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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 12, 2013.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

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

PRAYER

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

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

Though having returned so recently, the House prepares to leave for a long weekend. Many of its Members prepare to observe Yom Kippur—the Day of Atonement.

At a time of great international tensions, many others will take pause to acknowledge past failures and renew efforts at peaceful and productive resolutions to ongoing difficulties.

On this day, give the Members of this assembly listening hearts and a willingness to give to each other time and attention. May they be ready to respond to Your Spirit living in each of their colleagues.

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

Amen.

THE JOURNAL

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

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

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

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

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

Mr. JOHNSON of Ohio. Madam 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 pro tempore. 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The point of no quorum is considered withdrawn.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 pro tempore. Will the gentleman from New York (Mr. TONKO) come forward and lead the House in the Pledge of Allegiance.

Mr. TONKO 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 PRO TEMPORE

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

LACK OF LEADERSHIP

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

Mr. JOHNSON of Ohio. Madam Speaker, we're living in a dangerous world abroad, with challenging economic times at home, but America has been here before.

On Tuesday, Americans witnessed the embarrassing and dangerous results of this administration's lack of a coherent foreign policy: Vladimir Putin filled the global leadership void. What happens next with Syria and that region is anyone's guess, but it's clear that America is not in the driver's seat.

The President failed to convince me—and most of the American people—that military action in Syria is in our best interests. This debate was not conducted from a position of foreign policy strength because Syria was allowed to fester. Flawed attempts at coalition building failed.

Iran is ever closer to a nuclear bomb. Iran funds terrorist organizations. Iran's influence in the region is significant. And a Middle Eastern arms race would likely follow, the results of which could be catastrophic.

The world is looking to America for leadership. The American people are looking to this President for leadership. Mr. President, it's time for you to step up to the plate.

CLIMATE CHANGE

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

Mr. TONKO. Madam Speaker, recent superstorms like Hurricane Sandy, Hurricane Irene, and Tropical Storm Lee have tested the resiliency of our infrastructure. During these severe weather events, bridges failed, blackouts occurred, and communities were devastated by flooding at the same time that our water supply systems failed. It took weeks to restore these vital services. Our electricity, potable

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water, and transportation networks must be reliable even in the face of severe storms.

The American people need and deserve a Congress that will work together to address the present and growing threat of climate change and do what is necessary to ensure the resiliency of our roads, bridges, electrical grid, dams, and water systems. Accomplishing this would create jobs and support our communities and our economy.

This week, the National Oceanic and Atmospheric Administration reported that Sandy-like flooding is now twice as likely due to the sea level rise associated with climate change. One need look no further to understand that the time is now to act on climate.

UNAFFORDABLE CARE ACT

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

Mr. DUNCAN of Tennessee. Madam Speaker, all over this country many thousands are not being hired because of the so-called Affordable Care Act, which is really unaffordable. Many thousands more are seeing their hours cut so they do not go over the 30-hour-per-week threshold. Someone said the new normal is now two 20-hour-a-week jobs.

Now the State of Tennessee has had to notify 16,000 Tennesseans they can no longer have coverage under CoverTN, a low-cost health care plan for small businesses and the self-employed. The plan is being abolished because it does not meet all the bureaucratic requirements of ObamaCare.

Senator LAMAR ALEXANDER said:

> The new health care law has destroyed an innovative State health insurance plan that is helping 16,000 Tennesseans afford health care coverage.

When the President was selling ObamaCare to Americans, he said again and again that people who had insurance they liked could keep it. Despite the President's promises, Tennesseeans enrolled with CoverTN are among the thousands of Americans who are being forced to buy new, more expensive plans with much higher premiums because of the ''Unaffordable Care Act.''

JOBS, JOBS, JOBS

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

Ms. WILSON of Florida. Madam Speaker, it's now been 2 years since President Obama stood before a Joint Session of Congress to present a comprehensive and cost-effective plan to address our national jobs crisis.

With all eyes now on Syria, the CR, and the debt limit, we cannot forget that the emergency for tens of millions of Americans is still painful and pervasive joblessness. It's now been 2 years, and the President's bill, the American Jobs Act, has still not even received a vote in this House.

Madam Speaker, it's time to commit to a serious jobs agenda that stops sequester layoffs and provides real options for the long-term unemployed people in our Nation. It's time to bring the American Jobs Act of 2013 to the floor. Madam Speaker, the mantra of this Congress should be: jobs, jobs, jobs.

''NEW NORMAL'' II

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

Mr. MEEHAN. Madam Speaker, my colleagues and I have returned to Washington after spending time back in our districts with our constituents, and it's clear we've got our work cut out for us.

Already we've been hearing personal stories—and I know I did—of folks in our districts who are having trouble making ends meet in this new normal under the Obama economy.

And last week, we found things were only getting worse with unemployment. This rate has been too high for too long. Millions of our fellow Americans are unemployed, with an average of 8.5 months out of work.

The simple truth is they deserve better.

House Republicans have a solid plan to put Americans back to work and secure our future. To do that, we believe the solution lies in expanding our freedom and opportunity, not restricting it.

KSBW CELEBRATES 60-YEAR ANNIVERSARY

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

Mr. FARR. Madam Speaker, I rise today in the United States Congress to celebrate and honor our local television station—it started 60 years ago—KSBW, an NBC affiliate for the central coast of California. SBW stands for ''Salad Bowl Capital of the World,'' which is what the Salinas area is known for.

In September 1953, the station opened, and it proudly represented the whole feeling of the central coast to have its first television station. I was 12 years old, and I remember sitting there with my father as he was being interviewed on that television station. It went through decades of being the area's first station to provide local news. It was the first station to broadcast in color. It was the first to broadcast news reports from the field. It was the first to broadcast in high definition.

For the past 15 years, the station has been owned by the 126-year-old Hearst Corporation and led locally by Joseph W. Heston as president and general manager. Hearst continues to operate a full-time Washington, D.C., news bureau, making KSBW the only local station on the central coast to provide direct reports from Washington to local constituents.

Congratulations, KSBW, for 60 years of firsts. I wish them another 60 years of great success on the central coast.

NATIONAL SUICIDE PREVENTION WEEK

(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. Madam Speaker, I rise today to recognize National Suicide Prevention Week.

Suicide is a serious public health problem that takes an alarming toll on so many individuals, including our military personnel and veterans. A growing number of returning servicemembers and veterans suffer from posttraumatic stress, acute brain injuries, severe anxiety, depression, and a variety of other mental illnesses from battle. The U.S. Department of Veterans Affairs released a study in February 2013 which estimates that approximately 24 veterans commit suicide every day.

Our highest priority must be the mental health and well-being of our friends, our colleagues, and loved ones, and also the brave men and women who serve our Nation. Should one fear that someone they know is in crisis or depressed, giving that person an opportunity to open up and share their troubles with you can go a long way.

National Suicide Prevention Week is a time for all of us to learn more about suicide, its warning signs, and what can be done to help those in need.

PANCREATIC CANCER

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

Mr. GARCIA. Madam Speaker, I rise today to draw attention to a disease that plagues our Nation and my home State of Florida—that is pancreatic cancer.

Unfortunately, pancreatic cancer today remains the fourth leading cause of cancer death, with a 5-year survival rate of just 6 percent. In 2013, the Pancreatic Cancer Network anticipates that there will be 3,380 new cases of pancreatic cancer in Florida alone.

Last year, Congress passed the Recalcitrant Cancer Research Act, which calls on the National Cancer Institute to help develop a scientific framework for combating pancreatic cancer. This was an important step forward, but there is clearly more that we can do and should be done.

We must continue to fund investments in the National Cancer Institute's research so that they can better

understand how to prevent and treat this disease. Therefore, I urge my colleagues to support this critical funding and to renew and strengthen our commitment to combating pancreatic cancer.

□ 0915

SPECIAL IMMIGRANT VISA PROGRAM

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

Mr. BLUMENAUER. Madam Speaker, in less than 3 weeks, the Special Immigrant Visa program expires. This is something we created to help bring people who served Americans in Iraq and Afghanistan as interpreters, guides, drivers, people who helped our soldiers, who put their lives at risk, to be able to escape to safety. Unfortunately there are people with long memories who are there seeking revenge against those who have helped us.

But sadly, this project has been hampered by what can only be charitably described as ''bureaucratic ineptitude.'' The State Department can't even tell us how many thousands of people are in the backlog. Chairman ROGERS just this week told me that an interpreter for one of his heroes is trying to seek refuge in the United States.

The program will expire September 30. If we can't help the State Department fix it, we can at least extend it in the continuing resolution so that we've got a chance for these people who gave so much for Americans to be able to get the refuge that they deserve.

NO SUBSIDIES WITHOUT VERIFICATION ACT

Mrs. ELLMERS. Madam Speaker, pursuant to House Resolution 339, I call up the bill (H.R. 2775) to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 339, the amendment printed in House Report 113–206 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2775

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''No Subsidies Without Verification Act''.

SEC. 2. CONDITIONING PROVISION OF ACA PREMIUM AND COST-SHARING SUBSIDIES UPON CERTIFICATION THAT A PROGRAM TO VERIFY HOUSEHOLD INCOME AND OTHER QUALIFICATIONS FOR THOSE SUBSIDIES IS OPERATIONAL.

Notwithstanding any other provision of law, no premium tax credits shall be allowed under section 36B of the Internal Revenue Code of 1986 and no reductions in cost-sharing shall be allowed under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) before the date that the Inspector General of the Department of Health and Human Services certifies to the Congress that there is in place a program that successfully and consistently verifies, consistent with section 1411 of such Act (42 U.S.C. 18081), the household income and coverage requirements of individuals applying for such credits and cost-sharing reductions prior to making the benefits available.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chair and ranking minority member by the Committee on Ways and Means.

The gentlewoman from North Carolina (Mrs. ELLMERS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes. The gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 10 minutes.

GENERAL LEAVE

Mrs. ELLMERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials on H.R. 2275.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Mrs. ELLMERS. Madam Speaker, I yield myself such time as I may consume.

I rise today to speak about the economic disaster facing all Americans on October 1.

Nearly 3 years ago, I decided to run for office for one primary reason: to defeat and repeal Obamacare. Three years later, this terrible law is set to be implemented and the dire warnings and predictions are already coming true.

This past summer alone, we saw three major delays in the law's implementation—from the employee mandate to consumer price caps to the issue we are debating here today.

Congresswoman BLACK's bill, H.R. 2775, the No Subsidies Without Verification Act, is a first step at attacking the latter.

The premise of this bill is quite simple. Serving as the stewards of taxpayer dollars is one of our most important jobs as Members of Congress. After all, dollars wasted by Congress or improperly spent by the executive branch has a direct impact on the budgets of families across this country who are struggling to pay their bills.

This is why I was appalled by this summer's announcement by the Department of Health and Human Services. In the 600-page rule issued during the July 4 holiday, HHS stated that they would no longer verify income for ObamaCare subsidies. Instead, the Obama administration would now rely on self-attestation and sample audits when launching the ObamaCare exchange subsidy program—an initiative that is estimated to cost over $1 trillion over the next decade.

After receiving criticism, HHS announced that they would reverse course and extend audits to all applicants. Yet, to this date, the administration has issued no formal change in the rule to codify this policy. In other words, they are saying one thing and doing another.

As it stands today, the rule issued by HHS reads:

The exchange may accept the applicant's attestation without further verification.

And yet, while verification has been removed, the fines remain in place. Any applicant who enters information improperly could possibly face a $25,000 fine. If the mistake is knowing and willful, the fine could grow as high as $250,000.

As Ronald Reagan famously said, ''trust, but verify.'' If history is any guide, these claims of accountability will be disregarded unless oversight is enforced.

This only reinforces the need for the No Subsidies Without Verification Act. The bill would simply require certification systems to be in place so that the administrators can successfully and consistently verify eligibility before any premiums and cost-sharing credits are paid out.

Similar language was adopted by the Senate, but the bill before us would implement a bipartisan consensus and protect taxpayer dollars. It would do so by requiring the inspector general of HHS to certify that income verification is in place before precious taxpayer dollars are wasted and abused.

I urge my colleagues to vote in favor of H.R. 2775, and I reserve the balance of my time.

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

The bill before us today is nothing more than another page out of the Republican playbook to delay, derail, and otherwise repeal the Affordable Care Act. Rather than a productive, bipartisan effort to ensure successful implementation, Republicans will instead waste more precious floor time to take their 41st vote that undermines and repeals the Affordable Care Act.

H.R. 2775 is based on a flawed premise that HHS does not have the verifications in place to ensure that families who are getting financial help are eligible for that help.

But my Republican friends, that's simply not true, and your bill will do nothing but prevent millions of hardworking American families from gaining Affordable Care Act coverage.

First and foremost, this bill is totally unnecessary. HHS already has

stated in regulations that they will check and verify income on 100 percent of the applications. If someone receives payments that they determine aren't substantiated, those payments will have to be paid back—100 percent verified and reconciled.

Here is how it works. To get subsidies to make their health insurance affordable, hardworking Americans and families will submit their projected annual household income through the marketplaces. The data will then be checked against IRS data, Social Security data, and current wage information. If there is an inconsistency, the marketplaces will require additional documentation from applicants.

In addition, marketplaces will check employer coverage information from the applicant and their employer against data from a number of employer data sources approved by HHS to verify eligibility for the subsidies. If applicant information and other data do not match, the marketplaces will ask for further supporting documentation.

And lastly, all payments of premium tax credits are reconciled by IRS the following year. The income data submitted to the marketplaces are reconciled against the actual wages and health-covered information on the individual's income tax return. If there is an inconsistency, the applicant pays back the excess.

Let me repeat that part, that last part, Madam Speaker, because it is the most critical. Even after HHS has verified wage information on each individual situation that arises before tax credits are sent out, the income information will still be doublechecked again against actual wages on the individual's income tax return the following year. So if there is an inconsistency, the applicant pays back the excess. There is, again, 100 percent income verification and reconciliation on the back end.

Madam Speaker, both CBO and JCT, the Joint Committee on Taxation, confirmed this, stating that the program HHS has in place satisfies the certification requirements under section 1411 of the law—proving, again, that this bill is simply irrelevant.

But, of course, in light of this report, our Republicans at the twelfth hour have hastily amended the bill. The new language will basically ask the IG of HHS to formally certify these verification systems, which does nothing but delay the start of the law and deny millions of hardworking Americans from getting the tax credits they're clearly eligible for.

I maintained in Rules last night, and I'll maintain again, this is not the responsibility of the inspector general. The inspector general doesn't do this. They probably can't do this.

The IG's office has confirmed these implications by stating that this new language places unworkable requirements on their office and that it has no resources to perform this and that it is outside of its traditional role. The Republicans know very well all of this, and that's the exact reason they made this change. It's simply a delay tactic.

□ 0930

Again, the IG won't be able to do this. This is not its traditional role. So the only thing that happens here, Madam Speaker, is that this is a legislation which, of course, will never pass; but if it did pass and got signed by the President, which would never happen, it would simply delay the implementation of the Affordable Care Act, and that's what the Republicans want. Repeal, delay, defund—this is what they're all about. It's the 41st vote, again, to repeal the Affordable Care Act.

Madam Speaker, we are 20 days away from October 1, when millions of uninsured Americans will finally get access to quality, affordable health care. No longer will hardworking families worry about getting sick or injured or losing coverage because of the loss of a job, because the Affordable Care Act gives health security and peace of mind. For those hardworking families who need additional tools to help them afford their health coverage, the ACA will help make coverage a reality.

So despite the delay tactics in this bill and the millions of hours and dollars spent to derail the ACA, the law is moving forward. Organizations across this country, including labor, small businesses, employers, health care providers, advocates, religious leaders, and others, will continue to focus on helping uninsured Americans gain access to health care.

I urge my colleagues to oppose this bill. It is, again, an unnecessary delay; but I at least am optimistic in knowing that the ACA will move forward and that the Republicans will not have success.

I reserve the balance of my time.

Mrs. ELLMERS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS), the chairman of the Energy and Commerce Health Subcommittee.

Mr. PITTS. I rise in support of H.R. 2775, and I commend the gentlelady, Congresswoman BLACK, and also Congresswoman ELLMERS for their leadership on this issue.

Madam Speaker, earlier this year, we found out that the IRS flagged for further review 90 percent of Americans who claimed the adoption tax credit, and 70 percent of the adoptive families faced at least a partial audit. Only a minuscule percentage of the tax credits given to those families were disallowed. Many needy families saw their returns delayed for months. We also found out this year that hundreds of conservative nonprofits had their applications for tax-exempt status delayed for months and years by IRS agents.

Ask millions of small business owners who have spent hours laboring over tax returns—the government doesn't typically operate by the honor system, but when it comes to doling out billions of dollars in new ObamaCare subsidies, the government is just going to accept applications without question, on the honor system.

This is all in the interest of getting ObamaCare up and running as soon as possible without any regard to potential fraud, and it's after the old ''pay and chase'' model. We are entrusted with protecting taxpayer dollars, not watching them go out to people who don't need them. If the Treasury Department can't figure out how to prevent fraud, then subsidies shouldn't be going out the door. And if the tax subsidy is overpaid to the insurance companies for the tax credits for individuals, guess who pays back the overpayment? It's not the insurance companies. It comes out of the individual's pocket.

I'm sure I won't be the only person on the floor today to recall President Reagan's words of ''trust, but verify.'' The byword for ObamaCare is just simply ''trust.'' The Obama administration doesn't trust adoptive parents or conservative nonprofits or small businesses; but for the purpose of getting the President's signature legislation up and running, they are perfectly willing to see taxpayers get fleeced. This is simply wrong. We need to demand that the administration follow the law. ObamaCare was such a landmark piece of legislation. Why does it have to be ignored at every turn?

