAN A. ACOSTA
BERT W. ADAMS
BRIAN S. ADAMS
PAUL J. ADAMS
PAUL E. ADAMSON
NICHOLAS B. ADCOCK
JEREMY B. AHLSTROM
ARTHUR A. ALCANTARA
ROLANDO P. ALEJO
JAMES G. ALEXANDER
JEREMY B. ALEXANDER
MICHAEL J. ALEXANDER
BENJAMIN D. ALLEN
JASON D. ALLEN
RANDAL T. ALLEN
THOMAS G. ALLEN
GALEN R. ALSOP
JENNIFER A. AMATO
GREGORY A. AMIG
KEVIN G. AMSDEN
LANNY REY ANAYA
SERGIO E. ANAYA
MICHAEL L. ANDERSON
MICHAEL S. ANDERSON
SHANON E. ANDERSON
CHAD M. ANTHONY
ELIZABETH A. APTEKAR
RICARDO L. ARAGON
CHARLES C. ARMSTRONG
JASON M. ARMSTRONG
KIM M. ARNOLD
BEN J. ARONHIME
CHAD C. ASHCRAFT
MIKE D. ATCHLEY
RICHARD ALLEN ATWELL, JR.
CHANDLER P. ATWOOD
CHRISTOPHER M. AUGER
JOSEPH R. AUGUSTINE
JOSEPH E. BABBONI
SEAN P. BAERMAN
BRENT R. BAK
BEVERLY A. BAKER
DARIAN W. BAKER
KYLE M. BALDASSARI
JOHN E. BALES
TIMOTHY J. BAMFORD
JOSEPH S. BARBARE
KRIS E. BARCOMB
RYAN M. BARE
MICHELLE L. BARKER
KEVAN A. BARRY
SHAWN J. BARRY
PAUL R. BARTHEL
BENJAMIN A. BARTLETT
KEVIN S. BARTLETT
MATTHEW A. BARTLETT
ROBERT L. BARTLOW, JR.
PHILIP A. BARTOO
BRAD J. BASHORE
DARREN E. BATES
ARIEL G. BATUNGBACAL
JOHN J. BAUM
CASEY M. BEARD
HERBERT S. BEAUMONT
COREY A. BEAVERSON
JEFFERY D. BECKER
RICHARD R. BECKMAN
GABRIEL M. BEHR
TIFFANY L. BEHR
JONATHAN W. BEICH
ANDREW P. BEITZ
MICAH K. BELL
PAUL M. P. BELL
TRACY L. BELL
ANDREW J. BEMIS
BRAD A. BEMISH
ELIZABETH T. BENEDICT
JERRY W. BENNETT, JR.
LANCE R. BENSON
RICHARD S. BENTLEY
DEAN E. BERCK
DAVID M. BERGIN
JEREMY S. BERGIN
CLAUDIA E. BERMUDEZ
MATTHEW J. BERRIDGE
BRYAN L. BEST
RONALD L. BETTS
TODD G. BETZ
MATTHEW H. BEVERLY
GREGORY L. BEYER
JASON D. BIALON
DANIEL V. BIEHL
ROBERT M. BIGGERS
KEVIN M. BIGGS
MICHAEL P. BITTENBENDER
KEITH W. BITTLE
SCOTT T. BJORGE
JASON S. BLACKERBY
CAROL A. BLACKINGTON
CHRISTOPHER M. BLACKWELL
CODY L. BLAKE
ADAM L. BLANCHARD
JAMES M. BLANTON
JAROD P. BLECHER
JOHN W. BLOCHER
BRANDON D. BLY
RICHARD D. BOATMAN
JOHN A. BOEN
ROBERT L. BOLES
JONATHAN M. BOLING
JAMES M. BONO
CHANTEL M. BOOKER
MELISSA F. BOOKMAN
AARON M. BOSTON
JENNIFER U. BOUDREAU
KENNETH N. BOURQUE
CHRISTOPHER J. BRADLEY
DENOAH BRADLEY
PHILIP W. BRANDT
ALBERT J. BRASSEUR III
ALONZO C. BRAY, JR.
GEREMIAH J. BREKKE
JAMES A. BRENNING
KEVIN J. BREWER
JOHN H. BRINER
CHARLES P. BRISBOIS III
LATISHA R. BRISTOW
AARON D. BROOKS
DELEMESA MACK BROOKS
DARRYL P. BROOME
BRIAN L. BROWN
DAVID J. BROWN
DEMETRIUS O. BROWN
JASON P. BROWN
MATTHEW G. BROWN
MELISSA G. BROWN
ROBERT L. BROWN
DARREN L. BRUMFIELD
JAMES E. BRUNNER
GABRIELLE J. BRYANTBUTLER
ROBERT M. BRYANT
DAVID A. BUCHANAN
ERIC W. BUCHEIT
MARK W. BUCHHOLZ
SCOTT A. BUCHTEL
JONATHAN B. BURKE
SPENCER A. BURKHALTER
RUSSELL C. BURKS
AUSTIN F. BURRILL
STEVEN E. BURY
JAMES W. BUSCH
JONATHAN D. BUSCH
KEITH J. BUTLER
MARCINDA L. BUTTIE
WILLIAM L. BYERS
JONATHON E. BYRNES
DONA L. BYRON
NICK D. CALLAWAY
LANCE G. CAMPBELL
SCOTT A. CAMPBELL
MICHAEL P. CAMPOS
DAVID M. CANADY, JR.
ASHLEY E. CANNON
GABRIEL A. CANTU
EHREN W. CARL
CHRISTOPHER LEE CARMICHAEL
CLINTON G. CARR III
TONY D. CARTWRIGHT
DAVID A. CASE
LUKE B. CASPER
KIRT J. CASSELL
MATTHEW J. P. CASTILLO
KENNETH P. CATES
MARK L. CAUDILL
JUSTIN T. CENZANO
TROY A. CERNY
CHARLES L. CHANDLER
CHRISTOPHER L. CHANDLER
JAMES J. CHAPA
JESSICA R. CHAPMAN
JOSEPH C. CHENNAULT
JOSEF P. CHESNEY
ERIC S. CHIN
ROBERT J. CHINNOCK
BENJAMIN B. CHRISTEN
CHAD C. CHRISTENSEN
NEIL E. CHRISTENSEN
DENNIS J. CLARK
STEVEN W. CLARK
ALLEN R. CLAY
CHARLES A. CLEGG
THOMAS M. CLOHESSY
BRIAN L. CLOUGH
BRETT S. CLUTTER
TAMEESHA P. COATNEY
ADAM S. COFFMAN
MACK R. COKER
KERRY MCARTHUR COLBURN
LEWIS B. COLLINS
FERNANDO COLON, JR.
MICHAEL J. CONTE
PAUL W. CONTOVEROS
MICHAEL T. COOK
AARON J. COOPER
KATHLEEN A. COOPER
WILLIE L. COOPER III
MICHAEL C. COPPOLA
STEVEN W. CORNELSON
BARBARA A. COSTA
JONATHAN S. COTTON
MATTHEW I. COTTRILL
KEITH E. COWELL
BENJAMIN G. COX
BRIAN V. CRAWFORD
KENDRA L. CRIDER
JEFFREY C. CRIVELLARO
KEVIN M. CROFTON
BENJAMIN L. CROSSLEY
MATTHEW C. CROWELL
GEORGE M. CROWLEY
BRIAN A. CROZIER
CHRISTOPHER P. M. CULLEN
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PAUL E. SHEETS
SUSAN M. SHEETS
CHRISTOPHER M. SHEFFIELD
SCOTT E. SHELTON
STEVEN G. SHEPAN
JASON J. SHEPHARD
RICHARD H. SHERTZER
ALLEN R. SHEW
JASON T. SHIBATA
CAMERON B. SHIRLEY
CAROL J. SHIRLEY
RALPH R. SHOUKRY
JEFFREY E. SHUCK
ROBERT W. SHULL
MACKENZIE R. SHULTZ
THEODORE J. SHULTZ
ROBERT A. SIDES
ANTHONY F. SIDOTI
JUAN SILVA, JR.
JEFF A. SIMMONS
DANIEL T. SIMPSON
MICHAEL R. SIMS
ANDREW L. SINCOCK
JAMES L. SIVILLE
DAVID M. SKALICKY
BRYAN E. SKARDA
ROBERT W. SLANGER
JEFFREY J. SLIWINSKI
DAVID A. SLOAT
JASON M. SMESNY
KYLE J. SMET
JAMIE R. SMICKLAS
ANDREW F. SMITH
CHAD A. SMITH
DAVID A. SMITH
JASON V. SMITH
JENNIFER L. SMITH
JOSHUA J. SMITH
NATHAN S. SMITH
ROBERT R. SMITH
STEVEN J. SMITH
TIMOTHY J. SMITH
PATRICK A. SNYDER
JAIME SONORA
JOSHUA DAVID SOULE
TIMOTHY J. SPAULDING
WINSTON L. SPEAR
STEVEN W. SPEARES
BARRY J. SPELLS
MATTHEW L. SPENCER
CANDICE M. SPERRY
ANDRE R. SPICER
JEREMIAH B. STAHR
PAUL M. STANIFER
DALE W. STANLEY III
MATTHEW C. STANLEY
MATTHEW L. STANLEY
GREGORY M. STEEGER
SIDNEY L. STEGALL, JR.
BRIAN R. STELMA
ANDREW C. STENGEL
ANSON B. STEPHENS
JOHN T. STEPHENS
GREG E. STEVENS
JAMES A. STEVENS
MARK R. STEVENS
CORETTA B. STEWART
LOUIS G. STEWART
MATTHEW W. STEWART
MICHAEL D. STODDARD
MICHELLE L. STOFFAMALLOY
MICHAEL R. STOLLEY
ROSE K. STOOR
JOSHUA K. STRAKOS
JEREMY P. STRINGER
RONALD K. STROBACH
CHARLES A. STSAUVER
CEDRICK L. STUBBLEFIELD
DANIEL W. STUPINSKI
JASON O. STUTZMAN
JOHN A. SULLIVAN
JOHN T. SULLIVAN
RYAN D. SULLIVAN
WILLIAM A. SULLIVAN
MARC W. SUMMERS
DAVID A. SUTTER
ERIC E. SUTTON
MATTHEW P. SUTTON
MATTHEW J. SWANSON
LYLE D. SWAPP
JUSTIN W. SWARTZMILLER
ROBERT J. SWEARINGEN
RYAN J. SWEAZEY
PATRICK J. SWEENEY
ROBERT J. SWEENEY
CRAIG M. SWIERZBIN
TOBIAS B. SWITZER
GARY B. SYMON
LOUIS M. SZCZUKOWSKI
TIMOTHY K. SZESZULSKI
BREANNE TABOR
KHALIM A. TAHA
MICHELLE A. TARKOWSKI
DONALD C. TASKER
DAVID L. TAYLOR
JASON E. TAYLOR
LELAND J. TAYLOR
MARLON TAYLOR
STEVEN C. TAYLOR
LUCAS J. TEEL
BRANDON J. TELLEZ
JASON LEE TERRY
CLIFFORD M. THEONY
LISA S. THIEM
KENNETH G. THILL
ANTHONY ALEXANDER THOMAS
BRIAN J. THOMAS
JEFFREY D. THOMAS
JOSEPH K. THOMAS IV
MATTHEW M. THOMAS
RYAN W. THOMAS
KRISTEN D. THOMPSON
NATHAN A. THOMPSON
SAMMIE L. THOMPSON, JR.
JOHN G. THORNE
CHARLES D. THROCKMORTON IV
ROBERT M. THWEATT
BILL T. TICE, JR.
SHAWN R. TIMPSON
SAMUEL M. TODD
KATHERINE ABOLD TODOROV
SACHA N. TOMLINSON
JERI D. TORRERO
GUILLERMO TORRES
CRAIG M. TOWELL
PAUL K. TOWER
PAUL P. TOWNSEND
ERIC A. TRAMEL
JASON L. TRANUM
BENJAMIN R. TRAVERS
JASON M. TREW
SETH W. TRIBETT
WILLIAM P. TRICHE
SONJA C. TRITSCH
SEAN E. TUCKER
APRIL L. TUNYAVONGS
ERICK A. TURASZ
CHRISTOPHER H. TURNER
JASON A. TURNER
JASON C. TURNER
ABIZER H. TYABJI
TERRY L. TYREE, JR.
MONYCA J. UECKER
HEATHER M. UHL
HORST K. UHL
L. WILLIAM UHL
ROSS G. UHLER
JOHN L. VALA
MATTHEW STEWART VAN HOOK
ROBERT M. VANDAWAKER
JAMES L. VANDROSS
NEAL ADAM VANHOUTEN
RICHARD L. VANSLYKE
MATTHEW J. VEDDER
ANDREW C. VENNE
ERNESTO VERGER
PHILLIP A. VERROCO
RYAN J. VETTER
BRUS E. VIDAL
BRIAN H. VILLAVASO
MICHELLE K. VILLAVASO
JOHN R. VINSON
JOHN R. VOLCHECK
RYAN M. VONEIDA
DANIEL J. VOORHIES
ALAN R. WADE
RICHARD J. WAGEMAN, JR.
MATTHEW T. WAGGONER
RICHARD H. WAGGONER
EDWARD R. WAGNER
TORREY J. WAGNER
RICHARD W. WALDROP
DIETER A. WALDVOGEL
KENNETH G. WALKER
BRIAN P. WALLACE
JASON R. WALLS
JENNIFER G. WALSTON
TIMOTHY M. WARNER
STEVEN W. WASHKO
MARK R. WASS
MATTHEW N. WASZAK
JOHN G. WEAVER
SHONRY O. WEBB
KEVIN M. WEBSTER
JAMES T. WEDEKIND
MARTIN W. WEEKS III
SCOTT M. WEHRLE
JAMES P. WEIR
TROY C. WELKER
MATTHEW D. WELLING
BRENT N. WELLS
MARION R. WENDALL
CHRISTOPHER W. WERNER
JEFFREY B. WESTPHAL
KEVIN J. WHALEY
DANIEL J. WHEELER
SCOTT A. WHINNERY
STEVEN S. WHISLER
MICHAEL S. WHITACRE
ALTON S. WHITE
DOUGLAS W. WHITEHEAD
RYE M. WHITEHEAD
SCOTT B. WHITEHURST
TYLER D. WICKHAM
NOEL M. W. WILDAUER
JOE F. WILDMAN
LISA M. WILDMAN
KEVIN M. WILEY
SAMUEL R. WILHELM
BRAD D. WILLIAMS
DOUGLAS A. WILLIAMS
EARL WILLIAMS III
JOSHUA J. WILLIAMS
JOSHUA P. WILLIAMS
MATTHEW K. WILLIAMS
SEAN M. WILLIAMS
TIMOTHY E. WILLIAMS
JAMES B. WILLS
SANDRA J. WILSON
SCOTT R. WILSON
APRIL L. WIMMER
WILLIAM H. WIMSATT III
GUY J. WINGENBACH
JOSEPH J. WINGO
MICHAEL J. WINTER
WALTER M. WINTER
CRAIG J. WINTERS
ANDREW IRVIN WISTRCILL
DONALD W. WITTENBERG
JOHN D. WODOCHEK
OLGIERD P. WOJNAR
WINSTON C. WOLCZAK
JAMES E. WOLFE
MARC E. WOLFE
JOHN D. WOOD
DOUGLAS A. WOODLEY
TAD W. WOOLFE
JUSTINE A. WOPAT
CHRISTOPHER WORKINGER
DAVID M. WRAZEN
MICHAEL L. WREY
ALEXANDER E. WRIGHT
JAMES A. WRIGHT
MICHAEL C. YARBROUGH
MICHAEL D. YARINA
NICHOLAS R. YATES
JULIAN J. YNIGUEZ
BRIAN K. YOSHIMOTO
DAVID A. YOUNG
GEOFFREY M. YOUNG
JASON E. YOUNG
STEPHEN R. ZAISER
JOSHUA J. ZAKER
PAMELLA J. ZANE
ERIC J. ZARYBNISKY
JEFFREY S. ZDENEK
THOMAS M. ZEEFF
CHRISTOPHER J. ZEGAR
YAN C. ZHU
JOHN P. ZIELINSKI
ANTHONY J. ZILINSKY III
CHRISTOPHER J. ZILKA
DAVID L. ZIMMERMAN
MICHAEL P. ZINK
ANDREW W. ZINN
STEVEN M. ZOLLARS
JODY L. ZOLMAN
JOHNATHAN B. ZULAUF
MICHAEL M. ZWALVE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

VERONIQUE N. ANDERSON
DAVID A. BARGATZE
VICKI A. BELLEAU
JOHN WILLIAM BELLFLOWER, JR.
MICHAEL AARON BURNAT
MATTHEW D. BURRIS
MECHEL ALECIA CAMPBELL
MICHAEL DAVID CARSON
THOMAS PAUL CONDIE
GARRETT MICHAEL CONDON
TIMOTHY MICHAEL COX
SUANNE M. CROWLEY
JUSTIN R. DALTON
JEREMY K. DAVIS
COREY G. FULLMER
BRYON T. GLEISNER
JEFFREY L. GREEN
TROY D. HAMMON
JOHN CHRISTOPHER HARWOOD
TROY S. HEAVENER
CHRISTINA MARIA JIMENEZ
ERIC MICHAEL JOHNSON
ANDREW KALAVANOS
CYNTHIA T. KEARLEY
STEVEN GLADE LOERTSCHER
JEFFERSON E. MCBRIDE
ROGER A. MCILLECE
ERIC P. MERRIAM
RYAN D. OAKLEY
LYN T. PATYSKIWHITE
TRINH W. PETERSON
DERIC W. PRESCOTT
ELIZABETH D. PULLIN
THEODORE T. RICHARD
ASHLEY K. RICHARDS
RICHARD M. ROBERTSON
JOSHUA DANIEL ROSEN
POLLY K. SANDNESS
STEVEN JON SMART
MICHAEL R. SUBERLY
SHAWN C. TABOR
PATRICIA S. WIEGMANLENZ
RICHARD A. WILLIAMS
MATTHEW DAVID WINFREY
AARON EUGENE WOODWARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ROBERT F. BOOTH
TIFFANY A. DAWSON
DARREN C. HUSKISSON
DIANA L. JOHNSON
WON KYU LEE
MICHAEL A. LEWIS
CHARLOTTE M. LIEGLPAUL
TODD E. MCDOWELL
MARTIN T. MITCHELL
IRA PERKINS
NATALIE D. RICHARDSON
THOMAS A. ROGERS, JR.
JOHN D. SMITH
MATTHEW S. WARD

BRYAN D. WATSON
PATRICK J. WELLS
ERIC J. WERNER
CHARLES E. WIEDIE, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHRISTOPHER M. ALLEN
FRANCIS D. J. AMMATURO
TRACEY M. APPLEBY
ROBERT T. ATIENZA
MELISSA A. BARNES
DONALD G. BARNETT
JOSEPH J. BARTLEY, JR.
KEVIN L. BATES
FREDERICK BAYERLEIN
SUSAN M. BECKMAN
MICHAEL G. BELL
JERRY N. BELMONTE
TROY A. BERTRAN
RONALD BETANCOURT
BRIAN J. BLANKENSHIP
ROBERT W. BOASE
JENNIFER A. BOUCHARD
CHRISTOPHER D. BRECKENRIDGE
LONDON BRIDGET
MARK R. BRYAN
ALBERT A. BUDASZEWSKI
ALVIN D. BURCHFIELD, JR.
DAVID S. BUTLER
WILLIS H. CAMPBELL
GEORGE CANTU
PHILIP J. CAREY
JAMALL W. CARRETHERS
WILLIAM K. CASTLEBERRY
EDWIN R. CATUBIG
JEFFERY C. CHALK
REZA A. CHEGINI
JON C. CLARK
ROBERT S. COLLETT
TODD J. COLLIFLOWER
SHAWN T. COLLINS
ERIC A. COUNCIL
STEPHEN M. CRONEY
FRANK B. CROUSE
HERIBERTO CRUZ, JR.
ROBERT A. CURRAN, JR.
BRADLEY A. DANDURAND
KURT E. DAVIS
BRIAN S. DEMBICKY
PHILLIP L. DENNIS
JEFFREY C. DENNISON
DAVID E. DEREE, JR.
JOHN M. DIAZ
CHRISTIAN B. DILLARD
WILLIAM D. DOUGHER
HOWARD T. DOVE
MICHAEL B. DUWEL
JASON L. DYGERT
JEREMY D. ELMER
PATRICIO ESCALONA, JR.
SHANON J. FALLON
PHILIP A. FARLEY
MICHAEL J. FELDHUES
BALTAZAR FERNANDEZ III
JAMES C. FISH
OSCAR S. FLORES
THOMAS M. FOEGELLE, JR.
BOBBY L. FOREST
JAMES W. FOSTER
ANTHONY K. FRANKLIN
RONALD L. FREEMAN, JR.
WARREN FREEMAN, JR.
ANTHONY B. FRIES
LEO P. FUNARI, JR.
MICHAEL D. GANN
RUBEN GARZA, JR.
ROBERT P. GEORGE
ANDREW D. GIANINO
EDWARD GINDER
PAUL K. GITZEN
PETRONILO S. GOMEZ
ANTONIO S. GONZALEZ, JR.
JAIME GONZALEZ
SCOTT R. GOODIN
EDWARD R. GRADWELL
SAMMIE D. GREEN
STEVEN J. GREEN
DAVID L. HALEY
NATHAN A. HALL
JOSEPH W. HAMMOND
WAYNE T. HARDERS
KELVIN HARKINS
CHRISTOPHER M. HARPER
ALTHEA HARRIS
GEORGE HARRIS
JOHN E. HARRIS
ROBERT N. HARRIS
STEPHEN J. HARTLEY, JR.
JIMMY R. HARVEY
ROBERT J. HERBSTREITH
CHRISTOPHER S. HIMES
DAVID J. HOGG
ROBERT E. HORTON
TERRY C. HOSKINS, JR.
DEREK S. HOWARD
JACK L. HURLEY
JEVON C. JACKSON
JEREMY L. JAMES
DOUGLAS L. JENKINS II
ADAM C. JENNINGS
KENNETH D. JONES
CRAIG T. JOYCE
TODD A. KAMINS
JOHN J. KANETZKY
ROBB S. KELLBERG
BRIAN S. KELLER
MATTHEW K. KOKKELER
BRIAN M. KRISTAN
RUSSELL J. KUNTZ
ALAN M. LABONTE
EMMERICH V. LANGHAM
JAMIE C. LATIOLAIS
DAVID J. LATOUR
MATTHEW G. LAWRENCE
TROY R. LAWSON
CHRISTOPHER P. LEFFAKIS
DARYL B. LINHARDT
HAROLD T. LITTLE
JASON T. LOFTON
TRACY J. LOPER
GARY L. LOWE
SEAN G. LYNCH
MARCUS J. MACHART
SCOTT R. MACMILLAN
GREGORY P. MARTIN
CHRISTOPHER A. MAY
LEE O. MCCLOUD
ERIC M. MCLAUGHLIN
ROBERT W. MENDENHALL
MICHAEL A. MERCADEL
SHAWN D. MITCHELL
ROBERT M. MOFFATT
MARK R. MORGAN
ROBERT J. MORRISON
VAUGHN D. MORTON
DARREN L. MULLEN
BRIAN T. MUTSCH
LOREN L. NICHOLS
JIMMY M. NOLEN
WILLIAM D. NORGAARD II
RICHARD J. NULL
FRANCIS X. OBERT III
CURTIS C. ONEAL
JASON B. OSBORNE
TRACY A. OWENS
ROBERT L. PAGE, JR.
ERIC I. PALMER
MICHAEL A. PALMER
MICHAEL I. PECK
JOHN W. QUINATA
JOHN A. REDFORD
JASON A. RINTO
ROBERT RODRIGUEZ
TODD C. RONEK
GARY A. RONEY
JASON A. ROSS
CHAD A. SAMPLES
MARC C. SCHUH
SHAYNE J. SCHUMACHER
TRAVIS L. SCOTT
KEVIN P. SHAVER
DAVID T. SHULTZ
JAMES W. SIMMONS, JR.
TRUITT M. SMITH
DAVID M. SMITHERS
JEFFREY R. SOMERS
RALEIGH E. STAHL
JACK B. STANLEY
SCOTTIE D. STRONG
TODD L. STUFLICK
LORENZE B. TATE III
TIMOTHY J. THREADGOLD
BRIAN L. TICHENOR
JOE M. TOWLES
JOHN G. VANOVER
JESS A. VAUGHT
CHRISTOPHER VERDELL
KEVIN J. WALL
MICHAEL C. WALTERS
ADRIENNE M. WIGGINS
ROBERT B. WILEY
KYLE A. WILLIAMS
LAWRENCE L. WILLIAMS
ROBERT L. WINTERS
SCOTT D. WOODS
ANDREW R. WROBEL
JEFFERY B. YANCEY
KENNETH R. YATES
RONALD R. YNIGUEZ
BILLY W. YOUNG
KEVIN C. YOUNGBLOOD
WALTER J. ZAPF
BRIAN S. ZELLNER
STACEY E. ZIMMERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WAJAHAT ALI
DAREN W. BABULA
DOMINIC R. BAILEY
KRISTINA M. BASTONE
CHARLES F. BELL III
PETER T. BEUTTENMULLER
CHRISTOPHER R. BOLTON
MICHAEL J. BONACORSA
JAY E. BOYLES
JOSEPH C. BYROM
CHRISTOPHER J. CALLAHAN
STEPHEN D. CURTAS
ANDREW C. DAVIS
CHRISTOPHER A. DUMAS
DAVID J. ELLISON
JOHN D. B. FINE
AMANDA L. GILL
ERICA F. GOODWIN
RICHARD T. GRIFFIN
AUSTIN J. GULLETT
JOHANN A. GUZMAN
ANDREW S. HAMILTON
AARON P. HANTMAN
PHILLIP K. HOGAN, JR.
DANIEL J. HONEBEIN
JOHN A. JAMISON
JOSEPH A. JANKOLA
NICHOLAS G. KALKAS
GREGORY J. KNOTT
MARK A. KNOX
FRANK C. KOVACS
JULIUS J. LIM
BRIAN C. MOORE
MATTHEW D. MYERS
JASON Y. OSUGA
JAREN R. PATTERSON
WALTER PAULI
ROBERT A. PIPKIN
MICHAEL S. QUAN
AMANDA B. RICHARDS
PAUL S. ROGERS
JUSTIN L. SCARBROUGH
SANTINO M. SGAMBELLURI
MINEL J. TASTET
EMMANUEL M. THOMANN
PACKARD C. TRENT
KHALIA S. WARNER
GREGGREY T. WASEMILLER
JOSEPH R. WAY
DREW J. WHITTING
JACOB E. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

HANNAH L. BEALON
NATHAN A. BOEGER
JOHN M. CONNALLY
JAMES L. FISHER
ROBERT C. GRIFFITH
BRIAN D. HACKNEY
JEFFREY C. HAMILTON
JAMES T. HERZOG
RYAN H. KING
RICHARD J. MASCOLO
KYLE C. MOORE
SEAN M. NELSON
SCOTT V. PARKER
JAMES H. PENSEL
RYAN A. RIPPEON
MALCOLM S. SIMIEN
CALVIN T. STANFORD
EDWARD M. VALDEZ
JEFFREY P. WILCOX
ALFRED S. WILLIAMS
JERRY L. WOODS
ALICIA R. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN C. BAKER
DON E. BARBER, JR.
JASON R. BARDIN
BRIAN C. BROADWELL
RICHARD G. BUCKLEY
MATTHEW O. CAYLOR
BRIAN D. CUMMINGS
JOSEPH E. DUCHESNEAU
PAUL J. FELSING II
NEIL R. FLANDERS
DAMON P. GASS
KEITH A. GEHRKE
HENRY T. GILBERT IV
ERIC K. GRAEWERT
RYAN N. HAAG
JON H. HOPKINS
MICHAEL J. KNOOPS
MICHAEL R. KRUEGER
MIRANDA C. LABASH
MATTHEW L. LINDSAY
KEITH A. LUDWICK
JONATHAN C. MCCARTER
NEIL A. MYERS
KURT L. PODRAZIK
DANIEL A. REDDEG, JR.
DARREN C. SCHIERMEYER
MALCOLM C. SMITH
ROBERT S. STEWART
ROBERT W. THOMPSON
JOHN L. TOMAR
SEAN M. WHITT
KAN YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KRISTIE M. COLPO
MATTHEW S. CUSHANICK
LAURAMICHEL DEHAAN
DOMINIC F. DIMAGGIO
CYNTHIA K. HENZE
CHRISTOPHER M. MORRIS
JEFFREY R. PORTELL
JAMES A. SCIANNA
ALLISON B. TERRAY
COLIN L. THORNTON
DAVID H. WATSON, JR.
MATTHEW N. WATTS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ONEGE BATEAGBORSANGAYA
MARTIN M. BATTCOCK
JUSTIN D. DRAGON
KIMBERLY T. MANUEL
STEPHEN OSWALD
STEPHEN D. RITTERMANN
MICHAEL G. TOMSIK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ANTHONY J. FALVO IV
CALLIE D. FERRARI
MATTHEW S. GILL
AARON V. KAKIEL
KATHRYN E. KELLY
WILLIAM M. KNIGHT
AMBER J. LEWIS
RICHLYN C. NEAL
CLINTON E. PHILLIPS
NATHAN C. POTTER
GREG D. RAELSON
SEAN P. RIORDAN
NICOLE R. SCHWEGMAN
NICHOLAS D. SHERROUSE
HAYLEY C. SIMS
MICHAEL L. SMITH
WILLIAM B. TISDALE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TRENTON J. ARNOLD
VICTOR D. BALDONI
DAVID F. BELL
LESLIE O. BRANCH III
TZU H. CHEN
ARNOLD L. CORTEZ
LINCOLN S. ENDECOTT
IAN J. ESPICH
MICHAEL A. FREAS
WILFRED H. JUDD III
BRIAN J. LEETCH
MARK T. LOGAN
ADAM R. LYSENE
JASON T. MARTINSON
JARED M. MAULDIN
AARON L. MOELLER
NICHOLAS B. MULCAHEY
JEFFREY A. TOMASZEWSKI
ROBERT A. WAINSCOTT, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN C. FREDRICK
JASON M. PETTITT
CHRISTOPHER W. TAYLOR
ERNESTO R. VILLALBA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MATTHEW R. ARGENZIANO
TROY D. BAILEY
NATHAN V. BEACH
BRYAN M. BLAIR
ERIC D. BREGE
RICHARD A. COLE
JOHN E. DALTON
JONATHAN R. DERGES
TIMOTHY S. DUTTON
CAROLYN J. ENGLAND
CAROLE J. ETHERINGTON
DION G. FONTENOT
KEN G. FOOS
DANIEL L. HEMMINGER
GABRIEL D. HERNANDEZ
WENDELL R. HOLMES
JARED A. JOHNSON
MELISSA L. JOLLEY
RICHARD B. LEBEL
VIDAL C. LOZADA
ANDREW M. LUTERAN
CALEB W. MACDONALD
TIMOTHY R. MAYER
MATTHEW C. MCCULLEY
ERIC P. MCDOUGALL
CRYSTAL A. MILLER
SCOTT C. MILLHOUSE
PETER L. NORGAARD
SETH J. PIERCE
SETH J. ROSENBERRY
JUSTIN J. SALVIA
MARTA K. SAVAGE
DAMIAN J. SMITH
DANIEL SORIA
CHRISTOPHER M. SOVA
ERIC J. THURKINS, JR.
CHRISTOPHER A. TILLEY
DANIEL L. URBANCZYK
MATTHEW A. VANHORN
KEVIN A. WHITE
JAMES R. WILKINS IV
EVAN B. WILLIAMS
KATHLEEN M. WILLIAMS
CHRISTOPHER J. WING
KYLE L. WOERNER
MICHAEL A. WOODS
AARON A. ZIMMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHANE L. BEAVERS
MATTHEW J. BELLINA
ROMEO J. CLAYTON
WILLIAM M. CORLEY
AMANDA L. DZANANOVIC
JAMIE M. ERICKSON
MICHAEL J. GENTA
STEPHANIE K. HAYES
ALLISON M. HILLS
LESLIE A. HUFFMAN
JEREMY N. HYLER
ANDREW I. JOHNSON
JEANINE A. LANG
WILLIAM P. LEWIS
ROBERT V. LIBERATO
ROBERT A. LINN
KAITLIN M. MCLEOD
ENDIA T. MENDEZ
MICHAEL J. PYNE
STEVEN J. RANCOURT
NICOLE A. ROTUNDA
ALICIA M. SALERNO
PATRICK M. SALUKE
KRISTIN M. SHEPHERD
AMY M. SIMEK
LACEY M. SIZEMORE
MATTHEW C. SULLIVAN
JOHN J. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES B. ABBOTT
JAMES S. ACKERMAN
JASON M. AGOSTINELLI
MELANIE K. AHLE
NICHOLAS R. AHLEN
DARIUS V. AHMADI
ALEX W. ALDRICH
SAMUEL R. ALDRIDGE
MATTHEW P. ALLAN
DANIEL E. ALLEN
FREDRICK J. ALLEN
WILLIAM Y. ALLEN
TRAVIS R. ALLISON
DIEGO F. ALVARADO
ANDREA J. ALVORD
BEN L. ANDERSON
BRIAN C. ANDERSON
JAMES F. ANDERSON
MARK K. ANDERSON
TIMOTHY R. ANDERSON
HIRAM ANDREU
STEPHEN T. ANDROS
BRIAN S. ANTHONY
JAMES P. ANTONIONO
MICHAEL J. APONE
WADE C. ASHLEY
KURT C. ASTROTH
FREDERICK ATIENZA
DANIEL A. BAILEY
APRIL D. BAKKEN
THEALOS C. BALLAS
BRENT L. BANKS
JEREMY J. BARDIN
DREW R. BARKER
JOSIAH K. BARKER
JEREMY D. BARNES
EDWARD J. BARRY
JONATHAN R. BAUGH
STEPHEN E. BAUSERMAN
JONATHAN S. BEATON
CHARLES H. BECKER
JOSEPH K. BEHAN
KEVIN J. BEHM
CHRISTIAN A. BEISEL
THOMAS D. BELCHIK, JR.
SAMUEL D. BELL
DEVON M. BENBOW
WILLIAM M. BENCINI
CHRISTOPHER B. BENNETT
DARRICK M. BERENS
BRIAN J. BERG
DIANA L. BETZ
JESSICA F. BETZ
JOHN R. BLACKFORD
CHRISTOPHER E. BLAIS
BRIAN K. BLASCHKE
BRIAN C. BLAYDES
MATTHEW M. BLEVINS
PATRICK E. BLIND
MARK A. BLOMER
MARK E. BOAZ
NICHOLAS J. BOCCAGNA
NICOLAS T. BOGAARD
DANIEL B. BOND
PETER M. BORSZICH
TODD C. BOWERS
BRADLEY M. BOYD
BRIAN J. BRADACH
DAVID R. BRANDON
JAMES P. BRAUNREITER
DAVID M. BRENNAN
SCOTT A. BRESNAHAN
TIMOTHY S. BREWER
SCOTT E. BRICKNER
DAMON J. BRIDGES
ROBERT J. BRIGGS
JAMES V. BRISCOE
BRIAN BRONTE
JAMES R. BROOKS
JOSHUA J. BROOKS
CHRISTOPHER M. BROWN
JEFFREY K. BROWN, JR.
MICHAEL J. BROWN
RANDALL M. BROWN
THOMAS J. BROWNING
BENJAMIN M. BRUMM
MATTHEW J. BRUNELLE
JADE L. BUCKLER
JUSTIN M. BUMMARA
BRIAN C. BUNGAY
IAN M. BURGESS
JOSEPH C. BURGON
DAVID B. BURKE
ROBERT C. BURKE
NICHOLAS A. BURKLE
MATTHEW M. BUSSE
LINDSEY C. BUZZELL
CHARLES W. BYARS
CHRISTOPHER R. BYRNES
MARK B. CALLAGAN
BRYAN P. CALLAN
DAVID A. CAMP
CALVIN M. CAMPBELL, JR.
JOSEPH L. CAMPBELL
RENE CANO, JR.
ALAN J. CARLSON
BRETT A. CARSTENS
DONALD J. CARTER
PAUL M. CASE
CHRISTOPHER CAUSEE
BORYA I. CELENTANO
JULIAN M. CENTENERA
JOSEPH D. CHAMBERLIN
CHARLES E. CHAMBERS II
TARUS D. CHATMAN
DANIEL J. CHILTON
IN S. CHO
ADDAM D. CLARK
EARNEST F. CLARK, JR.
RANDALL J. CLEMONS
ANDREW F. COATES
RICHARD J. COILLOT
STEPHEN M. COL
NICHOLAS S. COLLIER
TREVOR J. CONGER
THOMAS R. CONKLIN
MICHAEL R. CONRAD
WILLIAM J. COOPER
AUSTIN W. COOVERT
JAMES R. CORDONNIER
MICHAEL CORNWELL
DEVIN P. CORRIGAN
JOSE B. CORTEZ
BRADLEY T. COWDEN
ANNE M. CRAWFORD
EARL A. CRAWFORD
JEFFREY J. CREIGHAN
STUART L. CROCKFORD
COLLIER C. CROUCH
JOHN R. CRUMPACKER
WILLIAM F. CUNNINGHAM
JEREMIAH M. DALEY
JAMES J. DALO
MICHAEL S. DALRYMPLE
JOHN F. DALY III
LOUIS A. DANTONIO
MATTHEW J. DATTOLI
MICHAEL A. DAURO
ANDREW B. DEAN
JAMIE L. DECOSTER
BRIAN A. DEIBIG
VIDAL DEJESUS
JASON DELANEUVILLE
LUIS P. DELGADO
KIRK T. DELPH
SHANE R. DENNIS
SHAUN E. DENNIS
BROOKE H. DESROCHERS
CHRISTOPHER S. DIAS
JAMIE J. DIAZ
PHILLIP S. DIPAOLO
JOSHUA M. DISHMON
JASON D. DIVITO
JAMES R. DOBBS
ANDREW L. DOMINA
JOSEPH DOMINGUEZ
JOHN T. DONOHUE
THOMAS J. DORAN
JONATHAN D. DORSEY
DAVID A. DOSTAL
SEAN R. DOUGHERTY
CODY A. DOWD
PAUL S. DUENAS
JOHN J. DUES, JR.
DAVID E. DUFAULT
JOSH W. DUGGAN
CHRISTIAN F. DUMLAO
RONALD D. DUNCAN
STEPHEN A. DURAN
NORM L. DURHAM
STEVEN A. DYKSTRA
JUSTIN P. ECKHOFF
JOSEPH M. EDELEN
ROBERT L. EDMONSON III
DAVID F. EDWARDS
GREGORY W. EDWARDS
LLOYD R. EDWARDS
TABITHA J. EDWARDS
BRIAN J. EHRHARDT