I urge Members to support the bill.

Mr. PALLONE. Madam Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD), a member of our committee.

Mr. BUTTERFIELD. Thank you very much, Mr. PALLONE, for yielding time this morning, and thank you for your extraordinary leadership on our committee and for giving affordable health care to every American.

Madam Speaker, I rise this morning to oppose H.R. 2775. This bill, if passed by the House and passed by the Senate and signed by the President, which I would say is highly unlikely, would require the Secretary of Health and Human Services to certify to Congress that an income verification system is in place before any subsidies can be distributed for individuals to purchase health insurance through the marketplace.

Here you go again—repeal effort No. 41.

The Republican majority is obsessed with discrediting the President of the United States by using every procedural maneuver imaginable to weaken this law, which was passed by the Congress and upheld by the United States Supreme Court.

I invite my Republican colleagues to read a report published by the Congressional Budget Office, which states that HHS already has in place sufficient safeguards for distributing subsidies to assist uninsured Americans with the purchase of insurance.

This is not an honor system, Mr. PITTS. It is written into the law, and the Congressional Budget Office recognizes that we do have in place a system to verify the incomes.

Madam Speaker, I am still fuming about the 15 Republicans on the Energy and Commerce Committee who on August 29 sent a multi-page investigatory letter to 51 community nonprofits that have been approved to receive navigator grants to assist the uninsured with the process. I simply do not understand how the chairman of a committee and a few like-minded committee members can author a letter to grant recipients, demanding that they answer questions and produce documents. I suggest that this letter exceeds the authority of these individuals to harass and to intimidate grant recipients.

I urge the Republican majority to stop trying to discredit President Obama. Stop trying to defund and repeal the Affordable Care Act. It is the law of the land. Millions of Americans are benefiting from it today and will be in the future. You should be using this creativity and energy expended this morning to pass a budget and lift the sequester, which is hurting families and communities all across America.

My friends, get serious; and let's stop playing games with the American people.

Mrs. ELLMERS. I now yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN), the vice chair of the Energy and Commerce Committee.

Mrs. BLACKBURN. I thank the gentlelady.

Madam Speaker, I want to commend Mrs. BLACK, my colleague from Tennessee. She has done a tremendous job in bringing this legislation forward, and she brings it forward because of the experience we have had in Tennessee with a program that was called TennCare, which had no verification. It became ''just in time'' insurance, and guess what? It became too expensive to afford. When you do not exercise appropriate oversight and verification, that is what happens—you incentivize the use. Those who really do not qualify come into the program. Indeed, we had a Governor—a Democrat Governor by the way—who removed about 300,000 individuals from this program.

I am pleased that as we discuss and stand in support of H.R. 2775 that my colleagues across the aisle are getting our message. When it comes to ObamaCare, yes, delay, defund, repeal, replace. That is exactly what we want to do because this law has become so amazingly unpopular with the American people and, indeed, with women. Over 65 percent of all American women oppose this law and the implementation of this law.

The reason we are bringing this legislation forward is that there is a gaping hole. We know that having self-attestation for getting these taxpayer subsidies in these exchanges is going to lead to an incredible amount of fraud. We are even having estimates of as much as $250 billion worth of fraud, which could be going into this program. We're not acting on theory. We're looking at what has previously happened with programs such as TennCare. Indeed, my colleague from New Jersey has heard me talk about this for years, and he knows that when we look at something that is public option health care that that is the public option from which we draw our experience.

Mr. PALLONE. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS), who is a long-time supporter and person in the mix on health care, certainly as a nurse and as a health care professional.

Mrs. CAPPS. Thank you, Mr. Chairman, my friend from New Jersey.

Madam Speaker, I rise in strong opposition to this bill. Our Nation is facing a host of challenges: we need to end the sequester; we need to fund our government properly to avoid a shutdown; we need to increase the deficit limit so that we can pay our bills and maintain a strong credit rating; and we must have a full and open debate about what to do in response to chemical weapons being used in Syria.

But instead of any of these pressing issues, here we are again, at the insistence of the House majority, voting for the 41st time to repeal, defund, obstruct, or derail the Affordable Care Act; and they want to do so as more and more Americans, including my constituents on the central coast of California, are now beginning to benefit from the law.

Already 11,000 young adults in my district have gained health care insurance coverage under their parents' plans, allowing them to pursue their education or to start new ventures without the fear of going bankrupt if they should get sick. Almost 300,000 of my constituents are now able to get the preventative health services they need without worrying about the cost, and 10,000 seniors have already found relief when falling into the dreaded prescription drug doughnut hole in Medicare; and in less than 1 month, California families who for so long have been priced out or denied coverage in the private health insurance market will finally get the coverage they want and deserve.

Throughout the program—we call it Covered California Exchange—along with health care at marketplaces all across this country, individuals, families and small businesses will gain a transparent, one-stop shop to compare health insurance policies. They will also be able to receive financial assistance and to sign up for high-quality, affordable, and secure insurance coverage; and they won't have to worry about being denied coverage for their preexisting conditions. Yet this bill before us would erode all of these benefits, essentially blocking hardworking families from getting the affordable health insurance coverage they need.

The American people have moved on. They want us to come together to improve our Nation, not to divide it. So I urge my colleagues to vote ''no'' on this bill. Let's get to work on the many critical issues facing our Nation.

Mrs. ELLMERS. Madam Speaker, I yield 2 minutes to the gentlelady from Washington, Congresswoman MCMORRIS RODGERS, the chair of our Republican Conference.

Mrs. MCMORRIS RODGERS. I thank the gentlelady.

Madam Speaker, in less than a month, enrollment for ObamaCare's largest entitlement program will begin. Subsidies will go out the door on January 1, and they will go to anyone who claims he is eligible—no verification, no accountability. The GAO and the Inspectors General for both Health and Human Services and the IRS have told us that the administration's verification system is extremely vulnerable to fraud, but the picture gets worse.

In 2012 alone, Health and Human Services gave out more than $64 billion in improper payments. In fact, the Department of Health and Human Services, the agency charged with implementing these exchanges, has the highest annual improper payment rate among Federal agencies. The Department of the Treasury, which is responsible for enforcing 47 different tax provisions, is second only to Health and Human Services. The Wall Street Journal recently reported that not verifying eligibility could cost taxpayers more than $250 billion in improper payments. Yet the administration doesn't seem to care.

Over the last several months, we've seen the wheels falling off—the delay in the employer mandate, the delay in the consumer cost containment rule, the delay in the finalizing of agreements with insurance plans, and now this delay in ensuring that the verification mechanisms are in place to protect taxpayers. This administration has made one thing clear, that it will stop at nothing to ensure that 7 million people are enrolled in exchanges in 2014—2.7 million of whom must be young in order to make it work—and that subsidies are handed out to as many Americans as possible.

□ 0945

The administration's decision to allow enrollees to self-attest to the information provided to the exchanges is not only irresponsible, but ripe for fraud. The only real solution is the passage of H.R. 2775, and I urge our colleagues to support this bill.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, this is sort of a charade that's going on today. Our Republican friends allow, for example, businesses to self-certify in a whole range of other areas. This is not about that. What this is, is another attempt to sabotage health care reform.

America is involved in a grand reform. Some of us are in States like Oregon, California, Washington, New York, and Maryland where we're actually working to implement the reform, and our citizens are going to have lower rates, more choices, and subsidies for individuals and small businesses for better coverage.

In other parts of the country some of our Republican friends have decided to sabotage implementation. Customers won't get extra help in Alabama, Oklahoma, Texas, or Wyoming, where insurance commissioners won't even review health plans to make sure that they're offered in the new marketplaces to provide consumers with required benefits and protections. In Missouri, believe it or not, the Republican legislature has made it illegal for new health insurance marketplaces for State employees to tell people what they're eligible for. Today, this is one more effort to throw sand in the gears.

The response from Republicans, who have no vision for health care, refuses to acknowledge that what we are working on now and what they derisively call ObamaCare, actually had its roots in a bipartisan consensus of what's necessary to get more value out of American health care.

The health care reform train has left the station. We should simply reject today this misguided attempt to sabotage it. Americans from coast to coast will be able to see the difference in communities that are embracing it and implementing it versus those that are trying to sabotage it.

In the course of the next 2 years, the facts will be clear. Mercifully, what the House is going to pass today is not going to be enacted into law, and the rest of us can get to work implementing reform.

Mrs. ELLMERS. Madam Speaker, I yield myself 45 seconds just to outline some of the things that have already been repealed in ObamaCare.

As a consequence of Congress passing ObamaCare to find out what is in it, we have found some terrible ideas in the law. To date, the President has actually signed into law seven bipartisan bills repealing or defunding parts of the health care law. H.R. 4 repealed the small business paperwork mandate, or the 1099. H.R. 1473 cut $2.2 billion from a stealth public plan and froze the IRS budget. H.R. 674 saved taxpayers $13 billion by adjusting eligibility for ObamaCare programs. H.R. 2055 made more cuts to CO-OPs, IPAB, and the IRS. H.R. 3630 slashed billions from ObamaCare slush funds. I could go on, Madam Chairwoman.

Now I would like to yield 2 minutes to my colleague from Pennsylvania, Congressman PAT MEEHAN.

Mr. MEEHAN. Madam Speaker, I rise today in support of the No Subsidies Without Verification Act, legislation of which I'm a proud cosponsor. October 1 is only days away, and almost every day we see a brand new headline about ObamaCare, demonstrating the ''train wreck,'' as one Senator put it. Those are their words, not mine.

The thousands of rules, regulations, and mandates are only increasing the cost of health insurance and dramatically expanding the bureaucracy in our health care. And the implementation of ObamaCare has been one disaster after another.

Buried in the hundreds of pages of regulations that have been released this summer was a rule change announcing that the government will no longer verify whether applicants for ObamaCare's insurance exchange are actually qualified for the aid. Instead, they will simply rely on the honor system.

Madam Speaker, we're talking about billions of dollars here. How can we possibly be relying on an honor system? According to The Wall Street Journal, it's estimated that not verifying the eligibility could result in approximately $250 billion in fraudulent payments.

The No Subsidies Without Verification Act will stop any taxpayer funding subsidies until an accurate real-time verification system is in place to ensure the applicants are indeed eligible. It seems like common sense to me. We need a trusted system in place to stop any waste, fraud, and abuse resulting from not verifying eligibility for ObamaCare insurance subsidies.

This is being operated through a data hub, which will have millions of persons' personally identifying information. Of most concern, this is going to be a honeypot for identity theft and the very purpose for which it was put in place in the first place. This income verification is not capable of being accurately done because this administration has refused to allow the businesses who will give the information to apply.

I am a proud cosponsor, and I urge passage of this bill.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman from New Jersey.

I rise today to ask an incredulous question of how many times do we have to say, ''No,'' and how many times do the American people have to say, ''Take your hands off my good Affordable Care Act'' that has allowed millions of Americans to have preventible care that is being poised to attack the scandalous high percentage of uninsured in the State of Texas, being the number one State with uninsured persons? How many times?

First of all, this bill is frivolous. The reason is because there is a construct in the Affordable Care Act to deal with all of the questions that they've asked. First of all, it will require that individuals will have to submit their projected annual household income. All income data submitted through the marketplace will then be checked against IRS data, Social Security data, current wage information. If there is inconsistency, the marketplace will require additional documentation. In addition, marketplaces will check employer coverage information from the applicant and their employer against data, OPM, and the SHOP Marketplaces, as well as other data sources.

It is absolutely absurd for this bill to place more responsibilities on an already sequestered government. If my colleagues want to do anything to provide any substance to what they're talking about, let's put a bill on the floor to end sequestration. There's no resources that would add to the inspector general's ability to do all that they said.

Let me add further insult to injury, and I want my constituents to listen closely. $67 million was given to navigators to provide the kind of oversight and construction that these individuals on this bill have suggested they need. What I find appalling and what I've not seen in my tenure in Congress is the number of Members on the Energy and Commerce Committee that have sent a letter to the 51 navigators governed by Health and Human Services to require them to send information.

I want my navigator that received a grant from HHS to refuse to do anything with that letter, and I'm going to ask the Secretary of HHS to reject this letter that has no authority in law. Again, it is trying to abuse and reject the idea of the Affordable Care Act.

This bill should go down, and don't answer the letter. This is a bad way to deal with health care in America.

Madam Speaker, I rise in strong opposition to H.R. 2775, the so-called "No Subsidies Without Verification Act." I oppose this unnecessary and dilatory legislation which imposes unnecessary and burdensome conditions on the ability of Americans to utilize the tax credits provided by the Affordable Care Act which will enable them to purchase affordable health insurance for themselves and their families.

This is the 41st attempt by House Republicans to repeal, delay, or undermine effective implementation of the Affordable Care Act.

Even though the Affordable Care Act, which has been upheld by the Supreme Court and is here to stay, House Republicans refuse to abandon their quixotic quest to derail a law that will bring peace of mind to millions of Americans and reduce the deficit by $1 trillion.

Their latest attempt is the bill before us which prohibits any health insurance premium tax credits from being provided until the HHS Inspector General Office certifies there is a program in place that "successfully and consistently verifies" household income and coverage requirements for those applying for these credits.

This bill, H.R. 2775, is unnecessary because HHS already has a strong income verification system in place, as confirmed by CBO. The only purpose of this legislation is to hinder the implementation of the Affordable Care Act.

The impact of the enactment of this GOP bill would be an unconscionable delay in obtaining health insurance for more than 25.7 million Americans, 22.7 million of whom are members of working class families.

The new requirement imposed by the irresponsible bill before us would delay millions of

our hard-working constituents from getting the premium tax credits they are clearly eligible for beginning on January 1, 2014.

Madam Speaker, Americans do not have to be told that justice delayed is justice denied!

Under current law, to receive the premium tax credits to make their health insurance affordable, individuals will have to submit their projected annual household income. All income data submitted through the Marketplaces will then be checked against IRS data, Social Security data, and current wage information. If there is an inconsistency, the Marketplaces will require additional documentation from applicants.

In addition, Marketplaces will check employer coverage information from the applicant and their employer against data from OPM and the SHOP Marketplaces as well as other data sources approved by HHS to verify eligibility for the tax credits. If applicant information and other data do not match, the Marketplaces will ask for further supporting documentation.

Further, all payments of premium tax credits are reconciled by IRS the following year. The income data submitted is reconciled against the actual wages and health coverage information on the individual's income tax return. If there is an inconsistency, the applicant pays back the excess, subject to statutory limit and there is 100 percent income verification and reconciliation on this back-end.

In sum, there are ample existing safeguards to ensure that premium tax credits are available only to those eligible to receive them.

Madam Speaker, after the sobering events of the last week, regarding war and peace, I would hope all my colleagues would take into consideration the importance of using our limited legislative time more wisely.

We should be addressing the need to eliminate sequestration, raising the debt ceiling and passing the jobs bill in order to repair infrastructure. But instead House Republicans continue to repeal, delay, or undermine the Affordable Care Act. Instead of wasting time on these time-consuming but futile efforts, our friends across the aisle should join with their Democratic colleagues to work together to create jobs and educational opportunities for our people.

Moreover, the Affordable Care Act is working and my constituents—and those of my colleagues—are benefiting from this landmark legislation.

Many of those most in need of the healthcare coverage provided by the Affordable Care Act live in the districts of many members on both sides of this argument. My home state of Texas leads the list of states with the highest percentages of uninsured residents. The states with the highest percentage of uninsured are:

1. Texas: 28.8%.
2. Louisiana: 24%.
3. Nevada: 23.3%.
4. California: 23.2%.
5. Florida: 22.8%.
6. Georgia: 22.5%.
7. Arkansas: 21.9%.
8. Mississippi: 21.7%.
9. Oklahoma: 21.4%.

The highest concentration of the uninsured is the poor. The Affordable Care Act provides at no or nearly no cost to states an option to enroll those living in or near poverty into their Medicaid program, which would benefit my state of Texas tremendously if the Governor can be persuaded to follow the example of his Republican counterparts and accept a deal of a lifetime.

I cannot understand the continued refusal by House Republicans to accept the Affordable Care Act, which is now the law of the land and is modeled after the plan put in place in Massachusetts by the nominee of their party in the last presidential election.

Instead of focusing on the issues that the American people want addressed, we are having the same discussion to repeal the Affordable Care Act in efforts of my colleagues to repeal, obstruct and undermine this law.

What is even more frustrating is that while there is so much energy in trying to repeal the Affordable Care Act, there has been no plan or suggestions posed on how to replace it.

Additionally, I oppose this misguided legislation because the Affordable Care Act is working for America and for my constituents in the 18th Congressional District of Texas. Let me count the ways:

13 million Americans benefited from $1.1 billion in rebates sent to them from their health insurance companies last year.

105 million Americans have access to free preventive services, including 71 million Americans in private plans and 34 million seniors on Medicare.

Millions of women began receiving free coverage for comprehensive women's preventive services in August 2012.

100 million Americans no longer have a lifetime limit on healthcare coverage.

Nearly 17 million children with pre-existing conditions can no longer be denied coverage by insurers.

6.6 million young-adults up to age 26 have health insurance through their parents' plan, half of whom would be uninsured without this coverage.

6.3 million Seniors in the 'donut hole' have already 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 employers have already taken advantage of the Small Business Health Care Tax Credit to provide health insurance to 2 million workers.

Because of the Affordable Care Act 3.8 million people in Texas—including 2.2 million seniors on Medicare now receive preventative care services. Over 7 million Texans no longer have to fear lifetime limits on their healthcare insurance. Texas parents of 300,731 young adults can sleep easier at night knowing that their children can remain on their health insurance until age 26.

The protection provided by this law is a guarantee to 5 million Texas residents that their insurance companies will spend 8o percent of their premium dollars on healthcare, or customers will get a rebate from their insurance company.

In my state, there are 4,029 people who had no insurance because of pre-existing conditions, but today the Affordable Care Act has provided them with access to coverage. The Affordable Care Act means that many Texans are free of worry about having access to healthcare insurance.

The Affordable Care Act has helped my constituents in the 18th Congressional District of Texas tremendously. Because of the Affordable Care Act:

11,400 young adults in the district now have health insurance through their parents' plan;

Over 4,100 seniors in the district received prescription drug discounts worth $5.4 million, an average discount of $600 per person in 2011, $650 in 2012, and $1,040 thus far in 2013;

71,000 seniors in the district are now eligible for Medicare preventive services without paying any co-pays, coinsurance, or deductible;

121,000 individuals in the district—including 23,000 children and 50,000 women—now have health insurance that covers preventive services without any co-pays, coinsurance, or deductible;

113,000 individuals in the district are saving money due to ACA provisions that prevent insurance companies from spending more than 20 percent of their premiums on profits and administrative overhead. Because of these protections;

Over 31,100 consumers in the district received approximately $4.4 million in insurance company rebates in 2012 and 2011—an average rebate of $95 per family in 2012 and $187 per family in 2011;

Up to 46,000 children in the district with pre-existing health conditions can no longer be denied coverage by health insurers;

153,000 individuals in the district now have insurance that cannot place lifetime limits on their coverage and will not face annual limits on coverage starting in 2014;

Up to 193,000 individuals in the district who lack health insurance will have access to quality, affordable coverage without fear of discrimination or higher rates because of a pre-existing health condition; and

The 17,000 individuals who currently purchase private health insurance on the individual or small group market will have access to more secure, higher quality coverage and many will be eligible for financial assistance.

However, the list of benefits from the Affordable Care Act is not complete. In 2014, when the Affordable Care Act's final provisions will become effective, 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; and enforcing annual dollar limits on health benefits.

In 2014, access to affordable healthcare for the self employed or those who decide to purchase their own coverage will be easier because of Affordable Insurance Exchanges. There will be a one-stop marketplace where consumers can do what Federal employees have done for decades—purchase insurance at reasonable rates from an insurer of their choice. This will ensure that health care consumers get the care that they need from the medical professionals they trust most at a price they can afford.

This Congress has work that needs to be done, and it is work that should be taken up to restore workers, their families, and communities to sound economic health. We do not have time time for partisan political games that do not advance the interests of the American people.

With less than 20 days before enrollment in the Marketplaces begins, the last thing we should be doing is considering legislation that serves no purpose other than to delay affordable health care coverage to millions of Americans who need and deserve the security and peace of mind such coverage brings.

I urge my Colleagues to put partisan politics aside and join me in voting no on the passage of this bill.

Thank you, Madam Speaker.

HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, August 29, 2013.

DEAR ———: Pursuant to Rules X and XI of the United States House of Representatives, the Committee on Energy and Commerce is examining the role Navigators will play in efforts to enroll individuals in health insurance exchanges under the Patient Protection and Affordable Care Act (PPACA).

On August 15, 2013, the Centers for Medicare and Medicaid Services (CMS) awarded $67 million in Navigator Cooperative Agreements to entities that will assist consumers in preparing electronic and paper applications to establish eligibility and enroll in coverage through the PPACA marketplaces. Your organization was identified as a recipient of a Navigator grant by the Center for Consumer Information and Insurance Oversight (CCIIO).[1]

In order to better understand the work you will perform as a Navigator and the consumer protections that will be in place before open enrollment begins on October 1, 2013, we ask that you contact Committee staff to schedule a briefing to occur no later than September 13, 2013, to discuss your participation as a Navigator in the health insurance exchanges. We also ask that you provide written answers to the following questions and produce the materials requested no later than September 13, 2013:

1. Provide a written description of the work that will be performed with the funds obtained via your Navigator grant. This would include a description of the number of employees, volunteers, or representatives that will be utilized and the pay and duties for each, as well as a written description of how any other portion of the grant may be spent. If a budget or detailed description of how this funding will be utilized exists or will be created, provide these documents in addition to the written response requested.

2. Provide a written description of the training or education employees, volunteers, or representatives must complete, including training or education required by the Department of Health and Human Services (HMS), CMS, CCIIO, or any other federal or state entity. Provide a written description of any training or educational efforts employees, volunteers, or representatives must complete that are required by your organization beyond that required by any federal or state entity. Provide copies of these materials.

3. Provide a written description of the processes and procedures in place to monitor, review, or otherwise supervise your employees, volunteers, or representatives. If documentation of these standards exists or will be created, provide these documents in addition to the written response requested.

4. Provide a written description of how your organization will utilize the information obtained during performance of your Navigator grant. This would include, but is not limited to, descriptions of the measures your organization will take to safeguard an individual's personal and medical information. Furthermore, provide a written description of whether your organization may use any of the information obtained during performance of your Navigator grant, including any prohibitions on the use of that information. For example, please provide a written description of whether your organization may contact individuals who have utilized your services as a Navigator for the purposes of fundraising, voter registration efforts, campaign activities, or any other reason.

5. Provide a written description of whether your organization has been contacted by any health insurance company or health care provider to discuss your Navigator grant. This would include, but is not limited to, discussions of supporting your organization in any way or promoting the health insurance company or health care provider to individuals your organization may contact.

6. Provide all documentation and communications related to your Navigator grant. This would include, but is not limited to, materials your organization submitted in order to obtain the grant, materials provided to your organization upon obtaining the grant, and communications between your organization and representatives from HHS, CMS, CCIIO or any other federal or state entity. This request also includes, but is not limited to, any documents provided by (or communications with), representatives from HHS, CMS, CCIIO, Enroll America, or any other entity including federal or state governments discussing individuals to target or solicit for enrollment under the PPACA, including discussions or documents related to geographic area.

Instructions for responding to the Committee's document request are included as an attachment to this letter. Thank you for your prompt attention to this matter. If you have questions or wish to discuss your responses or production, please contact Karen Christian or Sean Hayes.

Sincerely,

Fred Upton, Chairman; Tim Murphy, Chairman, Marsha Blackburn, Vice Chairman; Phil Gingrey; Gregg Harper; Cory Gardner; Joe Barton, Chairman Emeritus; Joseph R. Pitts, Chairman, Subcommittee on Health; Michael C. Burgess, Vice Chairman, Subcommittee on Oversight and Investigations; Steve Scalise; Pete Olson; Morgan Griffith; Bill Johnson; Renee Ellmers; Billy Long.

Mrs. ELLMERS. Madam Speaker, I yield myself such time as I may consume.

I would just like to point out to my colleagues across the aisle that in the latest Wall Street Journal article of September 10, one of the things that they point out again is that in the Senate, which is the Democrat majority, they put in an HHS spending bill a sense of the Senate that the provision for income verification be in place.

This is something that is very important. It is common sense. Madam Speaker, wouldn't it be just a major commonsense issue to just simply put in place a proactive prevention of fraud, waste, and abuse?

I would also like to point out to my colleagues that have discussed the issue of whether or not the inspector general has the ability to do so, first and foremost, we wouldn't be approaching this in this manner if the rule had not been removed. Yet, we have to have a system in place that will address these issues.

There is no reason that we can't approach it from this, again, very commonsense approach where we ask that we actually have a rule put in place. We can't simply move forward on this incredible disaster of a law when we are not asking for some verification. I think it's a very simple move. I think it's a very commonsense move.

I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from New Jersey has 5 minutes remaining, and the gentlewoman from North Carolina has 6 minutes remaining.

Mr. PALLONE. I now yield 3 minutes to the chairman emeritus of the Energy and Commerce Committee, Mr. DINGELL.

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

Mr. DINGELL. Madam Speaker, here we go again. Time in the House is being wasted. The business of the Nation is being obfuscated. The Republicans have got more nonsense to put on the floor.

We're told that this is important. That's baloney. This is the 41st time that the Republicans have tried to gut the Affordable Care Act. They don't understand that you're supposed to respect the will of the people and to carry forward the business of the Nation. What a shame that we have such behavior on that side of the aisle.

All Members agree that we have to verify the incomes of those getting subsidies through the marketplaces, and that is exactly what will take place starting on October 1. This is obfuscation and deceit. All income data will be submitted through the marketplaces and will be checked against data from both the IRS and the Social Security Administration under existing practices. This is a lot of witchcraft and baloney. If there is an inconsistency, then additional documentation is going to be required. Furthermore, all the subsidies are reconciled by the IRS when an individual files their tax returns.

This is just spinning by people who don't want the legislation to come to be, and again, this is the 41st time we've engaged in this silly exercise.

The practical impact of this bill is to deny millions of Americans from getting subsidies for purchasing health insurance. Its purpose is to delay and obfuscate the implementation of the legislation that it is supposed to be helping. To pass this bill is simply going to prove to be a malicious assault on the most vulnerable people in our country and those most in need of the Affordable Care Act.

We've seen this song and dance before. As I mentioned, this is the 41st time we've engaged in this nonsense, wasting about $1.5 million each hour we're doing this. I urge all of my colleagues to join me in opposing H.R. 2775. This is political gimmickry. It is going to have harmful effects, and it is intended to do so.

I urge that the legislation be rejected and that we stop this nonsense and we get going forward to try to see to it that we do implement, in a proper way, the Affordable Care Act.

I thank my good friend New Jersey for yielding this time to me, and I urge my colleagues to reject this nonsense.

Mrs. ELLMERS. Mr. Speaker, I yield myself 2 minutes to respond to some of the comments from my esteemed colleague.

This is theory. That's basically what we have now, because, as the rule was removed the week of the Fourth of July, there has been no rule put in place to replace it. Basically what we're hearing is the description of how it would be run if the rule were in place.

Mr. Speaker, an August 5 frequently asked question document was given out by HHS and the administration, which basically explains the verify process of the Federal exchange but outlines no details on how it will occur. Additionally, this fact sheet has no force of law. Even worse, the fact sheet doesn't even pretend to address the verification applications submitted to ObamaCare exchanges administered by the States. It simply says that the State can choose whatever sample size it wants to audit, meaning no actual verification may occur before millions of dollars of taxpayer-financed benefits are paid out.

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While I believe America is a Nation of honorable people, we have to remember there are always those who will abuse the system. The fact sheet from CMS doesn't change the status of the rule. States can continue to audit whatever sample size they see fit or simply not audit at all.

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

Mr. PALLONE. Mr. Speaker, I yield to the gentleman from Texas (Mr. GENE GREEN) for the purpose of a unanimous consent request.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I oppose this unnecessary piece of legislation.

Thank you for the time to speak. The bill before us is unnecessary. It is burdensome and serves as a barrier for those who are qualified to receive the core they need. Health and Human Services (HHS), the Internal Revenue Service (IRS), and the marketplaces are equipped to handle income verification. If people lie on their tax forms, that is a federal crime.

This is nothing more than one more attempt to block implementation of this law. The Republicans know that as implementation moves ahead their exaggerations and their fear mongering will be exposed. This is a desperate, last ditch effort to stop millions of qualified individuals and families from being able to access care by holding back any subsidies until unreasonable requirements are met by HHS. We have controls in place. The marketplaces and the IRS are tasked with reconciling the data they receive. Americans who are eligible for subsidies should receive them and this bill prevents it from happening.

The Affordable Care Act is a critical law but it's not a perfect law. However, we are spending time with 11th hour attempts at thwarting the law of the land, upheld by the Supreme Court, rather than spending time helping our constituents navigate the new health landscape.

I oppose this bill and urge my colleagues to oppose the bill.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend from New Jersey for yielding, and I'm glad he's back with us.

The purpose of this bill is to make it as hard as possible for a hardworking person to get health insurance for their family. So somewhere in America today there's a person working in a nursing home or a retail store or driving a schoolbus, and if their children got sick tonight, they could not take them to a hospital with an insurance card in their pocket; they'd have to pay for it whatever way they could, which is not at all.

The new law says that that person, under most circumstances, starting October 1, can sign up for a health insurance policy as good as the ones that Members of Congress have, for a reasonable and affordable price, maybe $30 or $40 a week for that family. This is not someone on public assistance. This is not someone sitting around watching someone else pay their bills. This is a hardworking, taxpaying American. That person has to report their income. They have to follow the rules and do all the things that are needed to be done. This bill makes it as hard as possible for that person to do that, and that's why it should be defeated.

So here we are again. This is attempt number—what number are we using today—44, 45, 46, whatever the number is. The government is going to shut down on September 30 if we don't pass a budget. The majority said it was going to bring that budget to the floor this morning, but they're not doing that. Instead, we're having attempt number 44 to repeal the Affordable Care Act. This is not only a waste of the country's time, it's an imposition on hardworking people who finally deserve a break after all these years.

Vote ''no'' on this unwise piece of legislation.

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. PALLONE) has 30 seconds remaining.

Mrs. ELLMERS. Mr. Speaker, we are prepared to close. I would like to ask my colleague if he has any further speakers remaining?

Mr. PALLONE. Mr. Speaker, I ask unanimous consent to yield the remaining 30 seconds to our Ways and Means Committee time.

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

There was no objection.

Mrs. ELLMERS. Mr. Speaker, I yield myself the balance of my time.

Here in Washington we have a way of doing things, and one of those ways is to deal with problems after they've been created.

Prior to coming to Washington, I was a nurse for many, many years. One of the rules that we had drummed into our heads was, if it's not documented, it did not happen. This is a rule that is not documented, so it will not happen. It is not enough that we simply ask to be on the honor system. This is a very important piece of legislation. We must ensure the hard-earned taxpayer dollars are protected and abuses are avoided. I would urge my colleagues to vote ''yes'' on H.R. 2775 for this purpose. I believe it is incumbent on the American people and the job that we do here in Washington to ensure that this happens.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Texas (Mr. BRADY) has 10 minutes. The gentleman from Michigan (Mr. LEVIN) has 10½ minutes.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the No Subsidies Without Verification Act because too many of our precious tax dollars are being lost to fraud. That's the simple goal of this bill by Representative DIANE BLACK, stopping fraud and abuse in ObamaCare.

We wouldn't allow an individual to apply for a mortgage, a car loan or a credit card without verifying their income. You can't go into a restaurant, grocery store, or gasoline station and just pay on the honor system. Yet today—because the White House, frankly, has botched the last 3½ years, and ObamaCare is still not ready—somehow they believe that it's okay for billions of dollars in new taxpayer subsidies to go out the door without a bat of the eye on the honor system.

As hard as you work to earn every paycheck, how much more fraud in health care can we accept? Today we have the opportunity, and I think the responsibility, to hold the Federal Government's feet to the fire and insist it put in place strong protections that will end this pay first and chase later model that's been so ineffective at stopping fraud.

This bill simply insists that the independent inspector general of the Health and Human Services agency certifies there is a real, genuine program in place to stop fraud and abuse in ObamaCare by stopping taxpayer subsidies from going out the door to those who aren't eligible. Wow, that's radical in Washington—not paying those who aren't eligible.

This will give American taxpayers some assurance that we're protecting their hard-earned tax dollars. President Obama has admitted in ObamaCare it's not ready for businesses, and so he waived that. Everyone knows it's not ready for families and workers either. Is it asking too much to at least insist that it be ready to protect taxpayers against a mountain of more fraud?

Now, the White House and our Democratic friends tell us, trust us, we'll

verify everything before giving out taxpayer subsidies. Really? This is from the same White House that said exchanges may accept the applicant's attestation without further verification. This is from the same Health and Human Services agency that had to backtrack and explain maybe they would audit all of the applications, but not for State exchanges; they're on their own.

Sorry, but I'm not buying it, and nor are taxpayers in my State of Texas. Time and time again, Health and Human Services and the White House have ducked the real details about ObamaCare. They have no real plan in place. Meanwhile, taxpayer subsidies will fly out the door as individuals pinky swear that their income is accurate.

Only Members of Congress who refuse to stop fraud, who enjoy wasting taxpayer dollars, and who want to turn a blind eye to wasted money could oppose this bill. I strongly urge a ''yes'' vote on this legislation.

I reserve the balance of my time.

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

So why are we going through the motions once again—I guess 41 times now? Because the health care reform train is rolling. It's picking up momentum, and the Republicans are once again trying to throw a monkey wrench in its way. In Michigan, 14 different insurance entities are competing. Tens and tens and tens of organizations are working to make this work. Medicaid is now available. Republicans see this happening, and they just can't stand the thought.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACK) who has really led the effort to stop fraud and abuse in ObamaCare and who understands health care herself.

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

As Members of the people's House, protecting the American taxpayer from fraud and abuse is absolutely a critical part of our job. And if, like me, you spent the last few weeks visiting your constituents, you will know that the American people are fed up and they're tired of footing the bill for Washington's failures. That's why passing the No Subsidies Without Verification Act is so important.

This bill would protect American taxpayers from the staggering amount of fraud and abuse in ObamaCare exchanges by simply requiring that ObamaCare live up to its original guarantee in their original law that only those who certify to be eligible for taxpayer subsidies receive them. Unfortunately, because of this administration's clandestine rule change on the July 4 holiday, this is not currently the case. It is estimated that as much as $50 billion of hard-earned American taxpayer dollars could be given out in fraudulent ObamaCare subsidy claims.