SETH R. EISENMENGER
MICHAEL E. EK
ANTONE B. ELIASEN
DEREK J. ELLIOTT
KIRK D. EMANUELSEN II
NICHOLAS S. ENGELBRECHT
GREGORY B. ENZINGER
JAMIE M. EPPS
CHRISTINA E. EVANS
RICHARD C. EYTEL
THOMAS C. FALCONER
JOHN E. FALLON
BRAD A. FANCHER
DEAN B. FARMER II
TARA A. FEHER
JOSEPH C. FERRARI
PETER A. FIELD
ERIK S. FIGUEROA
JEFFRY S. FINDLAY
SPENCER M. FISHMAN
WILLIAM F. FITZKEE
ALLISON M. FLETCHER
NEIL B. FLETCHER
MIKHAEL A. FLOYD
MARSHALL H. FOARD
JOSHUA E. FOGARTY
MICHAEL L. FOLEY
JOSEPH A. FONTENOT
DAVID J. FOOTE
DANIEL R. FORD
LARRY R. FORD, JR.
SHANNYN W. FOWLER
SHANE M. FOX
JOSEPH W. FRANKS
NATALIE R. FRANTZ
ROBERT J. FRANTZ
JOSEPH T. FREDA
JAMIE L. FRENCH
SCOTT B. FRENCH
ROGER L. FRINGER
MICHAEL L. FRISBY II
WILLIAM J. FRY
DANIEL R. FULTON
NOA J. FUNK
SCOTT J. FYOCK
PETER A. GAAL
COLIN M. GAINES
JEFFREY S. GAMMON, JR.
JEFFREY GARCIA
JASON R. GARIS
FRANCISCO X. GARZA
CHARLES C. GASTON
FORREST D. GEER
MATTHEW L. GEER
DAVID B. GELESZYNSKI
KIMBERLY J. GENTNER
NICHOLAS D. GEORGE
MATTHEW A. GERBER
RYAN M. GERO
THOMAS P. GILFILLAN
TRAVIS J. GILL
ROBERT B. GILLENWATER
DAEHYUN J. GILLESPIE
ANN K. GILSON
AMY E. GIRALDI
MICHELLE A. GIRE
ROBERT R. GIVEN
SEAN T. GLARNER
JOHN E. GLOVER, JR.
CURTIS J. GOBERT, JR.
KEVIN C. GORECKE
JOEL A. GOW
CHRISTOPHER K. GRABILL
ERIK A. GRAHAM
MICHAEL C. GRAHAM
GABRIEL R. GRAUKE
JEFFREY M. GRECO
CHRISTOPHER J. GREEN
CULLEN M. GREENFIELD
ANDREW J. GREENLEES
MICHAEL J. GREGA
BRANT P. GRESHAM
MARY L. GRESKO
JOHN M. GRIFFITH
RODNEY A. GROGAN
JONATHAN M. GUIDRY
JOSEPH GUNTA
DAVID M. HAFEMAN
WILLIAM J. HAFER
MATTHEW C. HAMM
JEREMY M. HANSLER
JOHN D. HARKINS
JASON R. HARR
STEPHEN C. HARRINGTON
CLARENCE S. HARRIS II
CHRISTOPHER M. HARRISON
BRYAN P. HART
KATHERINE R. HART
MICHAEL S. HARTMANN
PAUL M. HATFIELD
TRAVIS A. HAVENHILL
MATTHEW G. HAYS
JUSTIN A. HAYWARD
NEAL D. HEATON
TODD W. HEIG
JONATHAN R. HEIL
MICHAEL J. HELLARD
BENJAMIN B. HENDRICKS
HARLAND A. HENDRICKS
AMANDA M. HENRY
EDMUND D. HENRY
RYAN M. HERNANDEZ
PHILLIP C. HERNDL
JEFFREY W. HERZOG
FREDERICK G. HETTLING
CORY S. HICKS
JASEN A. HICKS
SAMUEL HIGGINBOTHAM
ERICH R. HILL
JOHN D. HILL
BRANDON B. HILLIARD
PHILIP J. HINTON
NICHOLAS G. HOFFMAN
JAMES F. HOPP
JAMES H. HORA
JOHN B. HORN
ROBERT P. HORTMAN, JR.
JOHN N. HOWARD
ADAM HOWELL
SCOTT C. HUDSON
JERALD T. HUMPHREY III
CHRISTOPHER P. HUSSEY
ALDEBARAN K. IMPERATORE
ANDREW M. IMPERATORE
DANIEL D. INBODY
RYAN C. INGRAM
MARQUES D. JACKSON
KATIE JACOBSON
JASON G. JEANPIERRE
JUSTIN W. JENNINGS
AMEIAN JEREMIAH
SCOTT T. JOHNS
CALE W. JOHNSON
DEVINE JOHNSON
JOSHUA M. JOHNSON
BRETT L. JONES
JACOB A. JONES
SCOTT A. JONES
TIMOTHY B. JONES
RICHARD S. KADLICK
JEFFERY A. KAHN
NATHAN D. KAHN
VINCENT A. KAHNKE
JOSEPH T. KARAFFA
MICHAEL G. KEATING
RYAN M. KEHOE
JAMIE A. KELLY
LANCE K. KELLY
CHRISTI N. KENNEDY
MARCUS A. KEPHART
PATRICK N. KILCREASE
SI H. KIM
RYAN M. KING
JOHN A. KIRSCHKE III
COMER T. KNIGHT
JASON D. KNOX
KYLE D. KOBOLD
BENJAMIN C. KOHLMANN
DOUGLAS R. KRAMER
DANIEL J. KRAUSE
KEVIN P. KREUTZ
JOSHUA M. KRIEG
JOSHUA D. KRISTENSON
PHILLIP R. KRITES
STEVEN N. KUEHN
STEVEN H. KUKLA
ERIN M. KURZ
LUKIN C. LAIN
JONATHON G. LANCE
WRENN E. LANDERS
PETER D. LANGLEY
EVAN A. LARSEN
TRAVIS A. LARSON
CHARLES A. LARWOOD III
CONOR P. LATHAM
ANDREW B. LEATHERWOOD
CHESTER LEE III
DONALD E. LEE II
JON D. LEE
KEVIN O. LEIVA
TIMOTHY A. LEONARDI
ERIC V. LEONHARDI
JACOB A. LERNER
PETER E. LESACA
PATRICK M. LESLIE
JEFFREY J. LESSARD
MATTHEW D. LETCHER
KRISTEN N. LEVASSEUR
KORI L. LEVYMINZIE
JAMES J. LIGHT
MICHAEL A. LILLEBERG
JENNIFER C. LIPSCOMB
CARL S. LIPTAK
BRYAN R. LITTIN
THOMAS G. LITWIN
SEAN J. LOCKE
LACY N. LODMELL
ISAAC R. LONG
JONATHAN E. LONG
CHRISTOPHER J. LONGABAUGH
JUSTIN W. LONGO
JESSE D. LORENZEN
JASON D. LORIZ
NICHOLAS J. LUNSFORD
JOSHUA L. LUSK
CODY C. LUTKE
MICHAEL R. LYLE
MICHAEL J. LYNCH
JOHN D. MACK
ERIC J. MADONIA
NICHOLAS C. MADREN
CHLOE D. MAILER
DAWN T. MAKOWSKY
JOHNPAUL S. MANTONE
HECTOR MARIN
MICHAEL R. MARKS
PRESTON S. MARSHALL
PATRICK R. MARTIN
JOEL P. MARTINEZ
DANIEL M. MARZLUFF
ANDREW J. MASCOTTI
JOHN K. MASTRIANI
JOHN R. MATEIKAT
ADAM M. MATTHEWS
JOSHUA C. MATTINGLY
MICHAEL R. MAZZONE
DUSTIN R. MCCALLISTER
THOMAS D. MCCANDLESS IV
BRYAN R. MCCARTHY
JOHN P. MCCARTHY
JONATHAN I. MCCARVER
LINDA H. MCCAULEY
DARREN D. MCCORMICK
MATTHEW A. MCCORMICK
JOSHUA Q. MCCRIGHT
MATTHEW J. MCCULLOUGH
CHRISTOPHER G. MCCURRY
JAMEEL MCDANIEL
KYLE O. MCDANIEL
MICHAEL R. MCDONALD
CHRIS S. MCELROY
JOSEPH L. MCGETTIGAN
SEAN P. MCGLADE
MICHAEL S. MCGUIRE
PATRICK F. MCINERNEY
PETER A. MCKEEVER
PATRICK L. MCKELVEY
DAVID J. MCLAUGHLIN
MICHAEL P. MCLAUGHLIN
JEFFREY J. MCLEAN
ALEXANDER M. MCMAHON
MICHAEL T. MCMAHON
MEGAN A. MCWILLIAMS
GILLIAN L. MEDINA
JOHN W. MEISE
TIMOTHY J. METCALF
WILLIAM T. MIANTE
CHRISTOPHER M. MILLER
ERNEST L. MILLER III
MICHAEL S. MILLER
STEPHEN P. MILLOWAY
COLLEEN M. MINIHAN
JAMES M. MISSLER, JR.
DANIEL E. MITZNER
JONATHAN L. MOCKER
KEVIN M. MOELLER
MATTHEW C. MOESER
BRADLEY M. MONGER
MICHAEL R. MONTOYA
ALLISON L. MOON
JONATHAN D. MOONEYHAM
COLLEEN E. MOORE
THOMAS C. MOORE
FRANK J. MORALES
MELISSA A. A. MORAVAN
JOSHUA D. MORGAN
LARRY P. MORGAN
JASON P. MORTIMER
MATTHEW A. MRAVLJA
NOELLE R. MURPHY
ADAM C. MURRELL
JAMES C. MUSE
MICHAEL J. MYERS
KRISTOPHER J. NASTRO
ROBERT J. NEFF
BRENDAN O. NEGLE
BENJAMIN E. NEHRKE
JASON A. NELSON
ROBERT A. NEUERMAN
STEPHEN T. NEUMAN
BRIAN J. NEWGREN
SHAWN T. NEWMAN
WENDY S. NG
THANH T. NGUYEN, JR.
DAVID A. NICHOLS
KEITH S. NIELSEN
SHELBY M. NIKITIN
ERIK A. NYHEIM
JOSHUA D. OAKES
PATRICK J. OBRIEN
KRISTEL A. OCANAS
AARON M. OCHALEK
TOD F. OCONNELL
RYAN J. OGDEN
NATHANIEL I. OKELLY
STACEY L. ONEAL
NATHAN T. ONEIL
BRENDAN ONEILL
FRANK J. ORSINO
MARK A. OSWALT
ANNIE J. OTTEN
ERIC C. OVIATT
JOSEPH S. OWMBY III
JONATHAN D. PADGETT
GREG A. PAGE
WALTER J. PAK
MICHAEL R. PANGRAC
SAINATH P. PANJETI
STEVEN C. PARENTE
JEREMY J. PARM
ISAAC M. PELT
GARY L. PEMBLETON
JAYSON PEREZ
JOHN C. PERKINS
DANIEL W. PERSON
BRYAN A. PETERSON
KELSEY C. PETERSON III
SAMUEL P. A. PETERSON
STEPHEN R. PETRES
MICHAEL W. PFEIFFER
MATTHEW C. PIASECKI
ANTHONY J. POLO
MATTHEW B. POWELL
RICHARD J. PRESCOTT
ANDREW J. PRITCHETT
BRAD D. PRYOR
MICHAEL P. QUARG
JON B. QUIMBY
COLIN J. QUIRINO
ALEX S. RAFAL
JOSHUA N. RAGADIO

ROBERT RAMIREZ III
STEPHEN J. RAULLI
JENNA K. RAUNIG
RICHARD S. RAVENDO
CASSIDI A. REESE
MATTHEW M. REHBERG
DAVID P. REHNBERG
JOHN R. REINER
BRIAN G. REIZISS
JESSICA N. RENON
ERNIE REYES
FERNANDO R. REYES
MATTHEW B. RHODES
CHRISTOPHER M. RIALS
CHRISTIAN P. RICHER
GLENN D. RICHESON
LOGAN T. RIDLEY
EDWARD Z. RIENDEAU
LOUIE RIVERA
ANTONIO RIZIO
ERIK S. ROBERTS
JAMES A. ROBERTS
JOSEPH A. ROBERTS
BRANT J. ROBINSON
TIMOTHY E. ROGERS
ALERON B. ROGNLIE
SUMNER J. ROLLINGS, JR.
DANIEL D. ROPP
MICHAEL G. ROSS
SAMUEL J. ROTH
BOBBY J. ROWDEN
MICHAEL D. RYAN
JONATHAN L. SABURN
NICHOLAS E. SAFLUND
ANTONIO L. SAMUEL
THOMAS SANECKI
MATTHEW H. SASS
DESTINY N. SAVAGE
MICHAEL A. SAYLOR
GRAHAM C. SCARBRO
CRYSTAL L. SCHAEFER
KEVIN M. SCHAEFFER
JONATHAN P. SCHERMERHORN
CARLSON E. SCHINDLER
RICHARD G. SCHMIDT
BRADLEY V. SCHOULTZ
DUSTIN A. SCHRAUD
GORDON M. SCHRIVER
ANDREW J. SCHWENKHOFF
KEITH E. SCOTT
JOSHUA D. SEAMOUNT
BENJAMIN L. SEBEK
BRETT R. SEELEY
CHRISTOPHER V. SEIVERS
ERNIQUE L. SESLER
CAROLINE A. SEVERSON
WILLIAM R. SHERIDAN II
ERIN E. SHERRY
MATTHEW L. SHETLER
KEVIN K. SHIKUMA
MICHAEL M. SHORT
WILLIAM J. SHULTZ IV
PETER J. SILVA, JR.
ANDREW SIMMONS
STEPHANIE M. SIMONI
ROSS W. SIMPSON
JORDON C. SIMS
RHEANNA M. SINNETT
JARED L. SLABICKI
JOHN T. SLAGLE
LESLIE A. SLOOTMAKER
DANIEL W. SMITH
JOHN C. SMITH
KELLIE J. SMITH
MARLIN R. SMITH III
MICHAEL R. SMITH
TYLER Y. SMITH
JOSEPH W. SNYDER
LAURIE A. SOLBERG
PHILIP D. SOSEBEE
SCOTT C. SOUTH
CHARLES C. SPIVEY III
JAMES M. STACHURA
SCOTT B. STAFFORD
MATTHEW G. STARR
JAMES B. STAUFFER
CHARLES E. STEELE II
MICHAEL T. STEFFENS
RONALD M. STEHLIN II
SHAUN M. STEINBARGER
CHRISTOPHER J. STEVENS
ERIC F. STILES
ROBERT T. STINSON
MICHAEL A. STOCK
MANUEL B. STRANGE
ANTHONY G. STRANGES
SCOTT A. STRATMAN
JARED J. STROUT
ERIK P. STRZEMPKA
AARON M. STUTZMAN
JAMES SULLEN, JR.
SEAN M. SUNDEY
JEFFREY R. SWEITZER
MICHAEL A. SWYERS
KARI A. SZEWCZYK
DENNIS A. SZPARA
ALLISON W. TASSO
PATRICK E. TEMBREULL
KARI J. TEREICK
MICHAEL R. THERIOT
EMILE D. THERRIEN
MATTHEW C. THIEN
JOHN L. THIESSEN
DREW F. THOMAS
JARED B. THOMAS
JOSHUA C. THOMPSON
JAMES D. THORNTON
TIMOTHY J. THURSTON
ADAM S. TISDALL
MICHAEL J. TOZZI
GREGORY J. TRACH
TODD M. TRAGO
TIN T. TRAN
DAVID N. TRENHOLM
ERIC D. TURNER
JOSEPH S. TURNER
KEITH T. TURNER
SHAUN S. TURNER
STEPHEN M. VALERIO
VALERIE K. VANHO
JAMES S. VANNEST
KENNETH W. VAUGHN
THEODORE J. VERMEYCHUK
ANDREW J. VINCENT
DAVID R. VOGELGESANG
MATTHEW P. VOSS
JACOB N. VRBAS
BRENT C. WADSWORTH
CHAD C. WALKER
JONATHAN N. WALLACE
MATTHEW P. WALSH
TIMOTHY P. WALSH
BRYAN T. WALTHERS
CHARLES E. WALTMAN II
TRAVIS E. WANDELL
JEFFREY A. WARE
BRYAN P. WATSON
JEFFREY M. WEBB
MICHAEL R. WEBB
PATRICK A. WEED
GERALD V. WEERS
MICHAEL J. WELGAN
SCOTT E. WELLES
JOSHUA B. WELLS
JAMES V. WELSCH III
JAMES M. WENDLER
ELIOT A. WESTON
SAMUEL WHEELER
ALFONZA O. WHITE
THOMAS W. WHITE
CHRISTOPHER K. WHITEHOUSE
JASON D. WHITEMAN
ROBERT W. WHITMORE
BRETT A. WHORLEY
DANIEL T. WICKERSHAM
HENRY J. WICKS
JARED M. WILHELM
JULIEANNE K. WILKENING
JAMES M. WILLETTE
BRETT M. WILLIAMS
JOSHUA A. WILLITS
DANIEL M. WILTFANG
DAVID L. WILTSHIRE
MICHAEL L. WINDHAM
ERIC WINN
BRAD D. WOHLENHAUS
BRYAN T. WOLFE
YANCY M. WOODARD
BRANDEN K. WOODS
DUSTIN R. WORLEY
TIMOTHY V. WRITER
MARVIN L. WYNN II
ANDREW W. WYRICK
JAMES A. YACH
WESLEY W. YANCEY
ADAM D. YATES
JASSEN E. YATES
MICHAEL D. YEAGER
KEVIN R. S. YOST
KEITH D. YULL
JOHN M. ZAHODNE
ADAM I. ZAKER
AMANDA H. ZAWORA
NICHOLAS J. ZIMMERMAN
DAVID C. ZINKHON
GEORGE S. ZINTAK

CONFIRMATION

Executive nomination confirmed by the Senate July 25, 2013:

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSOCIATE ATTORNEY GENERAL.

EXTENSIONS OF REMARKS

RECOGNIZING SYSMEX AMERICA FOR ITS CONTINUED INNOVATION, COMMITMENT TO QUALITY AND POSITIVE IMPACT IN THE COMMUNITY

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to congratulate Sysmex America on the opening of its latest research and development laboratory, and to honor their contributions to global health care.

Headquartered in Lincolnshire, IL, Sysmex America distributes diagnostic analyzers, reagents and information systems all across North and South America, helping countless laboratories provide better services and countless patients receive better care.

Health care is increasingly dependent on new, innovative technologies, and Sysmex America is on the cutting edge of research and development. The opening of this new facility will only add to their capabilities and long-term success.

Illinois's Tenth Congressional District has a rich tradition of innovation in health care and manufacturing, and Sysmex America perfectly embodies the contribution of both industries, building some of the finest medical technology and information systems in the world.

With such dedication to core values like innovation, teamwork, unmatched quality and the advancement of health care, Sysmex America demonstrates remarkable responsibility not only to their clients and shareholders, but also to the community as a whole.

Mr. Speaker, our Tenth District is home to a number of excellent corporate citizens, and each enriches the community in its own way. I am proud of the companies that make our community strong, and I am honored that Sysmex America calls our district home. I congratulate them once again on the opening of this remarkable new lab, and I look forward to following their future innovations and success.

A TRIBUTE TO HONOR THE LIFE OF CARLA ANDERSON

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of an extraordinary woman, Carla Anderson, who passed away on July 23, 2013, in Bismarck, North Dakota.

Carla Anderson was born on September 15, 1960, to Donald and Cecelia Albers in Bismarck. She never lost her love for her home town of Center, North Dakota and her rural America roots. For the past eight years, Carla served as Deputy Executive Director of the Next Generation (NG) 9–1–1 Institute, a not-for-profit organization that works with the Congressional NextGen 9–1–1 Caucus to promote the deployment of advanced and effective NG 9–1–1 services across the nation.

Throughout the years, Carla worked tirelessly to help the Caucus raise awareness of 9–1–1, develop and pass legislation to support the transition to NG 9–1–1, and make 9–1–1 a national priority. No one in our country did more to promote 9–1–1 education. Carla was instrumental in creating a coalition of national public safety and industry organizations to come together to promote 9–1–1 education.

Carla's dedication and enthusiasm to advance 9–1–1 and promote public safety was unmatched. Her impact has been felt not only throughout the United States, but internationally as well. Her smile and positive demeanor brought cheer and enthusiasm to everyone she touched and she will be missed by all those who have had the privilege of working with her. The 9–1–1 community has lost one of its greatest and most prominent champions.

Carla will forever be remembered as a devoted wife to her husband Tracy Anderson and extraordinary mother to their two beautiful sons, Brandon and Andrew. Her memory will always be cherished by her parents and bring joy to her siblings Kurt Albers, Scott Albers, Jeff Albers and Karen Thomas.

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Carla Anderson. As Co-Chair of the Congressional NextGen 9–1–1 Caucus, I'm very proud and grateful to have had the opportunity to know and work with Carla. She took on every cause with a passion—whether it was cheering on the Center Wildcats basketball team, volunteering as the community photographer, or leading the charge on 9–1–1 education. Her untimely death is a loss not only for her family but to the entire Congress, the public safety community and our nation.

AMENDMENT NO. 77 TO H.R. 2397, FY14 DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

HON. JIM BRIDENSTINE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. BRIDENSTINE. Mr. Speaker, the House passed H.R. 2397, Fiscal Year 2014 Department of Defense Appropriations Act on July 24, 2013. My amendment, made in order as Amendment #77, was adopted by the House in En Bloc package number one offered by Mr. YOUNG of Florida. I want to be clear about the intent of this amendment. The amendment reduces the Defense-wide Operations and Maintenance account by $11 million and reallocates $10 million split evenly between Army and Air National O&M accounts for National Guard State Partnership Program (SPP) activities. Specifically, this amendment would reduce the lowest priority internal media activities within the Defense Media Activity (DMA) Operations and Maintenance account. The Department should not apply this reduction to DMA overseas media activities. My intent is that the increases in Army and Air National Guard O&M accounts specifically fund the National Guard State Partnership Program.

I would like to thank my colleagues, Ms. BORDALLO and Mr. WILSON, for co-sponsoring this amendment. These two members are champions of the National Guard and its security cooperation programs. The BORDALLO-WILSON bill, H.R. 641, codified SPP in statue and became Section 1204 of this year's House–passed National Defense Authorization Act.

The State Partnership Program is a vital component of the DOD's security cooperation mission. In contrast, Defense Media Activity includes numerous "nice to have" activities such as the Pentagon Channel and all of those glossy brochures that fill our in–boxes during budget season. This very modest funding readjustment signals Congress's commitment to fully leveraging SPP as a security cooperation tool. SPP is particularly important given the budget cuts to active duty deployed forces that will be less able to fulfill these requirements.

SPP is a DOD security cooperation program run by the National Guard that links state and territorial National Guards to military and civilian personnel in 70 partner nations. Almost every state and territory participates in SPP. In my state of Oklahoma, our National Guard has developed a robust relationship with Azerbaijan, a country increasingly important to energy security in Europe and Israel.

Unlike some security cooperation programs, SPP is not a "talking shop" where nothing of substance takes place. Typical SPP missions include:

1. Subject matter expert exchanges
2. Demonstration and training of certain capabilities and technologies
3. Senior leader visits; and
4. Mentor and liaison teams in which National Guardsmen actually embed with partner personnel on operations.

In times of budget cuts and sequestration, regional combatant commanders will reduce active duty participation in theater security cooperation activities. SPP can help plug this hole in support of joint COCOM and Chief of Mission objectives. No activities can occur without the joint approval of the COCOM and Chief of Mission. The types of activities eligible for funding are limited to those within the National Guard's core competencies.

By using the National Guard, SPP adds value in ways that, frankly, active duty forces cannot match. SPP brings three unique attributes to the table. First, SPP creates enduring relationships between particular individuals over the course of careers. Some National Guard and foreign military personnel have literally been training with each other for over two decades. As a Navy pilot, I can tell you that trust is indispensable in terms of fighting shoulder-to-shoulder with allied forces. Trust is built through constantly engaging with our allies and friends.

Second, the National Guard's dual–status gives it expertise in certain operations that partner nations must execute regularly. Our National Guardsmen are experts in disaster relief, border security, search and rescue, and civil disorder operations, among other operations. Finally, SPP brings our states and territories into security cooperation and provide conduits for developing non-security relationships such as strengthening economic or educational exchanges.

Mr. Speaker, I'm proud of the work the Oklahoma National Guard has done working with Azerbaijan. My amendment is a modest step toward properly funding this vital program.

RECOGNIZING THE 50TH WEDDING ANNIVERSARY OF BOBBY & SHIRLEY STALLINGS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I rise today to congratulate dear friends and neighbors of mine, Bobby and Shirley Stallings, and celebrate with them on a very special occasion. On June 20, 2013, Bobby and Shirley celebrated their 50th wedding anniversary.

Bobby and Shirley were married on June 20, 1963, by Chaplain Jolly at McCoy Air Force Base in Central Florida. They spent the beginning of their marriage in Salina, Kansas on Schilling Air Force Base where Bobby was stationed working on Atlas missiles in underground silos. While stationed in Kansas, Shirley went back to high school to earn her diploma and worked part time. Upon the completion of his service in the U.S. Air Force, Bobby went to work at Kennedy Space Center for North American Rockwell until 1969 when Mission Apollo 11 landed the first humans on the moon. Saving every penny possible in order to start their first business, Bobby and Shirley opened a child care center to help educate and prepare children for the future.

Bobby and Shirley have been abundantly blessed with a wonderful family and many friends. They are the parents of a son and daughter, and grandparents of two granddaughters. In addition, Bobby and Shirley remain in touch with many of the children they provided care for at their child care center.

Their dedicated service to their community and country is to be admired. I would like to congratulate them both for all of their accomplishments during their marriage, and in particular, thank them for all the sacrifices made while Bobby served in our nation's military.

Marriage and strong families are indispensable contributors to the prosperity of our nation. On behalf of the people of Central Florida, I am honored to recognize Bobby and Shirley for their testament of loyalty and faithfulness to one another and their family. I offer my sincerest congratulations to them for 50 years of marriage, and may God continue to bless them and their family in the years to come.

PERSONAL EXPLANATION

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mrs. BUSTOS. Mr. Speaker, on the Legislative Day of July 24, 2013, a series of votes was held. Had I been present for these roll call votes, I would have cast the following votes:

rollcall 399–I vote "nay."
rollcall 400–I vote "no."
rollcall 401–I vote "no."
rollcall 402–I vote "no."
rollcall 403–I vote "no"
rollcall 404–I vote "no."
rollcall 405–I vote "no."
rollcall 406–I vote "aye."
rollcall 407–I vote "aye."
rollcall 408–I vote "aye."
rollcall 409–I vote "aye."
rollcall 410–I vote "no."
rollcall 411–I vote "aye."
rollcall 412–I vote "no."
rollcall 413–I vote "aye."
rollcall 414–I vote "yea."

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. YOUNG of Florida. Madam Chair, I'd like to use my time to say thank you to the House and all of the Members who participated in some vigorous debate, for having conducted the affairs of the House in a most professional way, proving to our constituents that we can work things out and that we can work together.

I just want to say thank you to my colleague from Indiana Mr. VISCLOSKY, who is handling the minority leadership on this bill for the first time. I think he deserves a lot of credit and a lot of applause for the good job that he did in keeping this schedule on track.

PETER, thank you very much.

While it seems a long time ago, it was only Monday night that we finally received the 100 amendments that would be filed and considered during the debate. We had to analyze those amendments by Tuesday—yesterday—so that we could begin the debate on this bill. Our staff did an outstanding job in working late into the night Monday night analyzing these amendments so that we could consider where we would be on those amendments.

Our staff is led by Tom McLemore as staff director and Paul Juola in a similar position for Mr. Visclosky. The other members of the staff are Becky Leggieri, Brooke Boyer, Ann Reese, Megan Rosenbusch, Tim Prince, Walter Hearne, B.G. Wright, Paul Terry, Maureen Holohan, Jennifer Miller, Adrienne Ramsay, and Sherry Young. They are a most professional staff and it is hard to find any better team of staff members than those that I just mentioned.

Finally, I want to thank my good friend and strong supporter, the gentleman from New Jersey, Mr. FRELINGHUYSEN, for all his help during the process of managing our bill this week. His dedication to the subcommittee is invaluable, and I sincerely appreciate his friendship and his assistance in managing the bill. Similarly, I would like to thank the gentleman from California, Mr. CALVERT, and the gentleman from Arkansas, Mr. WOMACK, for their assistance in this process. I have said on more than one occasion that we have a great group of members on our subcommittee who are dedicated to providing for the needs of our national security and for the men and women who wear the uniform in defense our freedom. The special efforts this week of the members of our subcommittee, and in particular the members I mentioned are clear proof of that.

NORTH CAROLINA STATE REPRESENTATIVE JERRY CHARLES DOCKHAM

HONORABLE RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. HUDSON. Mr. Speaker, North Carolina state representative Jerry Dockham has been a public servant of Davidson County for 23 years. Appointed to the North Carolina House of Representatives in 1990, Representative Dockham was continuously elected to serve 12.5 terms to represent the 80th District in the NC House.

A business graduate of Wake Forest University, Jerry operated an insurance company in his hometown of Denton, North Carolina for 38 years.

During his time in the North Carolina House, Jerry served as Chairman of the Committee on Insurance, Vice-Chairman of the Committee on Banking and a member of the Appropriations Subcommittee on Transportation, Commerce and Job Development. Representative Dockham was consistently ranked in the top 10% of House legislators by the North Carolina Free Enterprise Foundation. He has received numerous awards, such as, 'Legislator of the Year' by the North Carolina Society of Anesthesiologists and the 'Emergency Medicine Advocate of the Year Award' by the North Carolina College of Emergency Physicians.

The husband of a teacher assistant, Representative Dockham has served on the Davidson County Community College Board of Trustees for 26 years. Jerry is an active member of his community, serving as a member of the Thomasville Chamber of Commerce and a member of the Denton Lions Club. He and his wife, Louise, are the proud parents of Andy and Matthew.

In his farewell speech on the floor of the North Carolina House, Representative Dockham left his colleagues with these words of advice: "I would just leave you with two requests. First of all, always honor this chamber. Always honor the House of Representatives and what it stands for. This is the People's House. And secondly, I would ask you this: always be kind to each other. We're down here,

we're away from home, we're away from our family and we deserve to be kind to each other. Whether you agree or disagree with someone, it doesn't cost anything to be kind to that person.''

Mr. Speaker, I rise to call his extraordinary service and devotion to North Carolina to the attention of my colleagues and other readers of the RECORD.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. WITTMAN. Mr. Speaker on July 24, 2013, I missed rollcall vote No. 408. Had I been present, I would have voted ''nay''.

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. RYAN of Ohio. Mr. Speaker, on Tuesday, July 23, 2013, I inadvertently voted ''no'' on roll No. 394—An amendment to H.R. 2397—the Department of Defense, offered by Mr. FLORES, numbered 41 printed in House Report 113–170 to prohibit any funds from being used to enforce the selective fuel bans set forth in Sec. 526 of the Energy Independence and Security Act of 2007.

IN RECOGNITION OF THE NATION'S FIRST BALE OF COTTON

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. VELA. Mr. Speaker, I rise today to recognize this country's first bale of cotton in 2013, which was delivered by the Rodriguez Brothers' Farm at 2:15 p.m. on Friday, June 21, 2013, to the La Feria Co-Op Gin. The cotton with seeds weighed 1,920 pounds.

Cotton is an important agricultural commodity to South Texas. Last year, in the 34th Congressional District of Texas, which is anchored in Cameron County, 217,106 bales of cotton were produced, worth an estimated $72,500,000.

The first bale, once ginned, will be delivered to the Harlingen Area Chamber of Commerce.

The First Bale contest dates back to the 1800's when producers were required to deliver their first bale of the growing season to Houston for certification. In 1953, the Harlingen Cotton Committee was authorized by the Houston Stock Exchange to hold the contest in Harlingen each year.

The Harlingen Cotton Committee of the Harlingen Area Chamber of Commerce has certified the nation's first bale of cotton for the past 60 years.

Mr. Speaker, I appreciate having this opportunity to honor the first bale of cotton in the nation. This annual competition continues to highlight the importance of South Texas in our country's agricultural industry.

URGING THE RELEASE OF U.S. MARINE CORPORAL ARMANDO TORRES

HON. JIM BRIDENSTINE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. BRIDENSTINE. Mr. Speaker, the recent news of the kidnapping of a U.S. Marine Corporal Armando Torres in Mexico is an incredibly tragic story. Corporal Torres was kidnapped on May 14, 2013 while visiting his father's ranch in La Barranca, Tamaulipas, Mexico just across from the U.S. border. The Torres family believes the ranch was the target of drug cartels as transshipment for drugs. I strongly urge those holding Corporal Torres to release him immediately.

As a Navy pilot with combat tours in Iraq and Afghanistan, I believe that Congress must send a message to our government and Mexico's government that we do not turn our backs on our men and women in uniform. I urge the U.S. State Department to prioritize securing the release of Corporal Torres in terms of our foreign policy with Mexico. As a member of Congress, I will do everything in my power to bring attention to Corporal Torres's kidnapping.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. RYAN of Wisconsin. Madam Chair, I want to thank Representative AMASH for offering this amendment to the Department of Defense Appropriations Act for 2014. We now know that the National Security Agency (NSA) is keeping a phone log of all calls made in the U.S. This issue merits heightened congressional scrutiny. We need to strike a balance between our efforts to prevent terrorist attacks and our protection of civil liberties. The committees with jurisdiction are conducting a thorough review—as they should. I look forward to hearing their recommendations.

That said, rewriting laws—especially one that NSA Director Gen. Keith Alexander says is vital to our safety—is not within the scope of the appropriations process. I welcome further discussion about the scope and intent of the PATRIOT Act, and look forward to working with my colleagues to ensure that the law is not overly broad. So though I commend Mr. AMASH for raising this issue, I must respectfully vote against his amendment.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Ms. JACKSON LEE. Madam Chair, I thank the gentleman for yielding and wish to express my appreciation to Defense Appropriations Subcommittee Chairman YOUNG and Ranking Member VISCLOSKY for their skillful leadership in shepherding H.R. 2397, the Defense Appropriations Act for FY2014, to the floor.

This body has no greater obligation than to ensure that our men and women in uniform, and those civilians who support them, have the resources needed to keep our country safe. I want to thank the Chairman and Ranking Member for crafting a bill that keeps faith with our obligation to those who risk their lives to protect our freedoms.

Madam Chair, let me also express my appreciation to my friend and colleague, Congressman AMASH, and to Congressman CONYERS, the gentleman from Michigan and the Ranking Member of Judiciary Committee, for their good and hard work in fashioning the bipartisan amendment before us. Their work on the Amash-Conyers amendment is an example of what can be accomplished when members put aside partisanship and work across the aisle in an effort to come up with workable solutions to serious problems.

Madam Chair, the Amash-Conyers Amendment to H.R. 2397 prohibits the use of appropriated funds execute any order issued by the Foreign Intelligence Surveillance Court (FISA Court) that does not include the following sentence:

> This Order limits the collection of any tangible things (including telephone numbers dialed, telephone numbers of incoming calls, and the duration of calls) that may be authorized to be collected pursuant to this Order to those tangible things that pertain to a person who is the subject of an investigation described in 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).

The Amash-Conyers Amendment was prompted by the recent unauthorized disclosures regarding the National Security Agency's collection from Verizon of the phone records of all of its American customers, which was authorized by the FISA Court pursuant to Section 215 of the Patriot Act.

Public reaction to the news of this massive and secret data gathering operation was swift and negative. There was justifiable concern on the part of the public and a large percentage of the Members of this body that the extent and scale of this NSA data collection operation, which exceeded by orders of magnitude anything previously authorized or contemplated, may constitute an unwarranted invasion of privacy and threat to the civil liberties of American citizens.

To quell the growing controversy, the Director of National Intelligence declassified and released limited information about this program.

According to the DNI, the program does not allow the Government to listen in on anyone's phone calls. Nor does the information acquired include the content of any communications or the identity of any subscriber.

The DNI stated that "the only type of information acquired under the Court's order is telephony metadata, such as telephone numbers dialed and length of calls." The DNI stated that the data collection was "broad in scope because more narrow collection would limit our ability to screen for and identify terrorism-related communications. Acquiring this information allows us to make connections related to terrorist activities over time."

As a senior member of the Judiciary Committee, I have long been committed to safeguarding and protecting the constitutional rights and civil liberties of all Americans. Indeed, in 2001 I voted against the Patriot Act on the House floor because I was concerned that it did not contain sufficient protections to safeguard civil liberties, after it was rewritten from the bipartisan committee product that had strong civil liberties' protections.

I am also a charter member of the Homeland Security Committee, which is charged with the indispenable role of providing direction, guidance, and oversight to the Department of Homeland Security so that it fulfills its mission of keeping the homeland safe. So I am very familiar and sensitive to the inherent tensions between liberty and security.

I believe the questions raised by supporters of the Amash/Conyers Amendment about the NSA metadata program are legitimate, particularly the question whether there are sufficient protections for Americans' civil liberties. On the other hand, I am concerned that the amendment would also have the effect of precluding the use of section 501 to obtain an individual order for any business record (not just telephone data) about a person associated with someone who is the subject of an authorized investigation because of the defunding.

Madam Chair, striking the appropriate balance between the competing interests of national security and civil liberties requires thoughtful and careful deliberation. I believe that decisions of this scope and moment should be made in the regular legislative process where they are first vetted by the committees of jurisdiction which have the resources and expertise to examine the issues carefully, debate them fully, and to compile a legislative record that will enable the House to render a wise and informed judgment.

Because a funds limitation provision on an appropriations bill is poorly suited for this purpose, I do not support the Amash/Conyers Amendment. In contrast, I support and am an original co-sponsor of H.R. 2399, the "Limiting Internet and Blanket Electronic Review of Telecommunications and Email Act of 2013" ("LIBERT-E" Act"), introduced by Congressmen CONYERS and AMASH and look forward to working with them and Chairman GOODLATTE to ensure that this legislation is considered under regular order by the Judiciary Committee.

Similarly, I look forward to working with my colleagues on the Judiciary Committee to hold hearings, markup, and report favorably to the House H.R. 2440, the "FISA Court in the Sunshine Act of 2013," bipartisan legislation I introduced last month that will bring much needed transparency without compromising national security to the decisions, orders, and opinions of the Foreign Intelligence Surveillance Court or "FISA Court." Specifically, my legislation, which is the House counterpart to bipartisan companion bill introduced in the Senate:

requires the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court (FISC), allowing Americans to know how broad of a legal authority the government is claiming under the PATRIOT ACT and Foreign Intelligence Surveillance Act to conduct the surveillance needed to keep Americans safe;

addresses national security concerns by providing that if a decision of the FISA Court cannot be declassified without undermining national security interest, then the Attorney General shall disclose a summary of the opinion;

provides that if the Attorney General determines that even a summary of opinion would endanger national security interests, the Attorney General shall to provide a report to Congress describing the process to be implemented to declassify FISA Court opinions; and

requires the Attorney General to provide an estimate of the number of opinions that will be declassified and the number that are expected to be withheld because of national security concerns.

Madam Chair, it is critically important that legislation adopted by the House strike the proper balance between national security interests and protection of civil rights and liberties and the public's right to know. My legislation H.R. 2440, the "FISA Court in the Sunshine Act of 2013," strikes the proper balance.

More important, by considering this legislation in regular order instead of during the truncated and expedited proceeding that is a funding limitation amendment to an appropriations bill, the danger of making an incorrect decision can be avoided and the likelihood of reaching an informed and carefully calibrated decision that will enjoy the support of a majority of the Congress and the public will be increased substantially.

For these reasons, Madam Chair, I must reluctantly oppose the Amash-Conyers Amendment and urge my colleagues to do likewise.

STUDENT SUCCESS ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes:

Ms. MCCOLLUM. Mr. Chair, I rise today in strong opposition to the partisan House Republican plan to destroy and dismantle the Elementary and Secondary Education Act (ESEA). Simply, this bill, H.R. 5, abandons our national commitment to equity in education for all K–12 students.

For decades, Members of Congress—on both sides of the aisle—had supported the need for targeted resources designed to help our nation's disadvantaged students and close achievement gaps. But unfortunately, House Republicans have decided to turn their backs on our most vulnerable students in this bill. They are gutting education funding. They are removing protections for students with disabilities. They are making it easier to divert money away from poor and minority students. The Republican bill abandons the children who need us the most.

There is no doubt that the current law under No Child Left Behind is in need of serious reform. I voted against No Child Left Behind in 2001 and I know Minnesota schools, educators, and parents have had problems with it from the beginning.