Protecting the taxpayers' money is not a partisan issue. The health care law was originally written—yes, was originally written—so that only those who qualify would receive Federal subsidies in the exchanges. And the Democratic controlled Senate Appropriations Committee has passed legislation expressing their sense that verification needs to occur before subsidies are doled out.

I urge my colleagues here in the House today to join me in helping to protect the American taxpayer, and I call on the Senate to bring this for a vote so that we can send a commonsense measure to the President and protect the American taxpayer from fraud and abuse.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. WAXMAN), the ranking member of the Energy and Commerce Committee, and I ask unanimous consent that the balance of my time be managed by the gentleman from Washington (Mr. MCDERMOTT).

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

There was no objection.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for yielding me time to speak against this bill.

The American public should know what this bill is all about. It is the 41st attempt in the House to repeal and confuse the American people about the Affordable Care Act. It's a deliberate distortion of the actions that have already been in place to protect the taxpayers.

We have letters from the Department of Health and Human Services as well the Congressional Budget Office that the verification system is in place so that taxpayers' money is being protected.

But the message that the Republicans have been sending over and over again is that we should delay, defund, repeal, but never replace the Affordable Care Act. If they needed further evidence to ignore, just yesterday the nonpartisan CBO reported that HHS has already put the verification system in place that their bill suggests we do. Mr. Speaker, what they want to do is to create a duplicative, unworkable process to certify a verification system, and they want to give it to the inspector general of HHS, but the Inspector General's Office has told us that they have no idea what this bill is proposing or what that office would have to do. They have no experience in doing it.

So this is not a credible bill. It's a political bill. They can't repeal the Affordable Care Act, so they're determined to keep it from working. It's a clear effort to delay the implementation of the Affordable Care Act.

When I was home, my constituents, particularly those who are looking forward to the legislation going into effect, people who have had preexisting conditions or inability to get insurance in the past, keep on asking me: Is this really going to happen, or are the Republicans going to stop it?

I urge a ''no'' vote on this bill because it's another effort by the Republicans to stop health care for all Americans.

□ 1015

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD), the head of the Republican Policy Committee, and a leader in health care.

Mr. LANKFORD. Mr. Speaker, this administration's been very proud of the work that they have done to reduce fraud in Medicare, that they have done to reduce fraud in durable medical equipment. Just a couple of weeks ago there was a huge bust in Puerto Rico trying to deal with Social Security disability fraud that has happened there for years.

But for whatever reason, they have chosen, on this piece of legislation, to look the other way, to actually turn away and say we're going to allow people to self-verify whether they're eligible for the subsidies, when right now people don't even know if they're eligible for the subsidies.

If I walked up to 100 people on the street today and asked them the two questions on that—does your employer provide you a qualified health plan—most of them would say: I have no idea. What's a qualified health plan?

And then if I said, Do you qualify for the subsidies?, just about every American would say: I don't know. I have no idea.

Yet, they're being asked, when no one knows right now, to self-verify that you know one way or the other. They don't have the information. They don't know the information. We don't even know what's going to happen on the exchanges yet. That's not been released yet, and it starts in 3 weeks.

So to say to people something that doesn't even exist yet, you've got to be able to say whether you certify for it or not, whether you can say that, yes, I do qualify for, this is absurd.

We're just asking the simple question: Shouldn't we stick with the original plan on this if we're going to do this?

The law itself said that it had to be certified. Then they created a waiver out of thin air and said, no, this is going to be too complicated; we're going to delay that for a while.

Then people say, what's your plan?

I can tell you, my State is begging to keep our own plan for Insure Oklahoma. We're having to go back to the Federal Government and request that we can keep the plan we've had for a while taking care of those in poverty. This is absurd.

There is a straightforward, simple way to do this that can be done; but, instead, we've created this convoluted mess.

Just this morning I've heard people on the other side say that the train has left the station on this. I've heard health care reform, that train is rolling.

Well, I can tell you, in the Senate the Democrats are saying, at least some of them are saying, this is a train wreck. And I agree.

The train has left the station, and if we don't step out and say this has to stop, then we'll continue to have more and more fraud. We have got to take this on and take it on right now.

Mr. McDERMOTT. Mr. Speaker, I will enter into the RECORD four documents. One is a letter from the President, in his opposition to the bill. The second is technical assistance from the Inspector General, saying they have no ability to do this. The third is a cost estimate from CBO, and the fourth is a letter from HHS detailing their verification plans.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 10, 2013.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2775—NO SUBSIDIES WITHOUT VERIFICATION ACT

(Rep. Black, R-TN, and 103 cosponsors)

The Administration strongly opposes House passage of H.R. 2775 because the goal of the bill is already being accomplished while the text of the bill would create delays that could cost millions of hard-working middle-class families the security of affordable health coverage and care they deserve. It is time for the Congress to stop fighting old political battles and join the President in an agenda focused on providing greater economic opportunity and security for middle class families and all those working to get into the middle-class.

The Affordable Care Act gives people greater control over their own health care and has already improved many aspects of the Nation's health care system. Beginning in October 2013, millions of low- and middle-income Americans will be eligible to receive tax credits to help them purchase insurance and cost-sharing reductions to help with out-of-pocket expenses for coverage effective January 1, 2014. Tens of millions of Americans who have previously been denied coverage due to a pre-existing medical condition will now be covered. The nearly one in two Americans under the age of 65 with pre-existing medical conditions will have the peace of mind that comes from knowing that they cannot be dropped from their health plan or denied coverage because of those conditions. House passage of H.R. 2775 would undermine this security by delaying tax credits and cost-sharing reductions that will otherwise be provided to millions of Americans.

H.R. 2775 is unnecessary because the Secretary of Health and Human Services has already put in place an effective and efficient system for verification of eligibility for premium tax credits and cost sharing reductions. Moreover, it would create vague standards for the Inspector General, whose office has never performed this type of prospective review, to ''successfully and consistently'' verify eligibility. As a result, this legislation's unnecessary pre-certification requirement would impede opening the Marketplaces on October 1, 2013, driving up out-of-pocket health care costs for millions of Americans and reducing timely access to much-needed and long-denied affordable coverage.

If the President were presented with H.R. 2775, his senior advisers would recommend that he veto the bill.

TECHNICAL ASSISTANCE FROM THE INSPECTOR GENERAL

We offer the following technical assistance on draft HR 2775, as amended, as requested. We note that this technical assistance represents the views of the Office of Inspector General (OIG) and does not necessarily represent the views of the Department of Health and Human Services (HHS)/the Administration.

Page 2, line 13, as amended by the amendment: The draft legislation would require the IG to make a certification to Congress. We are uncertain what Congress means by a certification. The certification function described in the legislation is substantially outside a traditional OIG oversight role. There is no generally accepted auditing definition or standard for a ''certification'', nor are certifications of the type described in the legislation among the types of work articulated under the IG Act.

The legislation can be read as contemplating a prospective certification occurring before the program starts operations (or, if operations have begun, before the program has been operational long enough for a statistically sound review of actual operations; typically, we require more than three months of data). As an OIG using accepted auditing and oversight standards, it is difficult to predict whether programs will, in fact, work as intended. More traditionally, an OIG might review internal controls and make recommendations to strengthen them if needed; conduct statistically-valid, retrospective reviews of actual operational history; or issue an opinion on design controls. These options may be more effective for oversight of the verification program.

Page 2, line 14, as amended by the amendment: We note that the ''successfully and consistently'' standard articulated in the amendment is a standard without clear meaning from an audit perspective. It is not clear to us how this standard would intersect with Yellow Book standards.

General comment on the legislation, as amended: While we are not entirely clear about the scope and nature of the work contemplated by the drafters, under any interpretation of this draft legislation, the OIG would need to develop additional programmatic and technical expertise in a new program area and would need resources. Given the potential scope of the work described in the draft legislation, the apparent timeframe contemplated, and the serious implications of not completing the work on an expedited basis, we would need substantial additional resources, including auditors, contractors, or other staff. If the certification were to cover multiple systems (including the Federal and State-based exchanges) or require auditing of complex operations, we might need dozens of staff to do the work in the time allotted. To do the certification proposed in the legislation, or the alternative internal controls review and retrospective reviews of operations in accordance with OIG's historic oversight role,—as well as other essential oversight of ACA—we need OIG's 2014 budget appropriated.

H.R. 2775—A bill to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes

Summary: H.R. 2775 would make the availability of premium tax credits and cost-sharing subsidies to eligible individuals and families under the Affordable Care Act (ACA) contingent on a certification to the Congress by the Secretary of Health and Human Services (HHS) that a program is in place that verifies, consistent with section 1411 of the ACA, the household income and coverage qualifications of people applying for such credits and cost-sharing subsidies. Section 1411 of the ACA establishes requirements for a program to determine whether someone meets the income and coverage qualifications for such premium tax credits and cost-sharing subsidies (among other things).

CBO and the staff of the Joint Committee on Taxation (JCT) estimate that enacting H.R. 2775 would not affect direct spending or revenues. A program is currently being put in place to verify income and coverage qualifications for the tax credits and subsidies, and that program appears to CBO and JCT to be in accordance with section 1411. Accordingly, we expect that the Secretary would certify before the beginning of 2014, when premium tax credits and cost-sharing subsidies would first be paid, that the requirements in H.R 2775 are satisfied.

Pay-as-you-go procedures do not apply to H.R. 2775 because enacting the bill will not affect direct spending or revenues in CBO and JCT's estimation.

H.R. 2775 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA).

Estimated Cost to the Federal Government: H.R. 2775 would prohibit premium tax credits and cost-sharing subsidies from being paid before the Secretary of HHS has certified to Congress that a program is in place that verifies, in accordance with section 1411 of the ACA, the household income and coverage qualifications of people applying for such tax credits and subsidies.

Section 1411 of the ACA describes a program to determine whether someone meets income, coverage, and other qualifications for premium tax credits and cost-sharing subsidies. The section specifies methods for verifying the information provided by applicants and establishes penalties for the provision of false or fraudulent information. In addition, section 1411 establishes reporting requirements for individuals related to determining if the individual has an affordable offer of insurance coverage from an employer. Further, the section specifically grants flexibility to the Secretary of HHS to modify the methods used for verification of information provided by applicants.

In July, the Administration delayed for one year two reporting requirements for certain large employers and health insurance coverage providers. Further, regulations issued by HHS in July provided state-based insurance exchanges with limited flexibility when verifying applicants' household incomes and offers of employment-based health insurance coverage for the 2014 benefit year.

CBO and JCT do not expect that those administrative actions and regulations, by themselves, would prohibit the Secretary from being able to provide certification under H.R. 2775. In particular, the reporting requirements for employers are not covered by section 1411, and the flexibility regarding verification that is provided in the regulations issued by HHS appears to us to be consistent with section 1411. (The regulations that were issued regarding verification are slightly looser than CBO and JCT had previously expected, so we revised our baseline projections following the announcement of those regulations.[1] However, in our judgment, the regulations are consistent with the flexibility granted the Secretary by section 1411.)

1. Congressional Budget Office, Letter to the Honorable Paul Ryan Re: Analysis of the Administration's Announced Delay of Certain Requirements Under the Affordable

Care Act (July 30, 2013), *www.cbo.gov/publication/44465*

Thus, CBO and JCT conclude that a program is currently being put in place in accordance with section 1411 regarding the verification of household income and coverage qualifications. CBO and JCT expect that this program will be in place by January 1, 2014, when the premium tax credits and cost-sharing subsidies would begin to be paid. We therefore expect that the Secretary would certify by that time that the requirements in H.R. 2775 are satisfied, allowing premium tax credits and cost-sharing subsidies to be made available on schedule. As a result, we estimate that H.R. 2775 would have no budgetary effects relative to our current baseline projections.

This conclusion, however, is uncertain. The language of H.R. 2775 is unclear regarding the meaning of the term ''program.'' That term might be construed to go beyond regulations and guidance to encompass operational competence, such as software and enrollment procedures that have been proven to work as provided for in regulations. Determining whether or not those systems work as provided for in regulations, however, may not be possible until there is some experience or data that can be used to evaluate the systems.

Estimate Prepared by: Federal Costs: Jean Hearne, Sarah Masi, and the staff of the Joint Committee on Taxation; Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum; Impact on the Private Sector: Alexia Diorio.

Estimate Approved by: Holly Harvey, Deputy Assistant Director for Budget Analysis.

DEPARTMENT OF HEALTH & HUMAN SERVICES, OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION,
Washington, DC, August 22, 2013.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN UPTON: The Secretary has asked that I respond to your letter concerning eligibility determinations under the Affordable Care Act. The Department of Health and Human Services (HHS) has been working tirelessly to implement the Affordable Care Act to ensure that on October 1, 2013, millions of Americans will have access to quality, affordable health coverage, including private insurance plans through the Marketplaces. This work includes close collaboration with other federal agencies and the states to ensure a consumer-friendly experience for individuals, families, and small businesses applying for coverage while implementing appropriate verification procedures and safeguards to protect federal taxpayer dollars.

It is important to note that verification of income and employer-sponsored coverage applies only to individuals and families seeking financial assistance in the Marketplaces through the insurance affordability programs, which include Medicaid, the Children's Health Insurance Program (CHIP), premium tax credits, and cost-sharing reductions. Federal regulations at 45 CFR 155.320 provide detailed verification procedures for household income and eligibility for and enrollment in employer-sponsored coverage for individuals and families applying for insurance affordability programs.

The Marketplace will check the income information submitted by every individual applying for insurance affordability programs by comparing it with data from tax filings and Social Security data, and in many cases, with the additional use of current wage information that is available electronically. The multi-step process begins when an individual applies for an insurance affordability program through the Marketplace and affirms or inputs his or her projected annual household income. The Marketplace then compares the applicant's projected annual household income with information available from the Internal Revenue Service (IRS) and Social Security Administration (SSA). If the data submitted by the applicant cannot be verified by the Marketplace using IRS and SSA data, then the information is compared with wage information from employers provided by Equifax Workforce Solutions (Equifax), which is under contract with HHS to provide this information. If Equifax data does not substantiate the applicant's inputted income, the Marketplace will request an explanation or additional documentation from the applicant.

When documentation is requested, the regulations, at 45 CFR 155.315 (f)(4)(ii), specify that if the consumer meets all other eligibility requirements, he or she will be provided with time-limited advanced payments of the premium tax credits and cost-sharing reductions based on his or her attestation to projected household income, while documentation is gathered and submitted to the Marketplace. If documentation is requested and is not provided within the specified timeframe (90 days, which may be extended based on the applicant's good faith efforts to obtain required documentation), the statute specifies that the Marketplace will base its eligibility determination on data from IRS and SSA. If no data from IRS is available, the Marketplace will discontinue advanced payments of premium tax credits and cost-sharing reductions.

For eligibility for 2014 only, we recently indicated that HHS will exercise enforcement discretion such that a Marketplace may choose to request additional documentation from a statistically-significant sample of the group of individuals in only one specific situation: when the Marketplace has IRS data, the applicant attests to projected annual household income that is more than ten percent below IRS and SSA data, Equifax data is unavailable, and the individual does not provide a reasonable explanation for the inconsistency between the attestation and IRS and SSA data. In all other cases in which the data submitted by the individual cannot be verified using IRS and SSA data or Equifax data, and the individual does not provide a reasonable explanation for any discrepancy identified between their attestation and electronic data, the Marketplace must request additional documentation. This includes, for example, all cases in which IRS data is not available for an individual, and the attestation to projected annual household income cannot be verified using Equifax data; and all cases in which there is both IRS data and Equifax data for an individual but the attestation to projected annual household income cannot be verified using that data.

We have clarified that, for the Federally-facilitated Marketplace, CMS intends to set the initial size of the sample at 100 percent, such that everyone who is in the circumstance described above in which sampling may be used is asked to submit satisfactory documentation. Since publication of the final rule, we have ascertained that there are sufficient resources to ask every individual in this circumstance for such documentation with no exceptions. State-based Marketplaces may choose to use other sample sizes, provided that they are statistically significant for 2014. As described in 45 CFR 155.320(c)(3)(vi)(F), if satisfactory documentation is not submitted by the end of the resolution period, the Marketplace will determine eligibility based on the IRS and SSA data.

With respect to verification of employer-sponsored coverage, section 1411(a) of the Affordable Care Act requires the Secretary to establish a program for determining eligibility for enrollment in a qualified health plan (QHP) through the Marketplace, advance payments of premium tax credits, and cost-sharing reductions. Section 1411(b) of the Affordable Care Act requires applicants for insurance affordability programs to provide specific information regarding employer-sponsored coverage, and section 1411(d) of the Affordable Care Act requires the Secretary to verify the accuracy of this information, ''in such manner as the Secretary determines appropriate.''

The Marketplace requests and verifies employer-sponsored coverage information as part of the eligibility determination process for advance payments of the premium tax credit and cost-sharing reductions. Regulations at 45 CFR 155.320(d) specify that the Marketplace must verify an applicant's access to employer-sponsored coverage through data available to the Marketplace. The Marketplace will have access to electronic data sources for verifying access to employer-sponsored coverage through the Office of Personnel Management (OPM) federal employment data and data from the Small Business Health Options Program (SHOP) Marketplace operating in its state, where available. If discrepancies are identified using either OPM or SHOP data, the Marketplace will notify the applicant and request additional information. If the applicant does not adequately resolve the discrepancy with additional information, the Marketplace will make a final decision based on information obtained from the electronic data sources. A Marketplace may also use additional available electronic data sources that have been approved by HHS for this purpose, based on evidence that the sources are sufficiently current, accurate, and minimize administrative burden.