Today I do stand in strong support of the Democratic alternative. It repeals the inflexible Adequate Yearly Progress requirements and replaces them with a focus on student growth and preparation. It includes policies to ensure that all students have a well-rounded education including science, the arts, and languages. It supports innovations in education with investments in educational research and technology, high-quality charter schools, and comprehensive school plans to reduce bullying and keep all students safe.

Our families, our educators, and our communities deserve K–12 education legislation that ensures all students have access to a world class education. Congress should be passing legislation that invests in our neighborhood schools, supports the development of effective teachers and principals, and helps students prepare for their future careers. I urge my colleagues to embrace real education reform by voting for the Democratic alternative and against the underlying bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. BLUMENAUER. Mr. Chair, I would like to thank my colleagues, Mr. PALAZZO and Mr. NUGENT, for their work on this important amendment.

Going forward, it is critical that we ensure our defense spending in no way disproportionally and unfairly impacts our Guard and Reserve, which this amendment would prevent.

America faces an unusual national defense crisis.

It's not that we are at risk of anyone surpassing our military might; America remains by far the most powerful nation on the planet.

The problem is that the way we invest in our military is not sustainable. The U.S. accounts for almost half of worldwide military spending, more than the next 14 countries combined.

We must find a way to maintain our strength, but spend less and smarter. This should be done by placing a greater emphasis on the role of our National Guard and Reserve to strengthen national readiness going forward.

The many Guard and Reserve deployments over the last decade have resulted in highly seasoned guardsmen with more skill and experience than we've ever seen.

We cannot allow Big Army, Air Force or Navy to push their sequestration-woes onto our citizen soldiers. Under sequestration, technicians are the only uniformed military personnel who are being furloughed. While we must continue working to replace the devastating sequester cuts for all affected, furloughing military technicians undermines our last decade of investment, which is imprudent and will cost us in the long run.

When it comes to keeping America safe in the midst of shrinking budgets, the National Guard is an investment with a very high return and should play a critical role in meeting the demands of our 21st century commitments.

I urge my colleagues to support this amendment.

IN RECOGNITION OF THE UNIVERSITY OF SCRANTON CELEBRATING ITS 125TH ANNIVERSARY DURING THE 2013–2014 ACADEMIC YEAR

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the University of Scranton and congratulate its leadership and students as the university celebrates its 125th academic anniversary. Founded in 1888, the University of Scranton will commemorate this remarkable achievement through various events throughout the 2013–2014 school year.

The University of Scranton was originally founded as Saint Thomas College by the most Reverend William G. O'Hara, D.D., the first Bishop of Scranton. In August 1888, the cornerstone was blessed by Bishop O'Hara, who sought to provide higher education for the Lackawanna Valley.

Prior to being administered by Jesuits, the university saw leadership by diocesan priests and seminarians, Xaverian Brothers, and the Christian Brothers, who changed the name of the school in 1938 from Saint Thomas College to the University of Scranton. In 1942, Reverend Coleman Nevils, S.J. led 19 Jesuits to administer the University of Scranton, an educational presence still felt today under Rev. Kevin P. Quinn S.J., who continues to grow the range of academic offerings and advanced degrees offered by the institution.

Through the years, the University of Scranton has gone from less than 1,000 local commuter students, to more than 6,000 students who come from all over northeastern Pennsylvania and beyond. The university's strategy and modern initiatives aimed at bettering lives and academics of its students are based on core Ignatian values, such as Cura Personalis (treating others, especially students, as individuals, just as God treats us), Magis (a relentless desire for excellence grounded in gratitude), and Rei Solicitudo (a commitment to careful stewardship of the resources entrusted to our care).

In recognition of the University of Scranton's storied success, it will celebrate the 125th anniversary of the blessing of the original cornerstone with a mass and luncheon on August 12. The university is a gem in my district, and I offer my congratulations to the faculty, staff, administration, students and alumni on this momentous occasion.

RECOGNIZING DREAM IT. DO IT.

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. TERRY. Mr. Speaker, I rise today to recognize Dream It. Do It., Nebraska's new partnership with my alma mater, Omaha Northwest High School.

The Dream It. Do It. Initiative partners manufacturers with local schools and community organizations to promote manufacturing and educate students on careers in an industry that supports one in six jobs in the United States. According to the National Association of Manufacturers, the manufacturing industry employs nearly 10 percent of the workforce in Nebraska with annual average salaries of $53,831. That's $14,000 higher than other non-farm payrolls in my State. In addition to educating students on benefits of careers in manufacturing, Dream It. Do It. Nebraska helps students and their families understand the education paths necessary to obtain these jobs.

As Chairman of the Subcommittee on Commerce, Manufacturing and Trade of the House Energy and Commerce Committee, I have heard repeatedly from over 40 witnesses in our Nation of Builders hearings that there are a lot of manufacturing jobs available. I've heard this from some manufacturers in Omaha. The problem is that employers are finding there isn't a pool of potential employees with the necessary skills for these positions. Dream It. Do It. Nebraska makes sure that tomorrow's workers in my district have the education and skills required to fill these great, middle-class jobs. I am pleased that Dream It. Do It. Nebraska is working in my district to help prepare young people for these jobs.

With twenty-five programs nationwide, Dream It. Do It. is truly a grassroots program. Its grassroots nature allows local leaders to design programs to address the specific needs in their communities. Dream It. Do It. Nebraska is able to prepare Nebraska students for Nebraska jobs.

Mr. Speaker, please join me in congratulating Dream It. Do It. Nebraska and Omaha Northwest High School on their new partnership. I know that my Northwest Huskies and Dream It. Do It. Nebraska's partnership will benefit Nebraskans for years to come.

HONORING MISS CALIFORNIA 2013, CRYSTAL LEE

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. HONDA. Mr. Speaker, I rise today to honor Miss California 2013, Crystal Lee, who will be competing in the prestigious Miss America pageant this September.

A lifelong Bay Area resident, Crystal competed as Miss Silicon Valley against 60 other outstanding young women at the Miss California Pageant earlier this year. Through five phases of competition, including interview, physical fitness in swimsuit, evening wear, onstage question and talent, Crystal rose to the top. During preliminary competition nights, she even took top honors for her evening gown presentation and her ballet en pointe performance of "The Dying Swan." The latter should come as no surprise, since Crystal is an accomplished dancer who has been perfecting her technique for the last 13 years.

Winning the title of Miss California earned Crystal more than $14,000 in scholarships. Over her four years of competing in the Miss America program, including in 2008 when she was Miss California's Outstanding Teen, Crystal has earned more than $30,000 in scholarships. These awards were well spent, as Crystal graduated this past June from the venerable Stanford University. Proving that our Miss California has both beauty and brains, Crystal worked as a research assistant in the psychology, biology, virtual reality and drama departments and graduated with a Bachelor of Arts in Human Biology and a Master's Degree in Communications.

Crystal will put her Stanford education and Silicon Valley roots to good use through her Miss California platform Girls in S.T.E.M. (Science, Technology, Engineering and Math). She's been a steadfast advocate for women to study and choose careers in STEM after she experienced firsthand a gender imbalance in her own classes and multiple internships at male-dominated technology start-ups. She's worked hand-in-hand with the Girl Scouts of America to help young girls understand engineering principles and earn their technology badges.

With perseverance, hard work and a little luck, Crystal will be able to continue her STEM platform at the national level as Miss America. California is fortunate to have such a strong and successful young woman representing us. This year's Miss America pageant will take on special meaning when it returns to its birthplace in Atlantic City after seven years away and no doubt it will be a memorable experience for all the young women participating. However, there is one I'll be cheering for most. To Miss California 2013, Crystal Lee, I wish nothing but the best of luck in her pursuit of the Miss America crown.

CONGRATULATING DR. ERDAG GOKNAR

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate Dr. Erdag Goknar of Duke University in Durham, North Carolina for being honored by the National Endowment for the Arts, NEA, and awarded a 2014 NEA Literature Translation Fellowship.

Dr. Goknar serves at Duke University as an Assistant Professor of Turkish Studies and concentrates on late Ottoman and modern Turkish works. He also specializes in politics and cultural translation on works from the Middle East, including Islam and Sufism as well as secular modernity, identity, and gender issues. He is a published author on Turkish literary culture and has produced three complete translations of important Turkish books.

Dr. Goknar has an impressive list of national and international accomplishments, including receiving two Fulbright awards and the Dublin IMPAC literary award. He holds a PhD and Master's Degree from the University of Washington, Seattle.

Since 1981, the NEA has helped support the accessibility of priceless pieces of literature to all Americans by providing Literature Translation Fellowships to outstanding scholars to help translate those works into English. For 22 years the NEA has awarded 255 fellowships to help translate different pieces of literature in 62 languages from 78 countries. This year, after a rigorous review process, only 16 scholars are being awarded a total of $250,000 to translate works in 13 languages from 15 countries into English.

Mr. Speaker, I commend Dr. Goknar on his commitment and contributions to helping more Americans access important literary works through translation. In an increasingly globalized society, it is critical to understand those from other places and walks of life. Literature provides perspective and context into important cultural trends and ideals, so we must invest in learning all we can through works in other languages and from other places.

Mr. Speaker, I ask my colleagues to join me in honoring and congratulating Dr. Erdag Goknar and other 2014 NEA Literature Translation Fellowship recipients for their outstanding work and commitment to helping others access important pieces of literature.

RECOGNIZING MRS. ALLIE MUSE PEEBLES AS RALEIGH-APEX NAACP HUMANITARIAN OF THE YEAR

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate Mrs. Allie Muse Peebles on being selected to receive the Humanitarian of the Year Award by the Raleigh-Apex chapter of the National Association for the Advancement of Colored People, NAACP.

Mrs. Peebles has dedicated over twenty years of service to the Raleigh-Apex NAACP. As Life Membership Chairperson, she has encouraged more than half of the branch to become Life Members and secured needed funds for the branch's annual scholarship and other endeavors.

I first got to know Mrs. Peebles as I prepared to run for Congress some 28 years ago. I quickly learned how respected she was in Raleigh and Wake County, based on her commitment to community betterment and her ability to communicate and work with people of varying views and backgrounds. After retiring as an English teacher, she continued writing for the Carolinian, a biweekly African-American publication based in Raleigh, and she remains an active member of the Raleigh Alumna Chapter of Delta Sigma Theta Sorority, Inc., the Voter Education Coalition, the Sertoma Club, the National Council of Negro Women, and the Raleigh Alumni Chapter of Hampton University.

I commend her remarkable service both to the community and the Raleigh-Apex NAACP. Mrs. Allie Muse Peebles is very deserving of the Humanitarian of the Year Award, and it is with great pleasure and pride that I congratulate her on receiving this honor.

HONORING BLAKE McELMAN AND JAY CAVANAUGH OF MAINE FOR COURAGEOUS ACTIONS

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Ms. PINGREE of Maine. Mr. Speaker, I would like to recognize two young men in my district whose courageous actions saved the lives of two fishermen this past New Year's Eve.

While attending a family gathering on Montsweag Bay in Woolwich, Maine, late that evening, Blake McElman and Jay Cavanaugh, both 21, heard yells coming from the water. Looking out, they saw that the incoming tide had quickly surrounded two men who had been digging for worms on mudflats far from shore. Standing on a rock, the men would quickly become immersed in the frigid water.

With time of the essence, McElman and Cavanaugh decided to attempt a rescue themselves. Hauling a canoe to open water over ice and snow, they paddled several hundred yards offshore and recovered the men, both showing early signs of hypothermia. Once ashore, they fed and warmed the men, who ultimately escaped from the incident unscathed.

This would not have been the outcome without the quick and courageous actions of McElman and Cavanaugh. Most likely they saved those men's lives that night. I'm relieved and thankful that all four men survived this very dangerous situation.

Mr. Speaker, many people in Maine make their living in jobs that involve braving the elements and even risking their lives in unforgiving and swiftly changing environments. But what also characterizes our state is that our people look after each other and are willing to go a long way to help one another. McElman and Cavanaugh certainly showed that to be true, and then some. I'm very proud to have them in my district.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Ms. JACKSON LEE. Madam Chair, I rise to speak in favor of adoption of the Defense Appropriations Act of 2014.

I thank Chairman C.W. BILL YOUNG and Ranking Member PETE VISCLOSKY, Ranking Member of the House Committee on Appropriations' Subcommittee on Defense for their work to provide for our nation's national defense.

I also want to extend thanks and appreciation to the men and women in and out of uniform to defend our nation. You serve your nation with honor and distinction. In each generation our nation must remember that the freedoms that we enjoy come at a price, which you have paid without hesitation or complaint.

Each year the Congress takes on the tasks of providing appropriations for the nation's defense. The Appropriations subcommittee that focuses exclusively on the work of the Department of Defense is the subject matter experts who manage the long process that resulted in the bill before us for consideration. As members of the House of Representatives we are each subject matter experts on the committees that we serve, but we are also experts on the constituencies we seek to represent.

My work in the 18th Congressional District has allowed me the privilege of working with men and women in the military, the workers in aeronautics and space industries that contribute to our nation's defense as well as those in the Department of Defense who work in and around our nation's capitol.

Through my work as a member of Congress I know those who have served and returned home to a tough economy, struggles with physical disabilities and life changing injuries associated with their service to our nation. I do not know the military as a mass of statistics, but individuals with names and faces—real people who depend on each of us to pursue their best interest.

I know you know that none of our offices received calls from lobbyist on behalf of the men and women who serve in defense of our nation in and out of uniform. That is why we must rely upon our own experience and that of the Appropriations' Subcommittee on Defense to reach the best result in a very long and arduous legislative process.

Military families make sacrifices with long separations of parents from spouses and children that last for over a year. Many miss some of the important moments in their children's lives when they are deployed when they have young children. The Defense Appropriations bill includes $580 million for a military pay raise consistent with the raise included in the House Armed Services bill for a 1.8 percent increase.

I am pleased to say that this Defense Appropriations bill does a great deal more for the men and women serving in the military and places more focus on the needs of their families. This bill maintains the objective of previous Congresses to assure that our nation's military is the best trained, best prepared, best equipped, and best cared for fighting force in the history of the world. That is the least we can do for those who willingly risk their lives to keep us safe.

The bill also recognizes that the military is changing due to the expanded roles for women who pursue careers in the armed services. I strongly believe that this choice should not mean a diminution of rights or opportunities from what they would enjoy these women had pursued a different career path.

For this reason, I sought and the Appropriations Subcommittee on Defense provided $150 million for a Peer-Reviewed Breast Cancer Research Program. The program fills a unique niche among private and public funding sources for cancer research and presents an

opportunity to forging new ideas and scientific breakthroughs in the nation's fight against breast cancer.

My work to expand the Department of Defense ability to provide assistance and support for medical research related to breast cancer included Jackson Lee Amendment #1 which provided $500,000 in increased funding for breast cancer research, which was adopted by the Full House. This additional funding raised the amount in the bill to $130 million and will be made available for Triple Negative Breast Cancer research. Triple Negative Breast Cancer is one of the most deadly forms of the disease that is extremely difficult to detect, and has an extremely high mortality rate.

The threat of sexual assault of both women and men serving in the armed services is a real threat to unit cohesion and professional conduct among the ranks. The troubling aspects of the stories we have heard is the lack of comprehension of the traumatic nature of this crime among superior officers in a position to help. The Defense Department Appropriations bill offers an additional $25 million for a new Sexual Assault Special Victims Program in addition to fully funding request of $156.5 million for a Defense-Wide and the Military Service Program which I strongly support.

I sought and the Appropriations Committee provided $80 million in funding for a Prostate cancer program to be included in the final bill at 100 percent of the requested amount. The most prevalent type cancer in men, and second most diagnosed cancer in the nation, kills over thirty thousand people per year.

Veterans, especially those exposed to defoliants have been identified as being more prone to this disease. Research on prostate cancer will lead to better early diagnostic tools as well as better treatments and improvements to quality of life for prostate cancer survivors.

The unique nature of combat can produce illnesses that threaten health and life expectancy. This is why I requested $25 million and the Committee provided $20 million or 80 percent of my request to fund a Gulf War Illness Research Program, GWIRP. The bill provides $20 million in funding to support the identification of treatments and diagnostic markers for Gulf War Illness, a chronic multi-symptom illness with no effective treatment affecting 250,000 Gulf War veterans. Treatments will benefit military personnel at risk of similar neurotoxic exposures. The FY14 program funded by this bill will fund studies of promising treatments and larger clinical trials of treatments previously shown to be effective.

Jackson Lee Amendment #2 that was adopted by the full House under debate of the bill offered additional funds from $10 million provided by a transfer to an account that could be used to support work to assist military persons suffering from Post Traumatic Stress Disorders, PTSD. As we look to PTSD, some of a soldier's wounds are invisible to the naked eye, for these are wounds that should be properly treated. One of the best ways to increase access to treatment is to increase the number of medical facilities and mental health professionals who are available to serve the needs of men and women currently serving and those who have become veterans.

Post traumatic stress disorder, one of the most prevalent and devastating psychological wounds suffered by the brave men and women fighting in far off lands to defend the values and freedom we hold dear. A suicide bomber, an IED, or an insurgent can obliterate their close friend instantaneously and right in front of their face.

Yet, as American soldiers, they are trained to suppress the agonizing grief associated with those horrible experiences and are expected to continue on with the mission. And carry on they do, with courage and with patriotism.

The bill also provides $125 million in funding to for Traumatic Brain Injury (TBI), and Psychological Health research, and $4 million for alcohol and substance abuse research. In addition, $20 million is provided for suicide prevention and outreach.

My focus is also the military of the future and the overwhelming need for people who have strong science, technology, engineering and mathematics, STEM, educations to fill the positions required for the successful defense of our nation's cyber networks.

I sought $30 million for Historically Black Colleges and Universities and Minority-Serving Institutions, HBCU/MI. The Funding requested was approved by the Appropriations committee at the level at over $35 million or a 116 percent over the amount I requested. The funds appropriated will reinvigorate the relationship between the Department of Defense and the HBCU/MIs and to ensure that minorities are represented in the long-term development of the STEM workforce pipeline. The funding will support undergraduate and graduate STEM programs to increase the participation and success of minority students through engaged mentoring, enriching research experiences, and opportunities to publish, present, and network. Consistent with the report of the National Academy of Sciences "Expanding Underrepresented Minority Participation: America's Science and Technology Talent at the Crossroads," the funding is intended to enhance the Department's efforts to emphasize STEM education improvement within the Historically Black Colleges and Universities and Minority Institutions program. The Committee should encourage the Secretary of Defense to consider these factors when awarding competitive funding under this program, as well as ensuring that selected programs have a sufficiently large cohort of students to allow for effective peer-to-peer mentoring.

I offered language to create a report that the Secretary of Defense must present to Congress on the topic of hazing in the military, harassment and mistreatment of service members across the Armed Forces. The Committee directs the Secretary of Defense to provide a report to the congressional defense committees not later than 180 days after enactment of this act on the prevalence and consequences of hazing, harassment and mistreatment of service members and the policies in place to address cultural sensitivity and hazing and harassment prevention and intervention. Further, the report shall include recommendations for the services to accurately record and prevent incidences of hazing, harassment and mistreatment of service members and to adopt a more intentional diversity and inclusion effort. Finally, the report shall propose a plan to implement and monitor these recommendations.

On balance this Department of Defense Appropriations bill overall is a good thing for the men and women of the armed services especially with the additional of an amendment to prohibit the use of funds to deny Department of Defense civilian employees security clearance because of financial difficulties caused by "furloughs" due to sequestration.

I urge my colleagues to support the bill.

IN RECOGNITION OF PATTY SHAY

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. ROYCE. Mr. Speaker, it is my privilege and honor to recognize Patty Shay, who is retiring after 34 years of distinguished service to the U.S. House of Representatives.

Patty is the Director of Constituent Services and Office Manager for my office, and will retire on August 31, 2013. Patty began her career in civil service in 1977 with the office of Assemblyman Bill Dannemeyer and remained on staff after he was elected to Congress in 1979. Fourteen years later, Patty continued her service by joining my office when I succeeded Dannemeyer as Representative of the 39th District. By this time, Patty knew that she preferred casework and that the U.S. Service Academy process was her specialty.