An individual who applies for insurance affordability programs and has income in the premium tax credit range will input information related to whether or not he or she has access to employer-sponsored coverage that meets the minimum value standard. This process is assisted by the Employer Coverage Tool, a page that is included in the Marketplace's single, streamlined application that will help applicants gather information about any employer health coverage for which they are eligible. Applicants may ask their employer to help fill out the Employer Coverage Tool, or employers may make this information available in other ways, such as by making it part of the notice specified in section 18B of the Fair Labor Standards Act.

The Marketplace then compares the applicant-supplied employer coverage information with information from OPM and the SHOP, where the Marketplace has access to SHOP data. When information provided by an applicant is inconsistent with OPM or SHOP data, the Marketplace will provide a period of 90 days for the applicant to provide satisfactory documentation or otherwise resolve the inconsistency. Consistent with general Marketplace verification procedures, eligibility for advance payments of the premium tax credits and cost-sharing reductions is provided during the period, to the extent that the applicant is otherwise eligible and attests that he or she understands that any advance premium tax credit paid is subject to reconciliation by the IRS. If documentation is not provided within the specified timeframe (90 days, which may be extended based on the applicant's good faith efforts to obtain required documentation), or documentation provided is not sufficient to resolve the inconsistency, the Marketplace

will make the determination based on available electronic data.

For eligibility for 2014 only, the Marketplace has the flexibility to identify a statistically-significant sample of the applicant population for which OPM, SHOP, or an approved state-based data source do not have available data, and request information regarding employer-sponsored coverage from their employers. The Federally-facilitated Marketplace will conduct the sample-based review and will collect a robust set of data from the income and employer verification process. This data, and information gathered by State-based Marketplaces that are conducting similar reviews, will be used as the basis for analysis to support the development of targeted verification strategies and future enhancements to the verification process.

It is important to note that advance payments of premium tax credits are provided directly to the health insurance plan, not to the consumer. In addition, individuals seeking to purchase insurance in the Marketplace must attest, under penalty of perjury, that they are not filing false information. The Affordable Care Act also provides for penalties when an individual provides false or fraudulent information. Individuals on whose behalf tax credits are provided must acknowledge, before they receive advance payments of the tax credit, that they understand that the payments are reconciled at the close of the year. They must also file income taxes for the year in which the credit is received. All advance payments of premium tax credits are reconciled with the IRS at the close of the year.

With respect to your questions about the employer responsibility requirements, as noted in previous correspondence, decisions regarding administrative action with respect to sections 6055, 6056 and 4980H of the Internal Revenue Code remain under the purview of the Department of the Treasury.

Although HHS regularly works with and communicates with other federal departments that share responsibility for implementation of the Affordable Care Act, particularly with respect to programs or provisions that are cross-cutting, it is important to note that the Department of the Treasury's decision to provide transition relief with respect to insurer and employer reporting requirements under the Internal Revenue Code has no impact on the process for verifying employer-sponsored coverage. HHS' policy regarding verification of employer sponsored coverage was articulated in a series of regulatory documents beginning in August 2011, culminating in the final rule, published on July 15, 2013. Throughout the development of this policy HHS has been clear that we would verify the availability of employer-sponsored coverage against available electronic data sources.

HHS is committed to the successful enrollment of millions of Americans into qualified health plans through the Marketplace, and to ensuring that individuals receive the financial assistance for which they are eligible. Please let me know if you have any additional questions.

Sincerely,

JIM R. ESQUEA,
Assistant Secretary for Legislation.

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

We're here today because we're supposed to be dealing with the CR, continuing the funding of the Federal Government. But the Republicans are scrapping among themselves and can't figure out what to do.

Now, right now, medical research in my district and across this country is grinding to a halt. Grant money is disappearing, laboratories are closing, and potentially world-transforming projects are being set aside. Researchers are being laid off, and students are discouraged from entering the field. There is no end in sight.

Now, the question you have to ask yourself is, why is the sequester not being dealt with?

It's the mechanism that's breaking our economy for the future because innovation, research, and our ability to compete in the global marketplace depends on research, which starts now continuously, not to mention the life-saving cures and treatments we're losing because of these empty labs.

So what are we doing here today?

Thank God for ObamaCare. We've got something to do. We can try and repeal it for the 41st time.

ObamaCare, folks, is not going away. It's about to take off. In Washington, Oregon and California, we can't wait. The rest of the States may be sitting on their hands, but we aren't.

And the fact is, even Senator CRUZ from Texas says ''you aren't going to win this one.''

Now, maybe these endless, pathetic kind of tantrums that we have out here every 2 weeks wouldn't matter if there weren't so many much more important things that need to be done.

We get it. I mean, we really do understand it. The American people even get it, that the Republicans really, really, really, really, really don't like this law. But can't we move on?

Stop screaming about wanting a budget and pass one. You've had the budget; you put the people forward to go and have a conference committee.

Quit dancing around with the CR. America needs jobs, and you can do something about it. It's not just some force of nature we can't control. Our economy is weak because we're starving it. Let's do something about that, instead of this biweekly announcement that you dislike access to affordable care.

I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. GRIFFIN), a key member of the Ways and Means Committee.

Mr. GRIFFIN of Arkansas. Mr. Speaker, when I look across this country and look at who opposes the President's health care law, ObamaCare, it's not just Republicans. The New York Times today says the AFL–CIO is fed up with the law and ready to get it repealed if they can't fix it. Employers across this country are fed up with it. That's why the President delayed it for a year till after the elections.

Come on, let's get a grip and face reality.

But my dislike of the law aside, that's not what this is about. This is about the Federal Government handing out money without verifying who's getting it. That's ludicrous. It's unbelievable.

We have to verify, when I, as an Army Reservist, sign up for TRICARE Select, because now I'm thrown into the ObamaCare exchanges. If you buy alcohol, you have to show an ID. I mean, this is pretty basic.

We just want to verify who's getting government cash. That's it. And that's why I support the bill. It's common sense. Let's pass it.

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, 19 days, in just 19 days, millions of working Americans can apply to receive premium assistance tax credits to help them get health insurance. These are neighbors who were previously denied coverage, or who were excluded because of a preexisting condition, or because a small employer could not afford to provide health insurance.

And today's bill is about one thing, and that is to deny those Americans their lawful opportunity, on October 1, to obtain health care security. This bill is certainly not about fraud because there is already a comprehensive system to prevent overpayment and verify income.

This very afternoon, a family that suffers severe injuries in a traffic accident on I–35, or a San Antonio family that is notified of a dread disease, those families that lack affordable health insurance are suddenly overwhelmed with medical bills, and they deserve an alternative; and that alternative is coming on October 1, if these folks can't stop it.

This bill would pull the affordability rug right out from under our working families, just as they're beginning to learn about its availability.

Yes, this is the 41st time that they've tried to delay and dismantle and deny the rights of American working families. We know it won't be their last vote. In fact, next week they're so intent on blocking American families from getting health insurance coverage, they're willing to shut down the entire Federal Government.

And as if that weren't enough, next month they propose to default on the full faith and credit of the United States of America for the first time in our history for the sole purpose of denying American families that don't have insurance now some health security.

I think it's wrong. They talk about trust. Well, I don't think we should trust these zealots with our health care future.

The SPEAKER pro tempore. The gentleman from Washington has 3 minutes remaining. The gentleman from Texas has 1½ minutes remaining.

Mr. BRADY of Texas. Mr. Speaker, yielding myself 15 seconds, yesterday we learned the Federal Government is paying millions of dollars to prisoners for unemployment benefits, millions of dollars of your money to cons in prison. But don't worry, we'll stop the fraud in ObamaCare.

I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, like my Republican colleagues, I too am concerned about fraud in any public program, whether it's ObamaCare, food stamps, Medicare. Who could be against verification?

But this is not about verification. Again, the 41st failed attempt to submarine reform in health care.

The question before us today is whether or not the risk of fraud in ObamaCare is so pervasive that we should shut down an essential part of the law.

My friends on the other side would have you believe that the administration's decision to delay income and coverage verifications leaves the health care marketplace vulnerable to rampant fraud. This is not the case.

First, federally operated and partnership exchanges still will verify such information beginning in 2014. Only 16 States and the District of Columbia will wait until 2015 to begin more comprehensive verification.

In those instances, the incentive to provide false information is greatly overshadowed by the benefit of doing so. Lying on the exchange form carries with it a penalty of $25,000. On top of that, anyone who provides false income information will have to pay back the extra subsidies when filing a tax form for 2014.

Additionally, States will audit a statistically significant number of individuals, meaning that everyone has an equal opportunity to be audited.

Finally, fighting fraud requires an investment of funding and resources.

How dare you get up here and talk about a plan when you, in the regular budget, want to cut every penny from resources, from research, from helping us get to the point where American people will be served.

Look, you can't stand success. Help us improve the system, not continue a system where patients are playing second fiddle.

Mr. BRADY of Texas. Mr. Speaker, I reserve the balance of my time in case the gentleman from Washington has additional speakers or would like to close on his side. We are prepared to close.

Mr. McDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER) to close our arguments.

Mr. BLUMENAUER. Mr. Speaker, let's be clear: this is not about the integrity of the tax system. There are any number of areas where we rely far more on discretion to individual taxpayers, and there's no appetite, actually, to move in those areas.

My Republican friends are not interested in providing adequate resources to the IRS to be able to appropriately enforce the tax law right now, and we have hundreds of billions of dollars of taxes that aren't collected.

But this is part of a mean-spirited and shortsighted effort to sabotage the health care reform effort. Bear in mind what's going on in States around the country.

In Missouri, the Republican legislature has been on a rampage that will even make it illegal for State employees to tell Missourians what they're entitled to under State law. This is a new low in, I think, political malpractice.

The Republicans are willing to flirt with shutting down the American Government in their attempt to prevent Americans from getting health care they're entitled to under the law. This is wrong.

I strongly urge that we reject this mean-spirited approach.

Mr. BRADY of Texas. Mr. Speaker, as I yield the balance of our time to the gentlelady from Tennessee, I make the case, this is simply choice. Those who want to stop fraud in ObamaCare support this bill. Those who want to turn a blind eye to that fraud oppose it.

I yield the balance of my time to the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. I thank the gentleman for yielding.

Mr. Speaker, in closing, even the White House veto threat actually proves the need for the No Subsidies Without Verification Act.

The White House says that H.R. 2775, which simply requires the administration to verify whether people are eligible for taxpayer-funded ObamaCare subsidies before they're doled out, would create delays is what they say. It would create delays.

But the veto threat then goes on to say that the bill is ''unnecessary'' because the administration officials claim they already have, ''an effective and efficient system for verification and eligibility.''

So which is it?

Does the Obama administration have a way, other than the honor system, to verify whether someone is eligible for taxpayer subsidies or will requiring the administration to have one create delays?

□ 1030

If they had a transparent verification system in place, one that actually worked, this bill would create no delays. The administration should actually welcome it, and so should all Members of this body, who should vote for this. That's why we need this bill. We need independent verification that programs are in place before taxpayers' subsidies go out the door.

For all taxpayers, I urge my colleagues to vote ''yes'' on H.R. 2775.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong opposition to H.R. 2775, the No Subsidies without Verification Act sponsored by my good friend from Tennessee, Representative BLACK. I oppose because the goal of this bill is already being accomplished under provisions of the Affordable Care Act. Passage of this bill would simply bog down what is already being done and could cost hard-working middle class Americans millions. The security of knowing that they have the affordable health insurance coverage they deserve and need. For all practical purpose, one could say that this is the forty-first time that the House has sought to repeal (to no avail) the Affordable Care Act. It is not going to happen! Let's move on so that millions of low and middle income Americans will be eligible to receive tax credits to help them purchase insurance to the tens of millions of Americans who have previously been denied coverage due to preexisting medical conditions will knowing that they can have coverage, peace of mind and the healthcare they need.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 339, the previous question is ordered on the bill, as amended.

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.

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.

Mr. McDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of the bill will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 191, not voting 6, as follows:

[Roll No. 458]

YEAS—235

Aderholt	Cook	Griffin (AR)
Alexander	Cotton	Griffith (VA)
Amash	Cramer	Grimm
Amodei	Crawford	Guthrie
Bachmann	Crenshaw	Hall
Bachus	Culberson	Hanna
Barletta	Daines	Harper
Barr	Davis, Rodney	Harris
Barrow (GA)	Denham	Hartzler
Barton	Dent	Hastings (WA)
Benishek	DeSantis	Heck (NV)
Bentivolio	DesJarlais	Hensarling
Bilirakis	Duffy	Holding
Bishop (UT)	Duncan (SC)	Hudson
Black	Duncan (TN)	Huelskamp
Blackburn	Ellmers	Huizenga (MI)
Boustany	Farenthold	Hultgren
Brady (TX)	Fincher	Hunter
Bridenstine	Fitzpatrick	Hurt
Brooks (AL)	Fleischmann	Issa
Brooks (IN)	Fleming	Jenkins
Broun (GA)	Flores	Johnson (OH)
Buchanan	Forbes	Johnson, Sam
Bucshon	Fortenberry	Jones
Burgess	Foxx	Jordan
Calvert	Franks (AZ)	Joyce
Camp	Frelinghuysen	Kelly (PA)
Campbell	Gardner	King (IA)
Cantor	Garrett	King (NY)
Capito	Gerlach	Kingston
Carter	Gibbs	Kinzinger (IL)
Cassidy	Gibson	Kline
Chabot	Gingrey (GA)	Labrador
Chaffetz	Gohmert	LaMalfa
Coble	Goodlatte	Lamborn
Coffman	Gosar	Lance
Cole	Gowdy	Lankford
Collins (GA)	Granger	Latham
Collins (NY)	Graves (GA)	Latta
Conaway	Graves (MO)	Lipinski

LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
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
Rokita
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
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—191

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
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
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
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
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)
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—6

Diaz-Balart
Herrera Beutler
McCarthy (NY)
Nadler
Rush
Visclosky

□ 1101

Messrs. BERA of California and VELA changed their vote from ''yea'' to ''nay.''

Mr. WALBERG changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. 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.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 147, answered ''present'' 1, not voting 31, as follows:

[Roll No. 459]

AYES—253

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barletta
Barrow (GA)
Barton
Beatty
Becerra
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Camp
Campbell
Cantor
Capito
Capps
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Cicilline
Clay
Cleaver
Clyburn
Cole
Collins (NY)
Cook
Cooper
Cramer
Crenshaw
Culberson
Daines
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Dent
DesJarlais
Deutch
Doggett
Doyle
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Esty
Farenthold
Fattah
Fincher
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Grayson
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holt
Horsford
Huffman
Hultgren
Hurt
Issa
Johnson (GA)
Johnson, Sam
Jones
Kaptur
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kline
Kuster
LaMalfa
Lamborn
Lankford
Larsen (WA)
Larson (CT)
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marino
Massie
McCarthy (CA)
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mullin
Murphy (PA)
Neugebauer
Nunes
Nunnelee
O'Rourke
Olson
Pascrell
Payne
Pelosi
Perlmutter
Petri
Pingree (ME)
Pocan
Polis
Pompeo
Posey
Price (NC)
Rangel
Ribble
Rice (SC)
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stutzman
Takano
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Upton
Vargas
Wagner
Walorski
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (FL)
Young (IN)

NOES—147

Amash
Andrews
Barber
Barr
Bass
Benishek
Bentivolio
Bishop (NY)
Brady (PA)
Braley (IA)
Broun (GA)
Bucshon
Burgess
Capuano
Carson (IN)
Chu
Clarke
Coffman
Cohen
Collins (GA)
Conaway
Connolly
Conyers
Costa
Cotton
Crowley
Cuellar
Cummings
Davis, Rodney
DeFazio
Denham
DeSantis
Dingell
Eshoo
Farr
Fitzpatrick
Fleming
Flores
Foxx
Fudge
Gardner
Garrett
Gerlach
Gibbs
Gibson
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Hall
Heck (NV)
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Jordan
Joyce
Keating
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Lance
Langevin
Latham
Lee (CA)
Lewis
LoBiondo
Lowey
Maffei
Maloney, Sean
Marchant
Matheson
Matsui
McDermott
McGovern
Meehan
Miller (FL)
Miller, George
Mulvaney
Murphy (FL)
Napolitano
Neal
Negrete McLeod
Noem
Nugent
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Pittenger
Pitts
Poe (TX)
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Rigell
Roe (TN)
Rooney
Ros-Lehtinen
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Sewell (AL)
Slaughter
Smith (MO)
Stivers
Stockman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Turner
Valadao
Veasey
Vela
Velázquez
Walberg
Walden

Waters	Wittman	Yoder
Weber (TX)	Woodall	Young (AK)

ANSWERED ''PRESENT''—1

Owens

NOT VOTING—31

Brady (TX)	Grijalva	Quigley
Calvert	Hanna	Rohrabacher
Castor (FL)	Herrera Beutler	Rush
Coble	Holding	Simpson
Courtney	Labrador	Sires
Crawford	Lynch	Smith (NJ)
Davis (CA)	McCarthy (NY)	Van Hollen
Diaz-Balart	McCaul	Visclosky
Duffy	Moran	Webster (FL)
Garcia	Nadler	
Gohmert	Nolan	

□ 1111

Mr. DANNY K. DAVIS of Illinois changed his vote from ''no'' to ''aye.''

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on September 12, 2013, I was absent from the House and missed rollcall votes 458 and 459.

Had I been present for rollcall vote 458, on passage of H.R. 2775, to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, and for other purposes, I would have voted ''No.''

Had I been present for rollcall vote 459, on approving the Journal, I would have voted ''no.''

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1001

Mr. HUDSON. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1001, a bill originally introduced by Representative Bonner of Alabama, for the purposes of adding cosponsors and requesting reprinting pursuant to clause 7 of rule XII.

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

There was no objection.

□ 1115

LEGISLATIVE PROGRAM

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

Mr. HOYER. Madam Speaker, I yield to the majority leader, Mr. CANTOR, for the purposes of inquiring of the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Madam Speaker, on Monday, the House will meet in pro forma session at 2 p.m., and no votes are expected. 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.

Madam Speaker, Members are advised that, pending ongoing discussions on the continuing resolution, the House may need to be in session during the week of September 23 and possibly into the weekend. Members should expect an announcement next week regarding when the House would meet during the week of September 23. This is a change from the previously announced schedule.

Madam Speaker, next week, the House will consider a few bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

The House will likely consider H.R. 1526, the Restoring Healthy Forests for Healthy Communities Act, sponsored by the chairman of the Natural Resources Committee, Representative DOC HASTINGS. In addition to improving forest health and helping to prevent catastrophic wildfires, this legislation contains a short-term extension of the Secure Rural Schools program.

In addition, I expect the House to consider H.R. 761, the National Strategic and Critical Minerals Production Act of 2013, authored by Representative MARK AMODEI; and H.R. 687, the Southeast Arizona Land Exchange and Conservation Act of 2013, drafted by Representative PAUL GOSAR. These bills, both from the Natural Resources Committee, will foster economic growth and create jobs for the middle class.

The House will also consider the Nutrition Reform and Work Opportunity Act, authored by Agriculture chairman, Representative FRANK LUCAS. This legislation restores the intent of the bipartisan welfare reforms adopted in 1996 to the Supplemental Nutrition Assistance Program. It also refocuses the program on those who need it most. No law-abiding beneficiary who meets the income and asset tests of the current program and is willing to comply with the applicable work requirements will lose his benefits under the bill.

Finally, Madam Speaker, Members should be prepared to vote on the continuing resolution as the new fiscal year approaches.

Mr. HOYER. I thank the gentleman for that information. I would reiterate to Members, in case they weren't listening, that the majority leader has said that we ought to be clearing our calendars for the week of the 23rd of September. That's the last week of the month. Originally, we were scheduled to be off that week, but in light of the fact that we have been unable yet to pass a continuing resolution or appropriations bills to fund the government's activities after the end of the fiscal year on September 30, I am pleased to see the majority leader is putting the House on notice. I have been telling my Members for the last 2 months to reserve that time in the contingency of which the majority leader speaks.

Mr. Majority Leader, before we left in July, we had a bill on the floor to fund Transportation and the Housing and Urban Development Department as well as other items. That bill was pulled. Subsequent to that bill's being pulled, HAL ROGERS, the chairman of the Appropriations Committee, sent a notice out to a lot of people. I presume the gentleman had an opportunity to read it.

It read:

> I am extremely disappointed with the decision to pull the T-HUD bill—as it's referred to—from the House calendar today. The prospects for passing this bill in September are bleak at best given the vote count on passage that was apparent this afternoon.

He then made this statement, Mr. Leader:

> With this action, the House has declined to proceed on the implementation of the very budget it adopted 3 months ago. Thus, I—HAL ROGERS speaking—believe that the House has made its choice. Sequestration and its unrealistic and ill-conceived discretionary cuts must be brought to an end.

Mr. Leader, as you know, he went on to say this:

> The House, Senate and White House must come together as soon as possible on a comprehensive compromise that repeals sequestration, takes the Nation off this lurching path from fiscal crisis to fiscal crisis, reduces our deficits and debt, and provides a realistic, top-line, discretionary spending level to fund the government in a responsible and attainable way.

That was his statement—the chairman from Kentucky, a conservative Republican—on July 31, 2013.

I want to tell my friend, the majority leader, that I agree with Mr. ROGERS. The sequester level is unattainable and unrealistic. That's the chairman of your Appropriations Committee, who is responsible—and has been for many years—for judging what are the appropriate expenditures for our government to maintain programs important to our country, to our economy, and to our national security.

Mr. Leader, we have another issue beyond the continuing resolution which will also, as the gentleman knows, have a very substantial effect on the fiscal credibility of America, on the fiscal stability of America and on the growth of our economy, and of the confidence of our people and of people around the world, and that is the extension of our debt limit. This is going to be a shorter colloquy than we usually have because the issues that confront us are so very, very important.

I want to tell the majority leader that we have not had any discussions about a possible compromise; nor have we had any discussions with Mr. MCCARTHY about a possible compromise; nor have I or the leader had any substantive conversations with the Speaker about a substantive compromise, in our view, consistent with what your chairman of the Appropriations Committee rightfully, in my

view, observed of the fiscal realities confronting our country. You have said and Mr. BOEHNER has said—I believe and Ms. PELOSI believes—that not extending the debt limit is unthinkable; and if we fail to do so, it would have very, very serious, adverse consequences on our country.

So rather than discuss other further scheduling issues, except to the extent that the gentleman wants to respond, let me say to the gentleman that, with these two items in particular, I stand ready to work with your side, and my side stands ready to work with your side on a compromise; but I will tell the gentleman, with all sincerity, that we will not pursue what Mr. ROGERS correctly observed is an unsustainable and damaging process. To that extent, we will not compromise on that issue because your chairman is correct—it's harmful to our country.

So, in that context, Mr. Leader, I am hopeful that, as we move forward, as you've just been required to have another week added to the calendar because we've been unable so far to do our work—and this week, of course, is 1 of 2 weeks that we were supposed to meet in September, and we haven't done much. That's unfortunate. So we have used 50 percent of the time that we had for not much. I would ask the gentleman if he thinks that there is a possibility to compromise. I have observed and the world has observed the difficulty the gentleman and Mr. BOEHNER, the Speaker, have had in getting agreement in your own party, but we need to get agreement between the two parties and the Senate and the President of the United States so that this country can be funded and can meet its obligations and stabilize our economy.

I yield to my friend.

Mr. CANTOR. I thank the gentleman, Madam Speaker.

First, I would say I'm glad he received the news that we may very well be in session in the last week of September the way he has because I do think it reflects the seriousness with which both sides take the pending fiscal issues and deadlines that we are about to confront both in the continuing resolution as well as in the debt ceiling, itself.

Now, Madam Speaker, I've set aside the statement that my friend, the Democratic whip, has indicated about not doing anything this week, because we just voted on a bipartisan bill enforcing accountability on ObamaCare.

As the Democratic whip knows, ObamaCare is growingly unpopular in this country. In fact, in the latest public poll out today, nearly 60 percent of Americans reject ObamaCare and the direction in health care, and we are serious and committed on this side of the aisle for a better future for health care. The President, himself, has said that it's not ready for prime time and has issued waivers for businesses, for insurance companies. We need to have a waiver and a delay for all people of ObamaCare.

The bill that we passed today says that the administration is hoping that all of the income subsidies that are still in effect will go forward in a transparent and accountable way. That's really impossible to guard against fraud given that the administration has already exempted corporate America and the businesses from having to comply with the verification of someone's eligibility for subsidies. So there is no way that this law can work; and our side is committed to discussing how we go forward, which is, first and foremost, a delay of ObamaCare.

I'd say to the gentleman that I'm glad that he is willing to sit down and talk, and I would hope that he could impose that upon the administration, because as late as August 27, 2013, Treasury Secretary Jack Lew said:

> The President has made it clear: we are not going to negotiate over the debt limit.

I would say, Madam Speaker, history has shown us that in periods of divided government there have always been discussions around the fiscal issues of this country; and in fact, the issue of the debt ceiling has provided a forum for resolution on some of those fiscal issues. Going back to Gramm-Rudman-Hollings that was negotiated and settled around a debt ceiling discussion, as was the Congressional Review Act, as was, Madam Speaker, as we know 2 years ago, the Budget Control Act. So I hope that the gentleman could take his dedication to trying to work things out to the White House and say it's time for all of us to sit down and resolve these issues.

Now, as far as the sequester is concerned, I would say to the gentleman he knows I don't think that the sequester is the right way and the best way to go about reducing spending. I mean, just by its very nature, a blunt, across-the-board cut treats programs that you might want to get rid of in the same way that it treats programs that, perhaps, are really doing a great job. That indiscriminate type of cut is something on which we could really do better. We could do a lot better than doing those kinds of cuts, which is exactly our point. We need to sit down and discuss with this administration how we are going to effect the reforms that we need on the entitlement side and effect the delay of ObamaCare. That's what we've got to do, Madam Speaker.

Mr. HOYER. The problem has again been expressed. We have a single focus of the majority party, Madam Speaker, on defunding the Affordable Care Act.

□ 1130

So many Republicans have said it is an unreasonable and irrational expectation to expect, after an election has occurred in which that was one of the principal issues in the election, for the President or, frankly, the Senate, to agree to the objectives of the Republican Party that lost in America on this issue. There was a poll taken November 2012. The President of the United States won that poll. Your myopic focus on that one issue threatens to shut down government and put at risk the creditworthiness of the United States of America. That is not what the American people expect.

Unless the gentleman wants to respond, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. WALORSKI). The Chair would remind Members to direct their remarks to the Chair.

ADJOURNMENT TO MONDAY, SEPTEMBER 16, 2013

Mr. CANTOR. Madam Speaker, I ask unanimous consent that when the House adjourn today, it adjourn to meet at 2 p.m. on Monday next and that the order of the House of January 3, 2013, regarding morning-hour debate not apply on that day.

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

There was no objection.

IN RECOGNITION OF LANGHAM LOGISTICS

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

Mr. ROKITA. Madam Speaker, I rise today to recognize a truly exceptional Hoosier company and a great friend in Langham Logistics and its president, Cathy Langham.

Today, Langham Logistics will be celebrating their 25th anniversary. Langham Logistics was founded by two sisters, Cathy and Margaret Langham, who took the risk of starting a transportation business. Cathy and Margaret literally built Langham from the ground up, starting in a small office space and now operating a 300,000-square-foot state-of-the-art warehouse that operates and advises supply chains from the smallest of companies to multibillion-dollar corporations throughout the world. Their story is not unlike so many people in this country who dared to dream and then succeeded beyond even their own wildest dreams.

Their customers aren't the only ones who have noticed their hard work. In 2003, then-President George W. Bush visited Langham Logistics to highlight them as a model start-up business that succeeded and was continuing to expand at an amazing rate. It was at that event that I first met Cathy Langham.

Not only has Cathy and her family built this amazing operation, but they did it the right way—through hard work. They gave back and continue to give back every chance they can. I could list all the numerous charities and causes that Cathy, her team, and her family contribute to, but that will go well beyond the 1 minute, Madam Speaker, that I asked for.

On behalf of Hoosiers, I say congratulations to Cathy and Langham Logistics. May you have another 25 years like the last 25.

Madam Speaker, I rise today to recognize a truly exceptional Hoosier company and a great friend in Langham Logistics and its President, Cathy Langham.

Today, Langham Logistics will be celebrating their 25th anniversary. Langham Logistics was founded by two sisters, Cathy and Margaret Langham who took the risk of starting a transportation company. Cathy and Margaret literally built Langham from the ground up—starting in a small office space and now operating a 300,000 square foot state-of-the-art warehouse that operates and advises supply chains from the smallest of companies to multibillion dollar corporations throughout the world. Their story is not unlike so many people in this country who dared to dream and then succeeded beyond, even their own, wildest dreams.

Their customers are not the only ones who have noticed their hard work and success. In 2003, then President George W. Bush visited Langham Logistics to highlight them as a model startup business that succeeded and was continuing to expand at an amazing rate. It was at that event that I first met Cathy Langham.

Not only has Cathy and her family built this amazing operation, but they did it the right way. They gave back and continue to give back every chance they can along the way. I could list all of the numerous charities and causes that Cathy, her team, and her family support, but it is not in Cathy's nature to promote her good work.

But one story, that I find remarkable and worth noting here today is that of Cathy's role in the Indianapolis 2012 Super Bowl Host Committee.

While most of us would jump at the chance to highlight Indiana and plan the Super Bowl, Cathy did something quite different with the opportunity. She, along with her friends, launched Indy's Super Cure to benefit the Komen for the Cure Tissue Bank at the Indiana University Simon Cancer Center and to help women who are facing breast cancer.

While many of us would have been distracted, focusing on the Super Bowl, Cathy and her friends made sure to use the event to give back to the community. And Mr. Speaker, honestly, I cannot think of any better example to describe who Cathy is to a stranger, to my colleagues, or to the friends that will gather later today to celebrate this occasion.

On behalf of 4th District Hoosiers, I say congratulations to Cathy and Langham Logistics. May you have another 25 years like the last 25.

NATIONAL SUICIDE PREVENTION WEEK

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

Ms. ESTY. Madam Speaker, this week is National Suicide Prevention Week.

More than 38,000 Americans die by suicide every year, 90 percent of whom have at least one treatable mental illness.

Veterans account for 20 percent of suicides in this country, and military suicide is at an all-time high. The July 2012 cover of Time Magazine described the tragedy of military suicide with a simple headline: One a Day. One year later, these rates have remained largely unchanged, and we owe far better to those who have worn or do wear the uniform.

Earlier this summer, I added an amendment to Defense appropriations to add $10 million for military suicide awareness and prevention. It is our responsibility to care for our troops and for our veterans, and more work needs to be done.

During National Suicide Prevention Week, let us commit to ensuring that every American has access to treatment.

LNG EXPORT CAUCUS

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

Mr. FARENTHOLD. Madam Speaker, America has a lot of clean-burning natural gas.

The Eagle Ford Shale, in the district I represent, has created 400,000 jobs and roughly $2.6 billion in salaries and benefits in the 13-county area. Similar booms are happening in other parts of the country like North Dakota and Pennsylvania.

Our domestic energy creates widespread economic prosperity and will continue if we don't ruin it with overregulation and red tape.

Exporting some of America's huge supply of natural gas will create tens of thousands more jobs, narrow our trade deficit by billions, and help both our allies in need like Japan and the environment. When you factor in transportation costs, gas here at home will always be cheaper.

The DOE recently conditionally approved additional LNG export licenses, but there's still a lot of red tape to wade through before these properties open. I worry these contingent licenses artificially overstate the potential for future LNG exports, and the lengths of time these approvals take risks our competitive and economic advantage over Middle Eastern countries.

I, along with three of my colleagues, JIM COSTA, JOE BARTON, and FILEMON VELA, created the LNG Export Caucus to help the development and timely export of LNG and encourage a rational regulatory environment that ensures the production and export of LNG, creating jobs, helping the economy, and cleaning the environment.

PARTNERING FOR ILLINOIS' ECONOMIC FUTURE

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

Mrs. BUSTOS. Madam Speaker, I rise today to talk about the most pressing issues facing my region of Illinois, and that's creating good-paying jobs and growing the economy. That's why, last month, I launched Partnering for Illinois' Economic Future. The goal of this initiative is to bring together regional leaders from across economic sectors—from business, educational institutions, and community organizations.

We gathered to discuss ways to increase collaboration, to create jobs and bolster the region's economy and manufacturing sectors. We held regional meetings in Rockford, Peoria, and the Quad Cities in conjunction with the University of Illinois. We will also be holding a District-wide economic summit later this fall.

Before we do this, I want to hear directly from the hardworking people of my region to get their thoughts on how best to create economic opportunity for all. The insight and input from my constituents, combined with the information we collected from the regional meetings, will help us develop solutions that will benefit all of our communities.

THE SYRIAN CIVIL WAR AND U.S. INVOLVEMENT

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

Mr. POE of Texas. Madam Speaker, the United States is considering sending missiles into Syria. Also, CIA-funded weapons have begun flowing to Syrian rebels.

The rebels are made up of the Free Syrian Army, al Qaeda, and others. It seems the Free Syrian Army is liberating areas, and al Qaeda comes in behind and imposes strict Islamic shari'a law in those territories. Al Qaeda is a terrorist group that is at war with the United States.

Richard Engel, with NBC, interviewed Abu Abdul Rahman, one of the thousands of al Qaeda fighters in Syria. In the interview, Engel asked Rahman this question:

> The United States is considering launching military strikes against Syria. Would that help you?

Rahman replied:

> We have a prayer: ''Allah, please annihilate our enemies by other enemies.'' Assad is an enemy and America is an enemy. Let them fight.

Madam Speaker, in this civil war, why would we ever consider getting involved by launching missiles into Syria or arming the rebels, which include our enemy, al Qaeda?

And that's just the way it is.

IN HONOR OF MS. ALENE WASHINGTON

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

Mr. VEASEY. Madam Speaker, I rise today to honor Ms. Alene Washington from my hometown of Fort Worth, Texas. She is a recent recipient of the President's Award for Service for her dedication and service to Tarrant County senior adults.

Ms. Washington has devoted her life to caring for her community, especially the elderly. She began her tenure at Senior Citizens Services in 1973, and shortly thereafter became the director of Fellowship Corner Senior Center on the south side of Fort Worth on New York Avenue. Here, she has provided care for families through multiple generations, ensuring that they are able to age in place with health and dignity through the activities and friendships offered at Fellowship Corner Senior Center. Here, she empowers older adults to find new friends, improve their health with nutrition and exercise, and contribute back through volunteer service.

Most notably, Ms. Washington founded a dance group known as the Steppin' Grannies, which performs around the DFW Metroplex, giving seniors the opportunity to have fun while staying active.

For over 40 years, Ms. Washington has encouraged older adults throughout Tarrant County to live with purpose and independence. Next week, she will be given the award at the Annual Senior Spirits Awards, given by Senior Citizen Services of Tarrant County.