Patty has enjoyed the challenge of helping people. Her motto is always, "do the best that I can in the place where I am and be kind." Over her years of service, Patty has handled thousands of cases. And often, people will call after years have gone by and continue to say thank you.

Her favorite casework is the Department of Veterans Affairs, and in particular dealing with those who served in WWII. The stories told by these humble warriors left her forever grateful for the Greatest Generation.

Patty's true passion during her service was the U.S. Service Academy process. She developed a very structured nomination system in order to develop the young nominees, which has helped them to succeed at the academies. She became known as Mama Shay due to a Cadet from the 3rd class that attended West Point. Patty has worn this as a badge of honor. Many officers continue to write messages to Mom/Mama Shay today.

Through the years, the long line of Patty's kids that received appointments grew to 607. Of that number, 414 graduated and are serving all over the world today. Many have accomplished fulfilling military careers while others have become lawyers, doctors, or dentists. She feels privileged to know so many bright, capable nominees, and has been happy to provide them with support, guidance, and direction throughout the years.

As a testament to her work, Patty has received numerous public service awards including; the "Duty Honor Country" award by the West Point Society of Orange County; "The Donald" which is an award selecting the legislative staffer of the year by fellow Orange County staffers; and the "Everyday Hero Award" from the Fullerton Rotary Club. Patty is extremely thankful and grateful for the years she has spent in public service.

Patty has always kept family close and of the highest priority. Having raised two active boys as a single parent, she was constantly running from one event to another. Who knew this would be the prologue to her duties handling the Academy Nominations. Her non-stop

energy and attitude toward teaching and helping others has always translated into family. Now that her sons are grown, she continues that same philosophy with her three grandsons. She is constantly researching and providing pathways to higher learning for each of her grandsons. She does this by taking each one of their strengths individually and providing a specific learning goal for each one, which is very similar to the approach she uses to provide Military Academy Appointments each year. Patty loves sharing the accomplishments of her sons & grandsons to her many friends and extended family members. She stays in close contact with her sister, niece, and nephew who all live in Oregon and Washington.

So I ask all of my colleagues to join me in thanking Patty Shay for her service to Congress, and the Nation. I wish her all the best in her retirement.

TRIBUTE TO BERNARD M. LUKETICH

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. DOYLE. Mr. Speaker, I rise today to commend the long service of Mr. Bernard M. Luketich as National President of the Croatian Fraternal Union, which is headquartered in Pittsburgh.

Since its founding in 1894, the Croatian Fraternal Union has grown with the Croatian community in the United States. It is estimated that 30,000 Croatian Americans currently live in the Greater Pittsburgh area, and I am very happy to represent many of our local Croatian Americans in the U.S. Congress.

The Croatian Fraternal Union has provided much-needed insurance, investment, and social services for its members since its inception and has helped many Croatian Americans establish successful families and communities over the past 100+ years.

The Croatian Fraternal Union also ardently supported the Republic of Croatia's establishment as a stable democratic and free market-oriented nation-state as a result of the devolution of the Soviet Union and the Balkan Wars in the 1990s. The CFU was instrumental in developing American support as a founding member of and in steady concert with the National Federation of Croatian Americans for the new Republic's full accession into western multilateral organizations. This includes full membership in the North Atlantic Treaty Organization, NATO, in early 2009 and the European Union on July 1, 2013.

This year, Mr. Luketich was re-elected to serve his 35th year as President of the CFU, the largest and oldest Croatian American organization in the United States. I would like to congratulate Bernie for his 35 years of strong leadership as President of the Croatian Fraternal Union.

As we all know, the president of any organization cannot do it alone. It is important to also to note the contributions of his long-time senior staff at the Pittsburgh headquarters—Executive Assistant/Editor Lorraine Turkall, Secretary/Treasurer Ed Pazo, VP Franjo Bertovic, VP George Pavlecic, Editor Ivan Begg, and CFU Board of Trustees President Bernadette Luketich Sikaras.

Mr. Speaker, I submit a June 5th article on Bernie Luketich's career that appeared in the Croatian American community's premier ethnic newspaper, the "Zajednicar."

Mr. Speaker, congratulations again to Bernie for his steady leadership and service to his diaspora community and to our United States.

[From the Zajednicar, June 5, 2013]

BERNARD M. LUKETICH—CELEBRATING 35 YEARS AS NATIONAL PRESIDENT OF THE CROATIAN FRATERNAL UNION OF AMERICA

A record-setting milestone was achieved on June 1, 2013 as CFU National President Bernard M. Luketich began his 35th anniversary year serving as National President at the helm of the Croatian Fraternal Union of America. Consecutively elected as National President since the 1979 CFU National Convention, President Luketich is currently serving his ninth full term as president of the Society.

Prior to becoming National President on June 1, 1978, Luketich had served as a Member of the Society's National Administration in various capacities, beginning with his election to the National Board of Trustees at the 1959 CFU National Convention held at Detroit, Michigan.

The son of Emma and Ivan Luketic, Bernard Luketich was born and raised in Cokeburg, Pennsylvania. His father, Ivan, emigrated from the village of Zagorje, Ogulin, Croatia and settled in Cokeburg where he found work in the Pennsylvania coal mines. A coal miner himself in his youth, Bernard Luketich carried his family values and love for his Croatian ancestry to become a leader of the largest Croatian fraternal organization outside of the old homeland.

Recognized as the "Founding Father" of the CFU Junior Cultural Federation, President Luketich counts this youth cultural program among his proudest achievements since it perpetuates Croatian identity and heritage among CFU children and young adults. In addition to the annual Junior Tamburitza Festivals, President Luketich was further instrumental in initiating the annual CFU Adult Tamburitza Festivals, both cultural events which have flourished over the years to promote Croatian tamburitza music throughout the United States and Canada.

Interested in Croatian activities at a young age, Bernard Luketich became a member of the Croatian Fraternal Union in 1932. He was elected President of his local CFU Lodge 354 at Cokeburg, Pennsylvania at the age of 16 and has served in that capacity since that time. Luketich established the St. George Junior Tamburitzans of Lodge 354 in 1950 and later organized the St. George Adult Tamburitzans of Lodge 354 in which he currently participates as an active tamburitzan.

President Luketich has been the recipient of numerous prestigious awards, including the Redom Hrvatskog Pletera in 1996, the Redom Danice Hrvatske s Likom Katarine Zrinske in 1998, both bestowed upon him by the late Croatian President Dr. Franjo Tudjman, and the Red Kneza Trpimira s Ogrlicom i Danicom in 2003, presented to him by former Croatian President Stjepan Mesic.

Without question, Bernard Luketich has been the driving force in promoting Fraternal Unity among the CFU Membership and is the identifiable face of the Croatian Fraternal Union who has been instrumental in making our Fraternal Organization what it is today.

Bernard Luketich, along with his wife, Martha, and their family, continue to make their home in the small mining town of Cokeburg, PA. The full legacy of National President Luketich is yet to be written but we can continue to expect great things from Bernard M. Luketich as he greets his 35th Presidential Year with the same pride that he has espoused since first becoming a member of our Fraternal Society. His lifelong passion remains the principles, programs and benefits of the CFU and the preservation of Croatian heritage, culture and identity.

"Zivio!", President Luketich!

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OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,116,336,111.15. We've added $6,111,239,287,178.07 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF THE JAMIE KOTULA FOUNDATION FOR OUTSTANDING COMMUNITY CONTRIBUTIONS

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Jamie Kotula Foundation, an organization set forth to enrich the lives of others in Northeastern Pennsylvania through "random acts of kindness," a strong value of Jamie Kotula. The Foundation will also host the third annual Kick-Off Classic on August 31 and September 1, 2013, marking the outset of the fall sports season at Marywood University in Scranton.

Jamie Kotula, who tragically passed in a car accident on the morning of January 14, 2011 at the age of sixteen, lived a life of service towards others. His selfless character was revealed as a student at Holy Cross High School in Dunmore, Pennsylvania, where he served as secretary of the Student Council and a member of the boys' varsity soccer, swim, and track teams. In addition to being a dedicated class leader and a skilled and energetic athlete, Jamie was extremely well-rounded as a member of the National Honor Society, the Pro-Life club, chess club, foreign language club, and the show choir.

In honor of Jamie Kotula, who lived his life in the present each and every day, the Jamie Kotula Foundation was created to support like-minded individuals and groups in Northeast Pennsylvania who enrich lives and communities through acts of kindness and selflessness. Since its creation in 2011, the Foundation has distributed more than $100,000 in both scholarships and donations to charitable causes, such as helping out the victims of the school violence at Sandy Hook Elementary in Newtown, Connecticut.

In recognition of the community contributions of the Jamie Kotula Foundation's largest event, the Kick-Off Classic, I add my congratulations and best wishes for continued success and service.

INTRODUCTION OF THE PERMANENTLY ENDING RECEIPT BY PRISONERS ACT

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. REICHERT. Mr. Speaker, today I am introducing the Permanently Ending Receipt by Prisoners Act, also known as the PERP Act. I am pleased to be joined by Representatives TODD YOUNG, MIKE KELLY, TIM GRIFFIN, JIM RENACCI, TOM REED, and CHARLES BOUSTANY, all Members of the Committee on Ways and Means Human Resources Subcommittee, which I chair. As a former sheriff and now Chairman of this Subcommittee that has jurisdiction over the Unemployment Insurance (UI) program, this bill blends the expertise I developed in my past career with my present committee responsibilities.

Under existing UI program rules that operate in all States, an individual must be able, available, and actively seeking work in order to be eligible to collect UI benefits, which are paid to those who are unemployed through no fault of their own. Individuals confined in jails, prisons, and other penal institutions are by definition not "able and available" to work and have historically been presumed to be not eligible for UI benefits.

Despite this fact, news articles in multiple States have revealed a nationwide epidemic of unemployment benefit payments to incarcerated individuals. Recent headlines include: Illinois: "State: More than $2M in Unemployment Benefits Went to Inmates" (10/9/12); New Jersey: "Audit Says 20,000 Inmates Were Mistakenly Paid Nearly $24M in State and Federal Benefits" (5/29/13); Pennsylvania: "Inmates Collect Millions in Unemployment Benefits in Philadelphia Jails" (2/20/13); and South Carolina: "Government Waste—Inmates Collecting Millions in Fraudulent Unemployment Checks" (2/21/13). The list unfortunately does not end there, and these and other articles make it clear that taxpayers are wasting millions of dollars each year on unemployment benefit payments to prisoners.

We must make it very clear that incarcerated individuals should not be receiving unemployment benefits, and that States need to make affirmative efforts to end this obvious abuse. Unemployment benefits are designed to support people who are able and trying to find work and provide for their families, but who have fallen on hard times. It is an injustice that the tax dollars of law-abiding citizens are being used to provide assistance to people who have broken the law and simply should not qualify for these benefits.

The PERP Act provides the solutions to this problem by taking the following steps:

Barring States from paying UI checks to local, state and federal prisoners, strengthening a current implied prohibition because prisoners are not "able and available" for work; and

Requiring State UI agencies to regularly compare UI rolls with currently available inmate rosters to ensure UI checks are not paid to current inmates. At a minimum, States must access and use prisoner information the Social Security Administration has collected and used since the late-1990s to prevent the payment of Supplemental Security Income (SSI) benefit checks to currently incarcerated individuals. This current data match is simple, quick, and efficient, and can readily be replicated by States to ensure that UI benefit checks are not paid to prisoners.

During 2011, the UI program made a staggering $10.3 billion in improper payments, some of which were to individuals in our nation's jails and prisons. Those payments were made because under current practice too many States rely on the inmate to report their change of residence to the jail so that their UI benefits would end. Not surprisingly, few inmates volunteer to stop collecting these checks, and no benefit program should rely on the honesty of inmates to ensure taxpayer funds are properly spent. This legislation ends the practice of relying on self-reported information by inmates to prevent this type of UI benefit misspending. It does so simply by expecting all State UI agencies to tap into an existing Federal database of prisoners, already used to ensure that inmates do not collect disability checks. This system is fast, efficient, and affordable.

Again, I want to thank my colleagues on the Human Resources Subcommittee, Representatives TODD YOUNG, MIKE KELLY, TIM GRIFFIN, JIM RENACCI, TOM REED, and CHARLES BOUSTANY, for their support as original cosponsors of this bill. I invite all Members to join me in supporting this important legislation and look forward to its speedy consideration so that we can ensure we put an end to the outrageous practice of prisoners collecting benefit payments intended for the truly unemployed.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. CONYERS. Mr. Speaker, last week, July 18, 2013, I was speaking with a documentary group about the civil rights movement, and I was unable to make it to the floor

for rollcall votes 364, 365, and 366. Had I been present, I would have voted "no" for all three.

IN RECOGNITION OF BOBBY VASSAR AND HIS CAREER IN PUBLIC SERVICE

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. GOODLATTE. Mr. Speaker, I, along with House Judiciary Committee Ranking Member JOHN CONYERS, Jr. and Subcommittee on Crime, Terrorism, Homeland Security and Investigations Ranking Member ROBERT C. "BOBBY" SCOTT, would like to take this opportunity to thank Bobby Vassar for his work with the House Committee on the Judiciary and Congressman SCOTT's Congressional office for the past 19 and ½ years.

Bobby came to Representative SCOTT's Congressional office on February 1, 1994 to serve as Senior Counsel and Legislative Director. He joined the staff of the Crime Subcommittee of the House Committee on the Judiciary in March of 1999 as Minority Chief Counsel. From January 2007 to January 2012, Bobby served as Majority Chief Counsel for the Subcommittee.

Prior to joining Representative SCOTT's office in 1994, he worked for three Virginia governors, starting as Chairman of the Virginia Parole Board in 1982 and ending as Acting Secretary of Health and Human Resources in 1994. Prior to 1982, he worked as Executive Director of the Peninsula Legal Aid Center in Hampton, Virginia, for which Congressman Scott served as Chairman of the Board. He also held positions previously as Assistant Vice Chancellor for Administration at the University of North Carolina at Chapel Hill, as a staff attorney with the Laborer's Pre-paid Legal Services Plan of Washington, D.C. and Vicinity, and as a Reginald Heber Smith Community Lawyer Fellow at the Roanoke Virginia legal Aid Society. Bobby is a graduate of Norfolk State University and the University of Virginia School of Law.

Bobby's ability to work well with his colleagues, especially across the aisle and across the Capitol, made him a valuable staff asset to passing many key pieces of legislation. He had the lead staff responsibility in the House for several significant bipartisan bills that were enacted into law including the Mentally Ill Offender Treatment, and Crime Reduction Act of 2008 (Public Law 110–416); the Fair Sentencing Act of 2010 (Public Law 111–220); the Deaths in Custody Reporting Act of 2000 (Public Law 106–297); the Juvenile Accountability Block Grant Program (Public Law 107–273); the Second Chance Act of 2007 (Public Law 110–199); along with dozens of other bills enacted into law over the years. He also led the development of the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support and Education (PROMISE) Act which was introduced in the 110th Congress and has been reintroduced every subsequent Congress; H.R. 1695, the Justice Safety Valve Act of 2013; H.R. 2656, the Public Safety Enhancement Act of 2013; and many promising bipartisan bills pending in the House and Senate.

We are deeply appreciative of the service and contributions Bobby has provided the Crime Subcommittee, the Judiciary Committee and the Congress over the past two decades. Throughout that time, many people both on and off Capitol Hill have been fortunate to call him a colleague and friend. He will be missed. We wish him the best of fortunes and fulfillment in his future endeavors.

EIGHTH UNANSWERED QUESTION ON BENGHAZI ATTACKS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. WOLF. Mr. Speaker, today I am raising the eighth in a series of critical, but unanswered, questions about the terrorist attack on the U.S. consulate and annex in Benghazi last September 11.

My previous seven questions have focused on what happened in Benghazi that night.

Today, I would like to focus on what happened in Washington.

It has been well documented that official Washington started to get reports of the attack around 4 p.m. Eastern Standard Time. It also has been well documented that then-Secretary of Defense Leon Panetta and General Martin Dempsey, chairman of the Joint Chiefs of Staff, made the decision to brief President Obama about what was happening at a previously scheduled 5 p.m. meeting, which is 11 p.m. in Libya.

Former AFRICOM commander General Carter Ham (ret.) told a paying audience at the Aspen Security Forum in Aspen, Colorado—where tickets started at $1,200—last weekend that by the time a U.S drone appeared over the consulate shortly after 11 p.m. the attack on the consulate was winding down. He also said it was clear this wasn't a protest and he understood it to be a terrorist attack—a direct conflict with repeated statements by the Obama Administration.

If the Pentagon immediately knew this to be a terrorist attack, why did the president go to the United Nations nearly two weeks later and blame the attack on protest in response to a controversial video? Why did then-UN Ambassador Susan Rice go on five Sunday shows and attribute the attack to the video? Why did former Secretary Clinton continue to reference the video as the cause of the protest when the Pentagon immediately attributed the attack to terrorism?

It is also worth asking what Gen. Ham thought of the waves of attacks against the CIA annex later that night. Trusted sources have told my office that in the weeks leading up to the attack, the annex had a notice on its bulletin board warning about imminent attacks on U.S. facilities and other foreign consulates in Benghazi. How does Gen. Ham reconcile his position that there was to send assistance after the consulate firefight ended when there was so many more attacks against Americans that night?

A U.S. consulate is under attack. A U.S. Ambassador is missing. A State Department Diplomatic Security Agent is dead. Are the American people to believe the president is briefed only once that entire night, at 5 p.m. Eastern Standard Time?

My question(s) today: Where was the president the rest of the night?

Did his national security team, including John Brennan, Sec. Panetta and Gen. Dempsey, ever go back and brief the president when the annex came under attack? If so, what steps did he direct at that time?

Did the president ever step foot in the White House Situation Room that night?

Did he ever see the footage from the unarmed drone stationed over Benghazi monitoring the attacks?

I field many of these questions from my constituents on a regular basis and I believe they are fair to ask, especially when the White House carefully orchestrates photo-ops and leaks of the president and other senior administration officials when the news is favorable, like the now-famous picture of the president and his national security team watching a live video feed of the raid on Osama bin Laden's compound in 2011.

Last evening, Fox News' Catherine Herridge reported how Diplomatic Security Agent David Ubben is still recovering at Walter Reed National Military Medical Center—more than 10 months after the attack—for injuries he sustained while repeatedly risking his life to save others that night. Fox reported that it was Ubben who ran into the burning consulate building to retrieve Sean Smith's body. Fox reported it was Ubben who later that night climbed the roof of the annex compound with Ty Woods and Glen Doherty to try to defend the annex during the morter rounds, where he sustained a very serious injury that is still being treated at Walter Reed.

Contrast David Ubben's valiant efforts—repeatedly putting his life on the line to try to save the lives of the other Americans at the consulate and annex—with what is currently known about what the White House national security team did to support him and the others in Benghazi.

As far as the American people know, after nearly a year of investigations, the White House took no additional efforts to come to the aid of those in Benghazi, nor, apparently, did the president take another briefing on what was happening.

Has the president ever called or met with David Ubben to thank him for his sacrifice? Has he ever called the others who were seriously wounded that night, including the former Navy SEAL on the security team who sustained significant injuries?

To Secretary Kerry's credit, I know that he has visited with Mr. Ubben at Walter Reed. But did former Secretary Clinton ever meet with him during the six months she was still in office after the attack?

Either way, the families of the four Americans—including a U.S. Ambassador—who lost their lives in Benghazi have a right to know where the Commander-in-Chief was on September 11, 2012 and what role he and his national security team played to provide support to those in Benghazi that night.

The State Department's own Web site asserts, "International rules do not allow representatives of the host country to enter an embassy without permission—even to put out a fire—and designate an attack on an embassy as an attack on the country it represents.

In this context, with an attack against America underway, it's fair to ask, did the president and his team ever even consider cancelling

his political fundraiser in Las Vegas the next day to monitor the situation in Benghazi?

That night, when the ambassador was considered a potential hostage and nearly 30 Americans were under sustained attacks at the CIA annex, did the president's staff ever notify the campaign that he might not be leaving the White House the next day?

When he boarded Air Force One for Las Vegas, did the president know about the serious injuries that some of the survivors had sustained? Did he know what hospitals they were being taken to?