Madam Speaker, again, I would like to congratulate Ms. Alene Washington and commend her for her dedication to Tarrant County seniors.

NO SUBSIDIES WITHOUT VERIFICATION ACT

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

Mr. COFFMAN. Madam Speaker, according to The Wall Street Journal, without the legislation just passed by this Chamber, fraudulent subsidy payments under the Affordable Care Act could account for $250 billion over the next decade. For this reason, I'm proud to have voted in support of H.R. 2775, the No Subsidies Without Verification Act.

The White House has come out in strong opposition to this proposal, citing the fact that a program to verify eligibility already exists. I wonder, though, if a plan already exists, why the strong opposition to this proposal? And in the broader context, why the strong opposition to any proposal that seeks to create accountability with respect to Federal spending?

Across the Nation, millions of families sit at their kitchen tables in order to figure out their limited finances and to make difficult decisions, ensuring that their hard-earned dollars are being stretched to maximum effect. The Federal Government, however, shies away from any opportunity to ensure the same accountability.

Madam Speaker, Americans are tired of seeing their hard-earned tax dollars wasted through fraud. I hope to see this commonsense legislation signed into law.

IN PRAISE OF DR. THOMAS F. FREEMAN: EDUCATOR, SCHOLAR, AND LEGENDARY COACH AND TEACHER OF THE ART OF DEBATE

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

Ms. JACKSON LEE. Madam Speaker, this is a great opportunity to rise today to salute and praise Dr. Thomas F. Freeman: educator, scholar, and legendary coach and teacher of the art of debate at the historic Texas Southern University, supporting the historic Texas Southern University debate team.

For those of you who have not heard of that team, I ask you to look closely at the number of awards it has received because of this great educator. He comes from a great family with a great wife, who is also an educator.

Today I rise to salute him as a first-rank scholar, but also as a person of great eloquence, talent, and oration, someone who was inspirational to the Reverend Dr. Martin Luther King, Jr., and the honorable late Congresswoman Barbara Jordan, my predecessor.

A prodigy himself, Dr. Freeman graduated from Virginia Union University at 18 and went on to become a professor at Virginia Union before his 30th birthday. He would later receive degrees from Andover Newton Theological School, Harvard University, Chicago Divinity School, the University of Vienna in Austria, and the University of Liberia in Africa. Dr. Freeman was among a group of accomplished academics of color hired by Texas Southern University.

What I want to say most about Dr. Freeman is that he is a renaissance man. He's a man of courage. He's a man who broke color lines, teaching at Rice University for 23 years. He is a man that has a number of sayings that are so vital. One is:

> There is an ethical dimension to leadership. If you do not consider ethics, then your leadership is hollow.

I thank Dr. Freeman for being the kind of icon that America can honor. His leadership will be rewarded by the many students who have gone on to greatness because of his tutoring. In fact, even Denzel Washington was tutored by Dr. Thomas Freeman.

He is 95 years old and will be honored in his retirement at Texas Southern University tomorrow, Friday, September 13, 2013. However, his light will continue to shine, for he will continue to work with students and to provide light to those who are willing to learn.

Thank you, Dr. Freeman, for being a great American and a great leader and a man of ethics, passion, Christianity, and courage.

□ 1145

INVESTIGATING BENGHAZI

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

Mr. KING of Iowa. Madam Speaker, it is my privilege to be recognized to address you here on the floor of the United States House of Representatives, and to do so the day after the anniversary of the tragic attack on America that took place September 11, 2001, and the tragic attack that took place against Americans in Benghazi September 11, 2012.

Who would have believed, Madam Speaker, that a full year would go by and we would still not have the truth, we would still not be to the bottom of the Benghazi events. We still wouldn't have a timeline, we wouldn't have a chronology, we wouldn't have an autopsy report from Ambassador Stevens and others, we wouldn't have the testimony of those who were wounded and those who survived, and we wouldn't have the full story from the administration. And we wouldn't have yet the confession from the administration that they willfully, I believe, misinformed the American people and the United States Congress.

And so the individual who has taken the lead on this Benghazi series of events and called for a special select committee to investigate is the gentleman from Virginia (Mr. WOLF), and I am very pleased to yield to the leader on the Benghazi incident here in the United States Congress, Mr. WOLF of Virginia.

Mr. WOLF. Madam Speaker, I thank Mr. KING for the time. I am very grateful.

Madam Speaker, yesterday marked the one-year anniversary of the deadly attacks on the U.S. consulate and CIA annex in Benghazi, Libya, which took the lives of four Americans, and seriously wounded several others. One is still out at Walter Reed Hospital after one year.

Despite a year of investigations in five different House committees, most of the key questions about what happened in Benghazi and why no response was authorized by Washington remain unanswered. So far the Congress has failed.

That is why since last November I have been pushing for a House select committee to focus on this investigation, hold public hearings, issue subpoenas to key witnesses and survivors, and produce a final report that answers these important questions. One hundred seventy-four Republicans in the House have now cosponsored H. Res. 36 to establish a select committee—three-quarters of the majority—and six new cosponsors joined this week alone.

The select committee approach has been endorsed by family members of the Benghazi victims, the special operations community, the Federal Law Enforcement Officers Association, and the editorial page of The Wall Street Journal, among many other prominent individuals and organizations.

I was pleased to receive a copy of a letter sent to the Speaker earlier this

week calling for the creation of a select committee and signed by some of the most respected and distinguished national security and military leaders that have served our country.

These leaders include:

Former Attorney General Michael Mukasey, who also served as judge in the trial of the Blind Sheikh, the first trial dealing with an attack against the World Trade Center;

Admiral James ''Ace'' Lyons, U.S. Navy, Retired, former commander in chief of the U.S. Pacific fleet;

General Frederick J. Kroesen, U.S. Army, Retired, former Vice Chief of Staff of the Army;

Lieutenant General William ''Jerry'' Boykin, U.S. Army, Retired, former Deputy Under Secretary of Defense for Intelligence and commander in Mogadishu during the ''Black Hawk down'' incident;

Lieutenant General Harry Edward Soyster, U.S. Army, Retired, former Director of the Defense Intelligence Agency;

Ambassador Henry Cooper, former chief negotiator of the defense and space talks and the former Director, Strategic Defense Initiative;

Major General Paul E. Vallely, U.S. Army, Retired, former deputy commander of the U.S. Army Forces, Pacific;

Honorable Tidal McCoy, former Secretary of the Air Force;

Lieutenant Colonel Allen West, U.S. Army, Retired, and former Member of Congress;

Honorable Joseph E. Schmitz, former inspector general of the Department of Defense;

Honorable Michelle Van Cleave, former National Counterintelligence Executive;

Vice Admiral Robert Monroe, U.S. Navy, Retired, former Director of the Defense Nuclear Agency; and

Frank J. Gaffney, Jr., former Assistant Secretary of Defense for International Security Policy.

It is good to have their support for this important effort, and I would like now to read the text of their letter.

They said:

Dear Mr. Speaker:

As former military, intelligence and national security officials with extensive experience in security policy and practice, we are concerned about the American people's apparently serious loss of confidence in the institutions of their government. One factor contributing to this alienation has been the failure of those institutions to respond appropriately to the murderous jihadist attacks in Benghazi on September 11, 2012. They rightly expect, at an absolute minimum, that Congress will ensure accountability of those responsible.

As you are well aware, our country is nearing the first anniversary of the assaults on the Special Mission Compound and CIA Annex in Benghazi. To date, however, the five House committees that share jurisdiction have held only a small number of mostly less-than-illuminating hearings into the policies that led to, and the events that occurred during and after, the murder of four of our countrymen and the wounding of many more.

We appreciate that the chairmen of these committees produced four months ago a joint ''interim report.'' Yet, its authors acknowledged that they did not have answers to many crucial national security questions. In addition, no timeframe has been publicly announced for going beyond the interim report or holding additional hearings toward that end. This is particularly troubling in light of press accounts that the survivors of the Benghazi attack are being intimidated and risk job action should they come forward with their eyewitness account.

If Congress does not afford them an opportunity to do so without fear of retaliation by issuing subpoenas for their testimony, it will be complicit in precluding their help in seeing justice served—and in denying the American people the full accounting to which they are entitled.

They go on to say:

We believe an ample chance has been afforded for the regular order to operate in investigating Benghazi-gate. It has failed to do so. Now is the time for a select committee to be established with a mandate to draw upon the five committees' existing investigative resources and results to date and to complete—if possible by year's end—the necessary, thorough and comprehensive inquiry. This approach can alleviate concern about undue costs and further delay in convening a select committee.

Mr. Speaker, they go on to say:

The survivors want to tell their stories and correct the record. Two different books based on their stories are reportedly in the works. If the American people learn what happened from a published account rather than from those charged with congressional oversight, the perception of a coverup—or at least a serious dereliction of duty—is inevitable.

Our Republic is predicated on the trust of the governed in those they choose to represent them. We must not allow the jihadists who have thus far paid no price for murdering Ambassador Stevens, murdering three of his comrades and afflicting the lives of so many others, to do violence as well to our people's confidence in their constitutional form of government.

For all these reasons, we call upon you to establish without further delay a select committee to investigate the Benghazi attacks.

I think they make a very, very powerful case. For the Congress to fail to do this, as they said, the Congress will be complicit in this. So I call on the Speaker of the House to do what these gentlemen, who have as much experience as any Member who serves in this Congress on either side, have asked us to do, and establish a select committee.

With that, I thank the gentleman for yielding me this time.

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Virginia and ask if the gentleman could stick around for a moment. I have a couple of questions that occurred to me as I was listening to his presentation. I would like to ask for the record, and your knowledge of the Benghazi incident goes more deep than mine does, and I think probably as deep as anyone in the Congress does, Mr. WOLF, and so I wanted to ask: Do we know how many survivors there were from the Benghazi incident?

Mr. WOLF. There were roughly 30 or 31 or so that waited on the tarmac after the fighting had ended to be picked up, and they were not picked up in an American plane; they were picked up in a Libyan plane. There were a number of wounded. One, Mr. David Ubben, who is currently out at Walter Reed, and another gentleman who was severely wounded, they were flown out separate from that other group, and they were flown out not in an American plane but in a Libyan plane, maybe even commandeered by those that rescued.

We also know that we lost four. Several were Navy SEALs. And we were also told by those who have been in touch with those on the ground that there was a call from the consulate to the annex saying, help us. They were told to stand down by the CIA station chief, not knowing if that came out of Washington or not. They did stand down. They got another call, and they were told to stand again, and they did stand down. They had another call and they finally said we're not standing down, and they went. Some believe that had they gone at the initial time, they could have saved the life of Ambassador Stevens and Sean Smith.

Mr. KING of Iowa. The information you provided here, especially information as to the numbers of survivors and the numbers of wounded, where they were picked up, and by a Libyan plane, not a U.S. plane, was that information that was forthcomingly delivered to you or the American people by our administration, or how did you learn those facts?

Mr. WOLF. No, it was not delivered by the administration, nor was it delivered by any committee up here. It was delivered by people who are connected to, related to people who were on the ground.

Mr. KING of Iowa. Do we know, has any of that information been entered into the record under oath, so far as witnesses are concerned, before the five committees that have jurisdiction?

Mr. WOLF. I think not, but I have not been in some of the closed doors. As you know, that is one of the problems. The Intelligence Committee has everything in closed doors. Quite frankly, if you're a Member of the House, you have very little opportunity to find out sometimes what even goes on in the Intelligence Committee. So they could have been sworn in. The people I have spoken to have not even been called. And I spoke last week, last Tuesday to a person who was on the scene at the time of the attack, and he has not been called.

Mr. KING of Iowa. And so, Mr. WOLF, is it possible that the Select Committee on Intelligence could have had testimony before the committee, and because they are bound by the confidentiality of classified information, that even if they learned something from an open source that also confirms something that they learned in a classified setting, they now are prohibited from speaking about that outside of that room?

Mr. WOLF. I do not know. I do not serve on the Intelligence Committee.

There are all good people on it, and Mr. ROGERS does a good job. I can't answer. They can better answer that. I don't know what the rules are with regard to that.

Mr. KING of Iowa. Let me pick up on that. I have a measure of classified rating as a member of the Judiciary Committee. Those are the rules that we are bound by when we go into a classified setting. What we speak about there, what we learn there, even if we know it from an open source before we go in, or even if we learn about it from an open source after we go out, we cannot speak to that topic outside of the room.

That's one of the reasons why we need the select committee. Even if all of the information we need to know happens to be gathered by the special Select Committee on Intelligence, that doesn't get that information that can be declassified declassified, that doesn't get it correlated with the balance of the information that is public knowledge, or the information that has come before the other committees.

Another question: Do we have any autopsy reports from Ambassador Stevens or any of the other three fatalities that were killed in that action a year and a day ago?

Mr. WOLF. My committee that I chair, the House Appropriations subcommittee that funds the Justice Department and the FBI, we have never received an autopsy report. We have been told how the death of the Ambassador took place verbally, but we have never seen the autopsy report.

Mr. KING of Iowa. Do we have a timeline that sets down events that took place from its inception to its relative conclusion in the operations and the cleanup that also correlates with a timeline of the situation room in the White House, and who was in the White House and what they knew and when they knew it? Are you aware of any timeline that correlates that?

□ 1200

Mr. WOLF. There may be. Perhaps the Intel Committee has it. I understand there are some timelines out there that do not quite, quite match; but I do not know the answer to that. That's why we need public hearings.

Mr. KING of Iowa. I thank the gentleman from Virginia. That's my understanding as well. And this colloquy that we've had here, I think, illuminates the questions, some of the questions that can be answered with a special select committee that would be addressing the Benghazi incident.

And a full year and a day has gone by. The trail gets more cold every day. And just yesterday, I saw the announcement that the administration is going to make some of the survivors available to Congress, finally, after a full year, so that we can have some dialogue with them.

I just envision the 9/11 Commission that sat around the table. They swore in witnesses. They built a public record. The American people watched in on all of those deliberations so they could draw their judgment on whose version was the most accurate and the closest to the truth.

When the 9/11 Commission report came out, it was a bound book about that thick. I read it. A lot of us read it. But that was the definitive response to the United States Congress that said these are the facts as we can determine them, the reasoned judgment of the United States Congress.

That also happened on the Warren Commission report on the assassination of President Kennedy. I think that the Benghazi incident deserves a full investigation in that fashion.

I applaud the gentleman from Virginia for taking the lead on this, and I'll certainly support it all the way to its conclusion.

Mr. WOLF. I thank the gentleman. Thank you for the time.

Mr. KING of Iowa. I thank the gentleman from Virginia. And reclaiming my time, I appreciate having the dialog to this extent.

And I know that the gentleman from Pennsylvania has a real focus on Benghazi. We've had some of this dialogue before, and so I would be very pleased to yield to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Thank you for yielding, and I want to begin by thanking our colleague from Virginia (Mr. WOLF) for his leadership with House Resolution 36.

It should not have to come to a select and special committee to investigate this, but it's very apparent that the administration operating on point on this is doing everything they can and expending all resources to obfuscate, stonewall, and keep the truth and the facts from the American people.

And so, while we appreciate the fact that there are numerous committees in the House investigating this simultaneously, but individually, one concerted effort is probably what it's going to take, at the end of the day, to answer the call of this administration who would rather this information not be let out to the American people.

I just want to start out by saying that, you know, a year ago, a year ago on this day, Americans were waking up to or hearing about on their lunch hour that the first Ambassador in over 30 years, a United States Ambassador, had been killed on foreign shores.

And as a person who's operated in the military and as just a citizen who thinks that, look, some of this would make common sense, on the anniversary date of such a historic event and shameful event in America, that we would increase our security posture, especially overseas.

And as a person who has served overseas during 9/11, the anniversary of 9/11, I know very well that we did increase our security posture. So the fact that this happened really leads to questions as to what the heck was going on at the State Department regarding the security in Benghazi and who was making decisions.

It's disgraceful that an entire year later, despite the fact that a number of terrorists have been identified who have participated in this attack, not one of them has been brought to justice, not one.

And it's also interesting that this administration has the information, the intelligence information that it has regarding Syria. Yet while we were in Benghazi, while we had boots on the ground in Libya, a year later we don't seem to have the facts about the intelligence that occurred there.

Some questions that I have—it's my understanding that Under Secretary Kennedy will be testifying in front of the Foreign Affairs Committee on which I serve next week, and we have some questions for him.

I think the American people want to know why this administration politicized national security during an election cycle regarding the talking points, and who made that order. Who decided that? Who was at the top of that?

The reduction in security forces, again, on 9/11, it's my understanding, with an outpost like Benghazi, that it could only have come from one person. There's only one person in the State Department that is authorized to issue that reduction in security posture, and that is the Secretary.

We want to know whose signature is on the authorization. We want to know who authorized not sending help.

In the military, we don't have a stand down order. But somebody said, no, and somebody didn't contingency plan. Somebody wasn't prepared.

Now, the boots on the ground, the fine soldiers, the airmen, the men and women who would have gone into help, they were ready to go. The United States military was ready to respond. It's the chain of command that wasn't, somewhere along the line. And we want to know who made that decision.

We don't know yet what the Ambassador was doing there. Do we really know?

We've asked the question, but we don't know what his purpose was. Sure, we hear that he was there to solidify that location as an operations point for diplomatic actions and show that everything was normal in Libya again. But on 9/11 you're really going to send him there with a reduced security posture?

Folks, ladies and gentlemen, these Ambassadors don't roll in a car by themselves out to these outposts. They don't even go to their consulates by themselves. They have a security detachment of highly trained people. The vehicles they ride in are not something that you buy on the lot. These guys are loaded up, and they're ready to handle contingencies.