Is there a parallel in American history when the U.S. was under attack, Americans were killed and a sitting U.S. ambassador was considered a potential terrorist hostage, but the president was not engaged with his national security team?

I think most Americans would agree that they are legitimate questions that deserve a straightforward and truthful answer.

With only four legislative days remaining before the Congress departs for August recess, I am increasingly concerned that this question, as well as the other questions I have raised in the last two weeks, will not be answered by the one-year anniversary of the Benghazi attacks.

That is deeply disappointing. Congress can—and should—do better.

I continue to believe the only way to get answers through a House Select Committee. H.R. Res 36 has 162 cosponsors, a majority of the Majority. Two new cosponsors joined in the past week alone. This is the way to go so the Congress and the American people know the truth, whatever it may be.

ADVANCE NOTICE OF PROPOSED RULEMAKING

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. McINTYRE. Mr. Speaker, I rise today to discuss the Advance Notice of Proposed Rulemaking (ANPRM) issued by the Food and Drug Administration (FDA) this week seeking comments from the general public as the Agency contemplates the future of menthol cigarettes.

As part of the agency's review process, the FDA released a report entitled ''Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes,'' which documents the FDA's review of the currently available science on menthol. Disappointingly, the report relies heavily on social sciences while admitting that menthol cigarettes are no more harmful than their nonmenthol counterparts.

Specifically, the report states that ''No studies found an increased risk of cancer or noncancer diseases in menthol smokers compared to nonmenthol smokers. From the available studies, the weight of evidence supports the conclusion that menthol in cigarettes is not associated with an increase in disease risk to the user compared to non-menthol cigarette smokers.''

In addition to the FDA's conclusion that menthol cigarettes pose no greater disease risk than nonmenthol cigarettes, it is insensible for the agency to conduct a review of perception of menthol products. While the review of this type of information may be useful to understanding adult consumer choice, it should not form the basis of any policy decision within FDA. Rulemaking should be rooted in science.

Finally, the real world health consequences of a potential ban are very alarming. Implementing a ban unfounded in science could lead to the creation of a black market for menthol products. Such an illegal market would result in an influx of illegal, unregulated, counterfeit products into the marketplace.

Mr. Speaker, I am hopeful that these concerns will be addressed during the public comment period, and that the FDA will treat this issue fairly and with the scientific integrity it deserves.

A.L. STANBACK MIDDLE SCHOOL: SCHOOL TO WATCH

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the faculty, staff and students of A.L. Stanback Middle School in Hillsborough, North Carolina, on being designated one of 115 ''Schools to Watch'' by the National Forum to Accelerate Middle-Grades Reform. The ''School to Watch'' designation signifies that A. L. Stanback's administrators and teachers have created one of the most academically excellent, developmentally responsive, and socially equitable middle schools in the nation.

I applaud A.L. Stanback's commitment to engaging students by challenging expectations and employing a variety of teaching methods. Reaching students during their middle school years is critically important, and A.L. Stanback truly takes this to heart, preparing its students not only for their high school education but their lives beyond by teaching critical thinking skills. By providing students with diverse opportunities in a supportive environment, A.L. Stanback is helping today's students become tomorrow's leaders.

The Research Triangle of North Carolina is considered one of the best places in the nation to live, work and raise a family, and the A.L Stanback Middle School community's record of success will only contribute to that reputation. This is well-deserved recognition, and I hope it serves as a shining example of the positive impact that creative, committed teachers can have not only on our young people, but also on how we strive for excellence in education.

Congratulations again to the teachers, administrators, parents, and students that helped A.L. Stanback Middle School achieve this award.

HONORING STEVEN RYAN PALMER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mrs. BLACKBURN. Mr. Speaker, every community needs a great champion who organizes, leads, and fights to leave an indelible mark. Those champions come in many forms. Some are teachers, some are public servants, and some are dedicated to noble causes. I rise today to honor one such champion, Steven Ryan Palmer, as he retires from 36 years of distinguished service to the American Cancer Society.

Palmer's three decades of service began in South Carolina as a worker in the field level of the American Cancer Society. He went one to hold many leadership positions in the six-state Mid-South Division of the American Cancer Society. His work was instrumental in the success of many ACS initiatives which improved and saved lives in Middle Tennessee.

I ask my colleagues to join with me in honoring the outstanding work and dedication of Ryan Palmer. From the American Cancer Society to Brentwood Baptist Church, Ryan has certainly offered his time, talents, and treasures to his community. Along with his family and friends, I offer my thanks for his service to others.

IN OPPOSITION TO THE RULE GOVERNING DEBATE ON H.R. 2667, THE ''AUTHORITY FOR MANDATE DELAY''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the Rule and the underlying legislation because this bill would delay the implementation of the employer mandate a key provisions of the Affordable Care Act until 2014.

The House majority on May 16, 2013 placed before this body another bill in another attempt to end the Affordable Care Act also known as Obama Care. Their efforts to do anything and everything they can think of to stop millions of Americans from enjoying the security of health care enjoyed by all of my colleagues in this body is astounding. The Health care we enjoy is at the taxpayer expense so we do know what a federally supported health plan can do.

27.6 percent of Texans are without health care coverage

The Department of Health and Human Services announced over $9 million in grants to fund community health centers all over the State of Texas. The funds will be used to enroll the uninsured in new health coverage options made available under the Affordable Care Act—or Obama Care Act.

The Affordable Care Act is needed and we should not pretend otherwise. The Administration announced that it would on its own allow a delay to work with the 5 percent of employers who are having difficulty meeting the mandate for providing health insurance for all of their employees. This means that 95 percent have met the obligation so the need for this change in law is not founded in fact.

In my district over the weekend, I held a press conference to congratulate Community Health Centers in the City of House who received part of $9 million to the State by the Department of Health and Human Services. The Grants to Community Health Centers will fund work to enroll the uninsured in new health coverage options made available under the Affordable Care Act—or Obama Care Act.

Community Health Centers are non-profit, community focused health care providers who serve low-income and medically underserved communities.

Community Health Centers care for over 22 million people nationally.

In 2012, 50 million people in the United States had no health insurance coverage, with many losing insurance as a result of the recent recession.

The grants provided to Community Health Care Centers like Legacy Community Health Services located in my district will help millions of uninsured people in our nation get the medical care they need and deserve.

LIST OF COMMUNITY HEALTH CENTERS AWARDED FUNDS IN THE CITY OF HOUSTON

Fourth Ward Clinic—$124,395

El Centro Del Corazon—$144, 525

Houston Community Health Care—$90,691

South Central Houston Community—$165,755

Asian American Health Coalition of the Greater Houston Area—$90,867

Spring Branch Community Health Center—$108,346

Houston Area Community Services—$73,981

Legacy Community Health Services—$267,747

Health Care for the Homeless—$104,000

Harris County Hospital District—$154,326

In 2012, Texas had 67 health centers operating in 388 sites providing services to over 1 million patients. Fifty-one percent of the 1 million people cared in my state for were uninsured.

STATISTICS ON THE AFFORDABLE CARE ACT

—Affordable Care Act Benefits to the 18th Congressional District:

11,400 young adults have insurance through their parents.

4,100 seniors received $5.4 million in discounts for prescription medication and average of $600 per person. This was a cost savings of $650 on average and so far in 2013 the savings are $1,040.

71,000 seniors are now eligible for Medicare prevention services without paying co-pays.

121,000 individuals, including 23,000 children and 50,000 women now have health insurance that prevent insurance companies from spending more than 20 percent of their premium dollars on profits and administrative overhead.

46,000 children with pre-existing illnesses can no longer be denied insurance.

153,000 people in my district have health insurance that have no lifetime limits on their coverage and will not face annual limits.

Up to 193,000 people in the 18th Congressional District of Houston Texas will have access to quality health affordable health care without fear of discrimination or higher rates because of preexisting health conditions.

17,000 individuals who purchase insurance on the private health insurance market established for individuals or small groups will have access to more secure, higher quality coverage and many will have access to financial assistance.

NATIONAL BENEFIT OF OBAMA CARE

13 million Americans received $1.1 billion in rebates from their health insurance companies last year.

105 million Americans have free preventive services.

Millions of women now have free coverage for comprehensive women's preventive medical services.

100 million Americans no longer have a lifetime limit on healthcare coverage.

17 million children with pre-existing conditions can no longer be denied coverage by insurers.

6.6 million young-adults up to age 26 can stay on their parents' health insurance plans.

6.3 million Seniors in the 'donut hole' have saved $6.1 billion on their prescription drugs.

3.2 million Seniors have access to free annual wellness visits under Medicare.

360,000 Small Businesses are using the Health Care Tax Credit to help them provide health insurance to their workers.

STATISTICS ON TEXAS AND THE AFFORDABLE CARE ACT

3.8 million Texas residents receive preventative care services.

7 million Texans no longer have lifetime limits on their healthcare insurance.

300,731 young adults can remain on their parents' health insurance until age 26.

5 million Texas residents can receive a rebate check from their insurance company if it does not spend 80 percent of premium dollars on healthcare.

4,029 people with pre-existing conditions now have health insurance.

In 2014, Insurance companies will be banned from: discriminating against anyone with a preexisting condition; charging higher rates based on gender or health status; enforcing lifetime dollar limits; enforcing annual dollar limits on health benefits.

The healthcare law has many benefits.

For these reasons, I urge my Colleagues to join me in voting no on the rule for this bad bill.

The House and the Senate have real work to create jobs, strengthen the food security for our most vulnerable—children, elderly, disabled and low-wage workers. We need to address immigration reform and Border Security and we should be focused on the need to pass appropriations bills that eliminate Sequestration that is strangling the financial security of millions of Federal workers. Sequestration not only hurt Federal workers but the local economies that no longer have the incomes provided by Federal agencies to stimulate the recovery our Nation is now entering.

We should be about the business of the people sent us to Washington to work in their interest.

Mr. Speaker, I urge my colleagues to reject the rule for this bill.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Ms. MOORE. Mr. Speaker, I rise today regarding my absence from the House for the first vote on July 25, 2013. I was unfortunately absent because I was detained in traffic, as I returned from an event. I would like to submit how I would have voted had I been in attendance for the following vote: Rollcall No. 415, on agreeing to the Waxman amendment, I would have voted "aye."

PERSONAL EXPLANATION

HON. STEVEN A. HORSFORD

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. HORSFORD. Mr. Speaker, on consideration of H.R. 2397, I am not recorded because I was absent due to medically mandated recovery. Had I been present, I would have voted "aye" on final passage of the bill (rollcall No. 414), and "aye" on the Amash Amendment to the bill (rollcall No. 412).

RECOGNIZING PLEASANTON RELAY FOR LIFE

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. SWALWELL of California. Mr. Speaker, I am pleased to recognize the American Cancer Society's Relay for Life, happening this weekend at Pleasanton Valley Middle School.

Cancer is expected to strike about 1.7 million Americans this year. As of January 2012, over 13.7 million people with a history of cancer were alive in this country. Sadly, about 580,000 will pass away from the disease in 2013.

While we are doing a lot better than we used to in terms of diagnosis and treatment, these numbers show the fight against cancer is far from over. That is why this weekend's Relay for Life is such a terrific event.

Participants work as part of relay teams and run or walk around the school track; someone from the team is always on the field, for the entire two-day event, reminding us that cancer never sleeps either.

The relay provides an opportunity to applaud those fighting cancer, honor people we have lost to the disease, recognize caregivers, and raise badly needed funds.

Relays like this occur worldwide, and over four billion dollars has been raised since the first one in May 1985. The dedication and fundraising efforts of participants play a critical role in helping reach our goal of a future without cancer.

Cancer is an issue that affects everyone. Through Relay for Life, communities around the world unite through the knowledge that they are working to help save and prolong lives.

Events like this show the best of the East Bay—a willingness to come together in common cause for a larger purpose. I want to thank the event organizers and group supporters: Florine Johnston, Pam Sanchez, Miriam Drummond, Stephanie DaVille, Nilo Bartolome, Larry Coy, Haddy Coy, Kaitlin Gallagher, Sue Schepers, Kimberly Haynes, Janis Wills, Lisa Lundquist, Randy Brown, Lisa Brown, John Swager, Julie Ochiro, the American Cancer Society, Valley Medical Oncology Consultants, and the Rotary Club of Pleasanton North.

I wish everyone the best of luck with the relay, and I am proud to join them in their battle against cancer.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. PAYNE. Mr. Speaker, during an evening series of votes on July 24, 2013, on amendments to the Department of Defense Appropriations Act FY2014 (H.R. 2397), I intended to vote ''yes'' on the Amash/Conyers Amendment (rollcall No. 412), but inadvertently voted ''no''. This amendment would require the government to limit its collection of the records to those that actually pertain to the subject of a duly authorized investigation. The National Security Agency and other agencies would still retain their authority to collect specific records under Section 215, however, blanket collection of telephone records would end. I strongly support both protecting our country and preserving our civil liberties.

HONORING THE LIFE OF MR. DAVID McCOURT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. COURTNEY. Mr. Speaker, on July 11, 2013, the State of Connecticut and our nation lost an extraordinary man, David McCourt. A New London native, David's life served as a beacon of hope and wisdom in our difficult times. David was a highly successful businessman who took over a family business, ABCO Welding Supply, in 1986 with his brother Bill. Through hard work and entrepreneurial skill, they grew the business and achieved a comfortable station in life.

Tragically on September 11, 2001, that idyllic story was violently upset when his wife Ruth and four-year-old daughter Juliana died aboard United Flight 175 that crashed into the Twin Towers in New York City. The horror and pain of that loss was devastating to David and any person would be forgiven for reacting to such a loss with anger and depression. David, however, responded differently. After a period of mourning he sought heal the division and conflict which are part of modern existence, rather than inflame violence and hate.

After a spiritual awakening, he helped found B.R.A.V.E. Juliana, a program of HELP USA. He devoted his time to teach children nonviolence and conflict resolution. He said ''what we have to do is start with the children in this country and teach them tolerance, compassion, and understanding.'' In 2002, he also founded the Juliana Valentine McCourt Children's Education Fund. Each year the fund gives out funding to local youth organizations.

Each year the New London Police Department and Fire Department host a benefit softball game to remember the events of 9/11 and raise donations for the McCourt Fund. The Juliana Valentine McCourt Memorial Softball game brings the whole community together in remembrance of the victims. New London was very pleased and excited when David attended the 2012 game, which raised over $1,000 for the McCourt fund.

New London's Lyman Allyn Art museum established a garden to honor the memories of Juliana and Ruth. The McCourt memorial garden according to David serves as a ''metaphor for seasons and renewal and healing for those who are left behind.'' David spoke powerfully at the 10 year commemorative event held at the McCourt memorial garden.

Mr. McCourt passed away on July 11 after a courageous battle with metastic melanoma. He leaves behind his current wife, Mary Bryant McCourt, his four children, and nine grandchildren. Mr. Speaker, I ask all my colleagues to join me in honoring the life of David McCourt, and sharing our condolences with the family he leaves behind.

HONORING BILL AND VERDA DAY

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mrs. HARTZLER. Mr. Speaker, I rise today in honor of Bill and Verda Day of Harrisonville, Missouri who are celebrating their 70th Wedding Anniversary. Bill and Verda are a tower of strength, support, understanding and love for their family—children Russ (Ann), Dave (Karen), Steve (Vicki), and Al (Dixie); nine grandchildren (one deceased); and 17 great-grandchildren.

Bill and Verda met while students at University of Missouri, and have always lived with great dignity and genuine grace, always demonstrating a deep and continuing concern for human values and ideals, and inspiring others to do the same. Verda was the Harrisonville City Clerk for 24 years, from 1963 to 1987. Bill taught high school vocational agriculture for 23 years and was a Farm Bureau Insurance agent in Harrisonville for 20 years. They have been wonderful leaders in the community and have made a tangible impact on Harrisonville through their involvement in church and civic organizations.

This meaningful occasion is the result of the love and hard work that this couple has invested in their marriage. Bill and Verda have touched the lives of their family and many friends through the shining example of their marriage, which is a testament to the devotion and admiration that they possess for one another.

In closing, Mr. Speaker, I ask all my colleagues to join me in honoring and congratulating Bill and Verda Day in the celebration of their 70th Wedding Anniversary, and extend to them best wishes for their future happiness.

ON THE OCCASION OF THE 60TH ANNIVERSARY OF THE KOREAN WAR ARMISTICE

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Mr. HONDA. Mr. Speaker, I rise today to mark the 60th anniversary of the July 27, 1953 signing of the Armistice Agreement that temporarily halted the active combat of the Korean War. Today, the Korean War still continues in the form of threats, military exercises, periodic flare-ups, sanctions, and the build-up of armaments on both sides. Earlier this year, military tensions on the Korean peninsula dangerously escalated.

The preamble to the 1953 Armistice Agreement, which was signed by the United States, North Korea, and China, states that its ultimate purpose was to stop ''the Korean conflict, with its great toil of suffering and bloodshed on both sides, and . . . [to] insure a complete cessation of hostilities and of all acts of armed force in Korea until a final peace settlement is achieved.'' Intended only as a temporary measure, the Armistice Agreement was meant to be replaced with a permanent peace accord.

Sixty years later, however, the United States spends billions of dollars per year to maintain its military presence in South Korea, one of the top ten global economies. At a time when many Americans struggle to pay their bills, vital U.S. dollars are directed into further militarizing the Korean peninsula. Moreover, the Korean peninsula remains tragically divided and millions of Korean and Korean American families remain separated from their loved ones. Korean Americans who were direct witness to the war's devastation are now reaching their seventies and eighties. It is high time to recognize the human costs of ongoing war and to offer genuine hope to Korean Americans who yearn for a long overdue end to this war. We must honor them and all those who fought in the war, including our own Korean War veterans, by replacing hostilities with genuine peace within their lifetimes.

Mr. Speaker, it is my sincere hope that this somber milestone can serve as a call to action for us in Congress to do our part to de-escalate tensions and to work towards the establishment of a permanent and stable peace regime on the Korean peninsula. Peace negotiations between the United States, South Korea, North Korea, and all relevant parties are the only way forward.

IN OPPOSITION TO THE RULE GOVERNING DEBATE ON H.R. 2668, THE ''FAIRNESS FOR AMERICAN FAMILIES ACT''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 25, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise in strong opposition to the Rule and the underlying legislation because this bill would delay the implementation of the individual mandate of the Affordable Care Act until 2014.

This bill is about avoiding personal responsibility for persons who could afford health insurance but decide not to purchase it. When people arrive at emergency rooms without health care insurance, they are not turned away, but receive treatment. The cost of this care is often much higher than if a patient visits a doctor early to address health issues rather than wait and go to an emergency room for care. Persons with health insurance avoid going to the doctor out of fear of what it will cost that concern can be eliminated by getting health care insurance or coverage.

This bill is another attempt by the House Republican majority to frustrate the successful implementation of the Affordable Care Act. Their effort to increase the burden on individuals who take personal responsibility and exercise choice in purchasing their own health

care insurance should not encouraged by our actions. This bill will assure that those individuals who can pay for their health care insurance do so. If they do not purchase health insurance when they had the means to, then a fee will be assessed that they will be used to cover health care expenses.

Everyone must act responsibly in making the Affordable Health Care Act work and that includes every member of the Congress.

In my state:

27.6% of Texans are without health care coverage.

In my district over the weekend, I held a press conference to congratulate Community Health Centers in the City of House who received part of $9 million awarded to the State by the Department of Health and Human Services. The Grants to Community Health Centers will work to enroll the uninsured in new health coverage options made available under the Affordable Care Act—or Obama Care Act.

Community Health Care Centers will ensure that even the poorest of our citizens take personal responsibility to acquire health insurance coverage as long as we as members of Congress do our jobs and let our constituents know about these health care options.

Today, Community Health Centers care for over 22 million people nationally. The funding provided by these Department of Health and Human Services grants will mean that millions more will have access to health care and health insurance.

In 2012, 50 million people in the United States had no health insurance coverage, with many losing insurance as a result of the recent recession. The grants provided to Community Health Care Centers will help millions of uninsured people in our nation get the medical care they need and deserve.

LIST OF COMMUNITY HEALTH CENTERS AWARDED FUNDS IN THE CITY OF HOUSTON

Fourth Ward Clinic, $124,395;

El Centro Del Corazon, $144,525;

Houston Community Health Care, $90,691;

South Central Houston Community, $165,755;

Asian American Health Coalition of the Greater Houston Area, $90,867;

Spring Branch Community Health Center, $108,346;

Houston Area Community Services, $73,981;

Legacy Community Health Services, $267,747;

Health Care for the Homeless, $104,000;

Harris County Hospital District, $154,326;

STATISTICS ON THE 18TH CONGRESSIONAL DISTRICT, NATION AND STATE AFFORDABLE CARE ACT

Affordable Care Act Benefits to the 18th Congressional District:

11,400 young adults have insurance through their parents;

4,100 seniors received $5.4 million in discounts for prescription medication and average of $600 per person. This was a cost savings of $650 on average and so far in 2013 the savings are $1,040;

71,000 seniors are now eligible for Medicare prevention services without paying co-pays;

121,000 individuals, including 23,000 children and 50,000 women now have health insurance that prevent insurance companies from spending more than 20% of their premium dollars on profits and administrative overhead;

46,000 children with pre-existing illnesses can no longer be denied insurance;

153,000 people in my district have health insurance that have no lifetime limits on their coverage and will not face annual limits;

Up to 193,000 people in the 18th Congressional District of Houston, Texas will have access to quality health affordable health care without fear of discrimination or higher rates because of preexisting health conditions;

17,000 individuals who purchase insurance on the private health insurance market established for individuals or small groups will have access to more secure, higher quality coverage and many will have access to financial assistance.

NATIONAL BENEFIT OF OBAMA CARE

13 million Americans received $1.1 billion in rebates from their health insurance companies last year;

105 million Americans have free preventive services;

Millions of women now have free coverage for comprehensive women's preventive medical services;

100 million Americans no longer have a lifetime limit on healthcare coverage;

17 million children with pre-existing conditions can no longer be denied coverage by insurers;

6.6 million young-adults up to age 26 can stay on their parents' health insurance plans;

6.3 million Seniors in the ''donut hole'' have saved $6.1 billion on their prescription drugs;

3.2 million Seniors have access to free annual wellness visits under Medicare; and

360,000 Small Businesses are using the Health Care Tax Credit to help them provide health insurance to their workers.

STATISTICS ON TEXAS AND THE AFFORDABLE CARE ACT

3.8 million Texas residents receive preventative care services;

7 million Texans no longer have lifetime limits on their healthcare insurance;

300,731 young adults can remain on their parents' health insurance until age 26;

5 million Texas residents can receive a rebate check from their insurance company if it does not spend 80 percent of premium dollars on healthcare;

4,029 people with pre-existing conditions now have health insurance;

In 2014, Insurance companies will be banned from:

discriminating against anyone with a pre-existing condition;

charging higher rates based on gender or health status;

enforcing lifetime dollar limits;

enforcing annual dollar limits on health benefits.

The healthcare law has many benefits.

For these reasons, I urge my Colleagues to join me in voting no on the rule for this bad bill.

The House and the Senate have real work to do such as creating jobs and strengthening food security for our most vulnerable—children, the elderly, the disabled and low-wage workers. We need to address immigration reform and Border Security, responsible gun safety measures, equity in our judicial system and voting rights.

We should also focus on the need to pass appropriations bills that eliminate Sequestration that is strangling the financial security of millions of federal workers. Sequestration not only hurts federal workers, but the local economies that no longer have the incomes provided by federal agencies to stimulate the recovery our nation is now entering are.

I urge the rejection of this rule.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5925–S5987

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 1362–1378, S. Res. 199–201, and S. Con. Res. 20.

Pages S5968–69

Measures Reported:

S. 1371, making appropriations for financial services and general government for the fiscal year ending September 30, 2014. (S. Rept. No. 113–80)

S. 1372, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014. (S. Rept. No. 113–81) **Page S5968**

Measures Passed:

United States Intelligence Professionals Day: Senate agreed to S. Res. 200, designating July 26, 2013, as ''United States Intelligence Professionals Day''. **Page S5979**

National Polycystic Kidney Disease Awareness Day: Senate agreed to S. Res. 201, designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease. **Page S5979**

Measures Considered:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Agreement: Senate continued consideration of S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, taking action on the following motion and amendments proposed thereto:

Pages S5937–48

Adopted:

Collins (for Coburn) Amendment No. 1756, to require public disclosure of certain reports. **Page S5942**

Collins (for McCain) Amendment No. 1803, to prohibit the obligation or expenditure of funds made available to the Department of Transportation for cyber security until the Secretary of Transportation submits to Congress a detailed plan describing how the funding will be allocated and for what purposes. **Page S5942**

Collins (for Boozman) Amendment No. 1785, to establish the Sense of the Congress that any vacancy in the position of Inspector General of the Federal Housing Finance Agency should be filled in compliance with the Federal Vacancies Reform Act of 1998. **Page S5943**

Murray (for Udall (CO)/Bennet) Amendment No. 1789, to require the Federal Railroad Administration to evaluate regulations that govern the use of locomotive horns at highway-rail grade crossings. **Page S5943**

Rejected:

Toomey motion to recommit the bill to the Committee on Appropriations with instructions to report back with such changes as may be necessary such that total budget authority provided in the bill for fiscal year 2014 is not greater than $45,455,000,000. (By 56 yeas to 42 nays (Vote No. 187), Senate tabled the motion.) **Pages S5944–48**

Pending:

Murray (for Cardin) Modified Amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck. **Page S5937**

Coburn Amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability. **Page S5937**

Coburn Amendment No. 1751, to prohibit Federal funding of union activities by Federal employees. **Page S5937**

Coburn Amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal Programs. **Page S5937**

Murphy Amendment No. 1783, to require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy America requirement for Federal-aid highway projects prior to issuing the waiver. **Pages S5937–38**

A unanimous-consent agreement was reached providing that at approximately 4:15 p.m., on Monday, July 29, 2013, Senate resume consideration of the bill. **Page S5979**

Comey Nomination—Cloture: Senate began consideration of the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation. **Page S5978**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, July 25, 2013, a vote on cloture will occur at 5:30 p.m. on Monday, July 29, 2013. **Page S5978**

A unanimous-consent agreement was reached providing that at 4:30 p.m., on Monday, July 29, 2013, Senate resume consideration of the nomination with the time equally divided and controlled in the usual form; and that at 5:30 p.m., Senate vote on the motion to invoke cloture on the nomination. **Page S5979**

Hirozawa Nomination—Cloture: Senate began consideration of the nomination of Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board. **Pages S5978–79**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation. **Page S5979**

Schiffer Nomination—Cloture: Senate began consideration of the nomination of Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board. **Page S5979**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board. **Page S5978**

Pearce Nomination—Cloture: Senate began consideration of the nomination of Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations. **Page S5979**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board. **Page S5979**

Nomination Confirmed: Senate confirmed the following nomination:

By 98 yeas to 1 nay (Vote No. EX. 186), Derek Anthony West, of California, to be Associate Attorney General. **Pages S5933–37, S5987**

Nominations Received: Senate received the following nominations:

Vince Girdhari Chhabria, of California, to be United States District Judge for the Northern District of California.

Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Laurie J. Michelson, of Michigan, to be United States District Judge for the Eastern District of Michigan.

James Maxwell Moody, Jr., of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Leslie E. Bains, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2015.

Robert Michael Simon, of Maryland, to be an Associate Director of the Office of Science and Technology Policy.

Caroline Kennedy, of New York, to be Ambassador to Japan.

Donald Lu, of California, to be Ambassador to the Republic of Albania.

Robert A. Sherman, of Massachusetts, to be Ambassador to the Portuguese Republic.

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2018.

Marcel J. Lettre II, of Maryland, to be a Principal Deputy Under Secretary of Defense.

Routine lists in the Air Force, and Navy. **Pages S5979–87**

Executive Communications: **Pages S5966–68**

Executive Reports of Committees: **Page S5968**

Additional Cosponsors: **Pages S5969–70**

Statements on Introduced Bills/Resolutions: **Pages S5970–72**

Additional Statements: **Pages S5965–66**

Amendments Submitted: **Pages S5972–77**

Notices of Intent: **Page S5977**

Notices of Hearings/Meetings: **Page S5977**

Authorities for Committees to Meet: **Page S5978**

Privileges of the Floor: **Page S5978**

Record Votes: Two record votes were taken today. (Total—187) **Pages S5936, S5947**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:57 p.m., until 2 p.m. on Monday, July 29, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5979.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Krysta L. Harden, of Georgia, to be Deputy Secretary, and Robert Bonnie, of Virginia, to be Under Secretary for Natural Resources and Environment, both of the Department of Agriculture.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following business items:

S. 1371, making appropriations for financial services and general government for the fiscal year ending September 30, 2014; and

S. 1372, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Stephen Woolman Preston, of the District of Columbia, to be General Counsel, Jon T. Rymer, of Tennessee, to be Inspector General, Susan J. Rabern, of Kansas, to be Assistant Secretary of the Navy for Financial Management and Comptroller, and Dennis V. McGinn, of Maryland, to be Assistant Secretary of the Navy for Energy, Installations, and Environment, who was introduced by former Senator John Warner, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

WIRELINE COMMUNICATIONS

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, and the Internet concluded a hearing to examine the state of wireline communications, after receiving testimony from Jeff Gardner, Windstream Corporation, Little Rock, Arkansas, on behalf of the United States Telecom Association; Shirley Bloomfield, NTCA—The Rural Broadband Association, Arlington, Virginia; Jerry James, COMPTEL, and Gigi Sohn, Public Knowledge, both of Washington, D.C.; and Larry Downes, Kensington, California.

IMPROVING CYBER SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine improving cyber security, focusing on the partnership between National Institute of Standards and Technology (NIST) and the private sector, including S. 1353, to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, after receiving testimony from Patrick Gallagher, Under Secretary of Commerce for Standards and Technology, and Director, National Institute of Standards and Technology; Arthur W. Coviello, Jr., EMC Corporation, Bedford, Massachusetts; Mark Clancy, The Depository Trust and Clearing Corporation, Tampa, Florida, on behalf of the American Bankers Association, Financial Services Roundtable, and Securities Industry and Financial Markets Association; and Dorothy Coleman, National Association of Manufacturers, Washington, D.C.

NATIONAL PARK SERVICE'S SUPPLEMENTAL FUNDING OPTIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine supplemental funding options to support the National Park Service's efforts to address deferred maintenance and operational needs, after receiving testimony from Jonathan B. Jarvis, Director, National Park Service, Department of the Interior; Gerard Gabrys, National Park Hospitality Association, Fairfax, Virginia; Craig Obey, National Parks Conservation Association, Washington, D.C.; David MacDonald, Friends of Acadia, Bar Harbor, Maine; and Dan Puskar, Association of Partners for Public Lands, Wheaton, Maryland.

WATER RESOURCE INFRASTRUCTURE

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine the issues associated with aging water resource infrastructure in the United States, after receiving testimony from Lowell Pimley, Deputy Commissioner of Operations, Bureau of Reclamation, Department of the Interior; James R. Hannon, Chief of Operations and Regulatory, Army Corps of Engineers, Department of the Army, Department of Defense; Charles V. Stern, Specialist in Natural Resources Policy, Congressional Research Service, Library of Congress; Charles Kiely, District of Columbia Water and Sewer Authority Assistant General Manager, Washington, D.C.; and Gerald E. Galloway, University of Maryland, College Park.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Michael B. Thornton, of Virginia, and Joseph W. Nega, of Illinois, both to be a Judge of the United States Tax Court, and F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission.

CRISIS IN EGYPT

Committee on Foreign Relations: Committee concluded a hearing to examine the crisis in Egypt, after receiving testimony from Dennis Ross, The Washington Institute for Near East Policy, Michele Dunne, Atlantic Council Rafik Hariri Center for the Middle East, both of Washington, D.C.; and Daniel C. Kurtzer, Princeton Universtiy Woodrow Wilson School of Public and International Affairs, Princeton, New Jersey.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of David D. Pearce, of Virginia, to be Ambassador to Greece, John B. Emerson, of California, to be Ambassador to the Federal Republic of Germany, who was introduced by Senators Feinstein and Boxer, John Rufus Gifford, of Massachusetts, to be Ambassador to Denmark, who was introduced by Senator Kaine, Denise Campbell Bauer, of California, to be Ambassador to Belgium, and James Costos, of California, to be Ambassador to Spain and to serve concurrently and without additional compensation as Ambassador to Andorra, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security, after the nominee, who was introduced by Senators Feinstein and Landrieu, testified and answered questions in his own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 2822–2843; and 1 resolution, H. Res. 318 were introduced. **Pages H5087–89**

Additional Cosponsors: **Pages H5089–90**

Reports Filed: There were no reports filed today.

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Page H5053**

Coal Residuals Reuse and Management Act of 2013: The House passed H.R. 2218, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, by a recorded vote of 265 ayes to 155 noes, Roll No. 418. **Pages H5055–72**

Rejected the McCollum motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 192 ayes to 225 noes with 1 answering "present", Roll No. 417. **Pages H5070–71**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H5061**

Agreed to:

Connolly amendment (No. 1 printed in part A of H. Rept. 113–174) that requires States to update their certification documents with EPA and to include in those documents a State emergency action plan for responding to spills or leaks. **Pages H5065–66**

Rejected:

Waxman amendment (No. 2 printed in part A of H. Rept. 113–174) that sought to ensure that state permit programs are protective of human health and the environment (by a recorded vote of 185 ayes to 231 noes, Roll No. 415) and **Pages H5066–67, H5068–69**

Tonko amendment (No. 3 printed in part A of H. Rept. 113–174) that sought to require the EPA Administrator to find a State coal combustion residual permit program deficient if the implementation of

the program threatens human health or the environment in any other State. Any State may request that the EPA Administrator review another state's coal combustion residuals permit program for deficiency (by a recorded vote of 176 ayes to 239 noes, Roll No. 416). **Pages H5067–68, H5069–70**

H. Res. 315, the rule providing for consideration of the bills (H.R. 2218) and (H.R. 1582) was agreed to yesterday, July 24th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further when the House adjourns on that day, it adjourn to meet on Tuesday, July 30th, when it shall convene at 12 noon for morning hour debate and 2 p.m. for legislative business. **Page H5077**

Senate Message: Message received from the Senate today appears on page H5072.

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages H5068–69, H5069–70, H5071 and H5071–72. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:08 p.m.

Committee Meetings

ACQUISITION AND DEVELOPMENT CHALLENGES ASSOCIATED WITH THE LITTORAL COMBAT SHIP

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled "Acquisition and Development Challenges Associated with the Littoral Combat Ship". Testimony was heard from Paul Francis, Managing Director, Acquisition and Sourcing Management, Government Accountability Office; Vice Admiral Richard W. Hunt, Director, Navy Staff, Department of Defense; Sean J. Stackley, Assistant Secretary of the Navy, Research, Development and Acquisition, Department of Defense.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a markup on the "Federal Communications Commission Process Reform Act of 2013"; and the "Federal Communications Commission Consolidated Reporting Act of 2013". The "Federal Communications Commission Process Reform Act of 2013"; and the "Federal Communications Commission Consolidated Reporting Act of 2013" were forwarded, without amendment.

EMERGING THREAT OF RESOURCE WARS

Committee on Foreign Affairs: Subcommittee on Europe, Eurasia, and Emerging Threats held a hearing entitled "Emerging Threat of Resource Wars". Testimony was heard from public witnesses.

INNOVATION IN AMERICA: THE ROLE OF COPYRIGHTS

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property and the Internet held a hearing entitled "Innovation in America: The Role of Copyrights". Testimony was heard from public witnesses.

PROTECTING STATES' RIGHTS TO PROMOTE AMERICAN ENERGY SECURITY ACT

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on the "Protecting States' Rights to Promote American Energy Security Act". Testimony was heard from Catherine P. Foerster, Chair and Engineering Commissioner, Alaska Oil and Gas Conservation Commission; Christi Craddick, Commissioner, Railroad Commission of Texas; John Rogers, Utah Division of Oil, Gas, and Mining; and a public witness.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing on H.R. 358, the "Strategic Response to Asian Carp Invasion Act"; H.R. 709, the "Upper Mississippi Conservation and River Protection Act of 2013"; H.R. 1818, the "Polar Bear Conservation and Fairness Act of 2013"; H.R. 2158, the "Expedited Departure of Certain Snake Species Act"; and H.R. 2463, the "Target Practice and Marksmanship Training Support Act". Testimony was heard from the following Representatives: McCollum and Ellison; and Stephen D. Guertin, Deputy Director, Fish and Wildlife Service; Scott Zody, Chief, Ohio Department of Natural Resources, Division of Wildlife; and public witnesses.

DATA CENTERS AND THE CLOUD, PART II: THE FEDERAL GOVERNMENT'S TAKE ON OPTIMIZING NEW INFORMATION TECHNOLOGIES OPPORTUNITIES TO SAVE TAXPAYERS MONEY

Committee on Oversight and Government Reform: Subcommittee on Government Operations held a hearing entitled "Data Centers and the Cloud, Part II: The Federal Government's Take on Optimizing New Information Technologies Opportunities to Save Taxpayers Money". Testimony was heard from David McClure, Associate Administrator, Office of Citizen

Services and Innovative Technologies, General Services Administration; Steven VanRoekel, Acting Deputy Director for Management, Federal Chief Information Officer, Administrator, E-Government and Information Technology, Office of Management and Budget; and David A. Powner, Director, Information Technology Management Issues, Government Accountability Office.

THE FUTURE OF COAL

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''The Future of Coal: Utilizing America's Abundant Energy Resources''. Testimony was heard from Chris Smith, Acting Assistant Secretary for Fossil Energy, Department of Energy; and public witnesses.

EXAMINING THE SMALL BUSINESS INVESTMENT COMPANY PROGRAM

Committee on Small Business: Subcommittee on Investigation, Oversight and Regulations held a hearing entitled ''Examining the Small Business Investment Company Program''. Testimony was heard from Pravina Raghavan, Acting Associate Administrator, United States Small Business Administration; and public witnesses.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee hearing entitled ''Ongoing Intelligence Activities''. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JULY 26, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, July 29

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4:15 p.m.), Senate will resume consideration of S. 1243, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

At 4:30 p.m., Senate will resume consideration of the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation and vote on the motion to invoke cloture on the nomination at approximately 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, July 26

House Chamber

Program for Friday: The House will meet in pro forma session at 10 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Blackburn, Marsha, Tenn., E1143
Blumenauer, Earl, Ore., E1136
Bridenstine, Jim, Okla., E1133, E1135
Bustos, Cheri, Ill., E1134
Butterfield, G.K., N.C., E1137
Cartwright, Matt, Pa., E1137, E1141
Coffman, Mike, Colo., E1141
Conyers, John, Jr., Mich., E1141
Courtney, Joe, Conn., E1145
Doyle, Michael F., Pa., E1140
Eshoo, Anna G., Calif., E1133
Goodlatte, Bob, Va., E1142
Hartzler, Vicky, Mo., E1145
Honda, Michael M., Calif., E1137, E1145
Horsford, Steven A., Nev., E1144
Jackson Lee, Sheila, Tex., E1135, E1138, E1143, E1145
McCollum, Betty, Minn., E1136
McIntyre, Mike, N.C., E1143
Moore, Gwen, Wisc., E1144
Payne, Donald M., Jr., N.J. , E1145
Pingree, Chellie, Me., E1138
Price, David E., N.C., E1138, E1143
Reichert, David G., Wash., E1141
Royce, Edward R., Calif., E1139
Ryan, Paul, Wisc., E1135
Ryan, Tim, Ohio, E1135
Schneider, Bradley S., Ill., E1133
Swalwell, Eric, Calif., E1144
Terry, Lee, Nebr., E1137
Vela, Filemon, Tex., E1135
Webster, Daniel, Fla., E1134
Wittman, Robert J., Va., E1135
Wolf, Frank R., Va., E1142
Young, C.W. Bill, Fla., E1134

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