This is abnormal. What was he doing there?

Why does this administration continue to stonewall?

You're hearing that they're giving us everything that we ask for, the emails and so on and so forth.

Why is it that the emails come in a box, to a SCIF, a secure location, our people in the Congress, we're allowed to look at them, our investigators are allowed to look at them, transcribe information, and then the emails go back into the box under armed guard and they're taken away.

We're not allowed to copy them. We're not allowed to get them all at one time. They're meted out to us. Why is that?

If there's nothing to hide, why not have the information so we can all know what it is within the confines of security postures and operational security and security clearances?

Finally, or maybe not finally, who's accountable?

Has anybody been held accountable?

Sure, there were some four employees at the State Department that were excused from their duty for a year, or nearly a year, with pay, and then brought back in. And this is not to disparage those employees.

It's my understanding, since we haven't talked to any of them yet because we've been disallowed to talk to them, that they didn't even know they were held responsible until the day it happened, and they still haven't seen the report that says they were responsible for the reduced security posture. Nobody's been held accountable.

Why wasn't the Secretary involved in the questioning of the ARB, the Accountability Review Board?

The person at the top, not even questioned. That's like having a murder investigation in a family where the husband was having an affair and having strained relations with his wife, the wife was murdered, and he was the only one in town at the time, and not questioning that. That's what that's like.

Nobody questioned the Secretary. Really?

Was there real-time video information via drone, unarmed aerial vehicle?

We heard originally—I was in the questioning, in the hearing with the Secretary, Secretary Clinton, when she originally came earlier this spring, and she said that there was no real-time information.

Yet, on national radio, I heard a guy call into national radio who was the payload operator. And to be clear, the payload operator is not the individual flying the unarmed aerial vehicle. The payload operator is the individual that handles the camera or the weapons system.

So the individual handling the camera called into a national talk show and described what he was seeing as it was occurring. So if we had the real-time information, why weren't we acting on it?

Where is that real-time information?

Why haven't we seen it?

Finally, where was the President during this?

I mean, this is a crisis of national proportion and national security. And I know the President hasn't come before Congress to ask a question, and every time we ask anybody else the question, the answer's going to be, well, I don't know. I don't keep the President's schedule.

Why can't the American people know the facts?

We just want the truth. We just want the facts. The facts will lead us to the truth. We're not on a witch hunt. The American people deserve to know. The families of the fallen, they deserve to know what happened here.

And I know the administration is hoping that time will go by, debt ceiling, continuing resolution, ObamaCare, Syria, anything will get in the way of finding out what happened here. But we are duty-bound, ladies and gentlemen, Madam Speaker, we are duty-bound to find out this information on behalf of the American people.

I applaud you, Mr. KING. Thank you for yielding the time.

Mr. KING of Iowa. I thank the gentleman from Pennsylvania and appreciate his presentation here on the floor. I'd ask if he could stick around for a moment because I'm trying to do a little research of my own here, and that is that there's a patchwork of information that's been gathered together.

Among the American people, they'd have collectively, within their memory and their records, all that's publicly available. If we could go out and pull it together and consolidate it, then we could organize it.

This Congress is similar to that. We're representatives of the American people. And from each of our districts, each of our sets of responsibilities and access to information, we can put together some of the puzzle here.

But it's hard to put together a puzzle if you don't have the picture that's on the box. This administration has the box, with the pieces, and the picture on the box of the puzzle of what actually happened in Benghazi, and they knew it almost in real-time. And they have been meting out the information, accepting or admitting to information as it was forced upon them thanks to the media, thanks to people that have done real research.

I recall a statement made to our gathering in our meeting that there weren't any wounded from the Benghazi incident out at Walter Reed Army Hospital. One of our Members went out there and hung around the cafeteria until he found out otherwise and made personal contact and had deep conversations with at least one individual that was a survivor of Benghazi that was in a long-term rehab, Walter Reed. And so that's the level that we have to go to to get an admission.

I wanted to ask the gentleman from Pennsylvania just a series of questions that clutter my mind. Have you seen a list of the survivors of Benghazi, those survivors that Mr. WOLF talked about that were picked up on the Tarmac at the airport in Benghazi and flown out by a Libyan plane?

Mr. PERRY. I have not seen the list.

Mr. KING of Iowa. Do you know the name of any of those 30-some survivors?

Mr. PERRY. I do not.

Mr. KING of Iowa. And have you seen a timeline that shows what happened in Benghazi from beginning to end, one that is credible, that you have confidence in?

Mr. PERRY. Well, I certainly haven't seen anything that I have confidence in. There's been numerous ones put together, mostly by the side that wants to investigate, that's trying to piece it together based on open-source information.

Mr. KING of Iowa. Open-source timeline. Have you seen any timeline of the Situation Room in the White House?

Mr. PERRY. We have no knowledge of anything in the Situation Room in the White House.

Mr. KING of Iowa. Just wondering. When the assault went on in the compound that took out Osama bin Laden, and I would ask the gentleman, did you see any pictures from inside the Situation Room, and did you see a timeline of the events that took place on that assault?

Mr. PERRY. Sure. The whole world saw that, and rightly so.

Mr. KING of Iowa. Exactly. And as I draw a comparison to Benghazi and the takedown of Osama bin Laden, those circumstances would have been similar, except that we initiated the operation against Osama bin Laden, so I presume there were some people that got invitations to go into the Situation Room and be there. We saw the looks of worry and concern on their faces. I remember the President there in front of it, Secretary Clinton was there, and others in that setting.

But we have no visuals of who was in the Situation Room during Benghazi. We have no timeline of who came into the room, who was in the room, who left the room or when. And in that list would be when the President came, how long he was there, and when he left.

We don't know the answers to that, even though everybody that was in the Situation Room would have known when the President arrived. They would have known when he left. They would have remembered precisely all dialogue that came from the President and almost all that went to the President.

That's how I envision it. Would you envision that the same way, Mr. PERRY?

Mr. PERRY. That's exactly right.

Mr. KING of Iowa. And so the American people need to know this. Do you have any knowledge of who had custody of the body of Ambassador Stevens from the moment he was killed until such time as he turned up at the hospital in Benghazi?

Mr. PERRY. Well, there's been some conflicting reports between, again, open source, between the rebels, and

then he went to the hospital and was picked up by some of the folks from Tripoli; but then he wasn't there, and they—there's nothing congruent in that.

I'm not sure the custody, the chain of custody regarding the Ambassador's body. We're pretty sure we know what happened to it, and it's very unpleasant. But again, without an autopsy we can't even be sure of that.

Mr. KING of Iowa. I would agree. And the individuals that delivered Ambassador Stevens' body to the hospital should be available to us. We should have been able to put them under oath and gather the record of what took place there. We don't know who had custody of Ambassador Stevens' body. We just know his body showed up at the hospital.

And the balance of that is conjecture, although we've seen at least one picture of him being carried through the streets in a vertical way, with no knowledge of whether he was alive or dead at that time. Most believe that he was dead at that time, but we just simply don't know.

And can you imagine if it's your family member who had gone through this, and to be locked out from the truth, if you'd lost one of the four lives that we lost in that, or if you're one of those that is wounded and has been muzzled.

□ 1215

The argument came out yesterday that the administration asserts that they have not commanded people to be muzzled or to be quiet about what happened in Benghazi, yet there's the intimidation factor. If your top officers lean on you and say, You've already taken a confidentiality oath, you better stick with that confidentiality oath.

As a former member of the armed services, if you're bound by confidentiality and you've already taken the oath and then your commander, your superior comes to you and says, You've been involved in an incident, and you're bound to that confidentiality, would you honor that, Mr. PERRY?

Mr. PERRY. Well, in the interest of national security, you're in a dilemma. You've taken an oath and you do have a confidentiality requirement. However, I would also say there is a compelling reason for you to provide information to the American people and certainly to the Congress.

I know that the Foreign Affairs Committee has set up hearings with some of these folks and they have said they were coming, and then, miraculously and mysteriously, they declined between the time they said they were coming and the time they were supposed to appear. And so we're not sure why they would agree to it at the onset and then decide to change their mind hence. I think it's a very compelling question. But I think in the interest of finding out the truth, they would be compelled to testify under oath.

Mr. KING of Iowa. Do you believe that the attack by our enemies on our Ambassador and the other victims was a planned attack or a spontaneous eruption?

Mr. PERRY. There's no doubt in America's mind, the world's mind. Libyan intelligence knew it within 24 hours.

And we have the fact that our Ambassador, which—by the way, I must say that it besmirches her credibility, the President's credibility, the administration's credibility, including the recent activities regarding Syrian foreign policy and decisionmaking, to go out for weeks on end, including the President, and issue talking points that they clearly knew were false. They knew they were false, and the world knows they're false now. Most of the world knew they were false then.

This was not a spontaneous eruption of violence, including RPGs and a coordinated attack. Coordinating the attack requires planning. It requires resourcing. That didn't happen in a few moment's time over a video, which maybe that gentleman is still in prison to this day. The only person held accountable for this, I think, is arguably somebody who had absolutely nothing to do with this.

Mr. KING of Iowa. Do you believe that the administration knew in real-time that it was a planned attack on our Ambassador and an assassination attempt?

Mr. PERRY. Since the Ambassador himself and his deputy both reported it was a real-time, coordinated attack, not a spontaneous demonstration, I'm very certain in my heart and my mind that the administration knew what was happening.

Mr. KING of Iowa. Do you think Susan Rice knew when she went before the five television networks the following Sunday?

Mr. PERRY. Again, we want to know who changed the talking points. I don't want to indict her if she was given the talking points. But at the level she was operating, she either should have known or corroborated the talking points. And so, to a certain extent, I think she's culpable, and it's reasonable to expect that she did know the talking points were changed and she was misleading the public.

Mr. KING of Iowa. I would ask the gentleman from Pennsylvania if he attended the classified briefing Monday at 5 o'clock.

Mr. PERRY. I did.

Mr. KING of Iowa. What level of confidence did that give you when you see Ambassador Susan Rice there to lead the briefing?

Mr. PERRY. Again, I suggest that the administration has a trust and confidence issue not only with this Congress but with the American people, and that is one of the reasons. You can't send somebody out at the top levels of government to provide information on such a sensitive issue as potentially going to war or an act of war whose credibility has been diminished by her own actions and the actions of this administration. So I think that that trust and confidence has been eroded because of prior actions, particularly with Benghazi and Libya.

Mr. KING of Iowa. And I would agree wholeheartedly, Mr. PERRY, and end this one remaining component of this topic that I think that you alluded to somewhat in your statement. The question is: What was Ambassador Stevens doing in Benghazi?

We've seen the announcement that came out last night or today that our administration is funneling weapons now into some elements of the Free Syrian Army. I'm concerned that those elements are the Muslim Brotherhood elements of the Free Syrian Army. But they have now announced that they're finally getting some resources in there. If that was the plan and the strategy, to funnel weapons into the Free Syrian Army a year ago, that would have been a better strategy because the Muslim Brotherhood hadn't completely taken over that operation then.

But some have speculated in the media—and we don't know because we haven't had a select committee that brought all this information out—that that was part of the business that may have been taking place in Benghazi. I don't have confirmation that that is the case. And I would ask the gentleman from Pennsylvania if you have seen any evidence that that might be the operation that was taking place and the reason that Ambassador Stevens was in Benghazi that day.

Mr. PERRY. We've seen no evidence. We've been given no evidence. We have asked the questions directly and been denied.

Mr. KING of Iowa. Denied a straight answer to that.

Mr. PERRY. Denied any answers.

Mr. KING of Iowa. Denied any answers.

So what we know is that the administration immediately announced that it was a spontaneous eruption of a protest over a video. How they ever found that information to even be able to tie it to it because it's completely disconnected and illogical, but they sent Susan Rice out before the American public and on five networks she gave the same story. And now she's been awarded with the confidence of the President to advance her even more within this administration and sent before the House of Representatives in a classified setting to lead us in the briefing on potential Syrian engagement.

So we know it wasn't a video. Do we know if the individual who actually produced that video is yet out of jail? Do you have any information?

Mr. PERRY. He may be. I'm not sure. He may be out of jail. But I know he was held accountable at some point, and he literally did go to jail. And I would say it's arguable that he had absolutely anything to do with this or anything else.

Mr. KING of Iowa. And the last information I had was that he was still in

jail. That's been some weeks ago. But I think he's a person you might be able to identify as a political prisoner at this point. It's unlikely that he would be in jail for his not meeting the parole requirements for this period of time except for the politics that he got wrapped up into, Madam Speaker.

All of these things that are inaccuracies and some of them outright dishonesties. There's been no question that this administration went out and willfully misinformed the American people. They did so in open source setting, the President's dialogue directly to the United Nations and multiple oblique references to a video. They knew in real-time that it was a planned attack. There's a reason why we know that, and I know Mr. PERRY knows that reason.

I ask you if you can tell us here why we know that it was a planned attack against our U.S. Ambassador.

Mr. PERRY. Like I said, you don't just bring heavy weapons like RPGs and things of this sort to a spontaneous eruption and demonstration. Like I said, it requires resourcing, ammunition.

This thing went on for hours and hours with heavy weapons. You just don't show up with a belt-fed weapon and the ammunition to support it on a whim. This is something that's heavy to carry. The ammunition is heavy to carry. It requires vehicles and people and coordination and what we call fields of fire, so you don't shoot the friendly; you only shoot the enemy. This coordination takes effort and time. It doesn't happen in a minute or two.

Mr. KING of Iowa. I recall a message that came out from the administration that Libya is a highly armed country and people walk around with AK–47s or else they've got them very handy so, if there's a violent demonstration, that they can grab their AK–47 and run to the sound of not the guns but the demonstration.

I don't disagree that that's a possibility in Libya. I know it was a possibility in Iraq with the armament that they have or the weapons they have in their homes. But we also know that there were RPGs there. We know that there were mortars there.

We know that there were two locations. The first location was where the attack took place, and then there was a fallback location. One was the compound and one was the annex. We know that there were mortar rounds dropped in on the secondary location. It looked like, the sequence, that they had already dialed in that secondary location as a target. If that's the case, not only was it a planned attack, but it was a planned attack with intel that had the secondary location, the alternative location where they would retreat to once attacked, and the primary location already set up, the mortars zeroed in on that.

Does that fit with what you know from a military background, I would ask the gentleman from Pennsylvania.

Mr. PERRY. Absolutely. A mortar is what we call an indirect fire method weapon. You don't necessarily have to see the target. You lob the round into the target. So it requires coordination and known points of where the mortar is located versus where the target is located. You have to shoot the right angle and the right azimuth.

It's not just something that's done capriciously or quickly. There's a thing called a baseplate, which holds this mortar tube. It has to be carried. It usually takes several men or a vehicle, depending on the size of the mortar. And then there's the ammunition that comes in cases. It's not something that you just carry around in your pocket. It's heavy. And you're not just shooting one, so multiple cases.

Again, logistics and support for this, planning for this. Of course, like you said, the planning on multiple locations of attack. They would have to know that. They would have to know the location of where it is, of course, and where their firing point was for the best field of fire and security from opposing fire.

Of course, I think the Ambassador described all this in his phone calls. Our troops on the ground, some of them who perished, lasered the target, expecting support from the United States, from what they knew. You never go without knowing who your support is going to be, what your backup plan is. These folks fully expected some guided munitions to come take out the assault, but it never came.

And so there's no doubt in my mind that this was a coordinated, well-prepared attack, and there's also no doubt in my mind that the administration knew this very early on. Maybe if they didn't know it within 24 hours, they certainly knew it within the span of a week. But the misleading of the American public went on for weeks.

Mr. KING of Iowa. If the gentleman were going to set up a mortar and zero in on a target, what would be the minimum number of rounds that it would take to have confidence that you can zero in on the top of a building?

Mr. PERRY. Well, a mortar is what we call an area weapon, so you're not going to shoot a mortar into a window. But what they fire on, they sometimes shoot long, they shoot over, or they shoot short. So they bracket it. They adjust the tube back and forth until they get it to range. But if you have a known point that you're firing from and a known point that you you're firing to, you can do that with much greater accuracy in much less time.

I would suggest that they had that all figured out when they showed up, which is how they were able to deliver rounds on the target immediately.

Mr. KING of Iowa. I would ask the gentleman, if the third mortar round was the fatal round for two of our brave Americans, would that indicate that that mortar had been set up and planned in advance?

Mr. PERRY. Absolutely. You must know that it takes multiple, what we call, registration rounds and so on and so forth to bracket a target, multiple iterations of firing the tube or the mortar to hit the target. I'm talking half a dozen, a dozen times, and it's very precise.

So they knew exactly what they were doing. They had this planned well in advance, in my opinion.

Mr. KING of Iowa. And we would have known that in almost real-time in the Situation Room in the White House, would be what I would say, and yet still people went out and made the story that it was a movie. And then after the story of the movie began to break down, it became, well, it was actually a spontaneous response and people came running with the weapons that they had.

We've gotten more truth out in this dialogue that we've had here in this past 45 minutes on the floor of the House of Representatives than has willingly been brought forward by this administration.

I have said that Benghazi is worse than Watergate. I think that's a very easy position to hold in that Watergate was a burglary that the President found out about afterwards. It was wrong for President Nixon to seek to cover that burglary up. It cost him the Presidency and it cost America dearly in the events of history that unfolded from that, but this is something that goes deeper and worse.

I believe it was a planned assassination attack on our Ambassador, and I believe that we had a whole group of heroic Americans who conducted themselves very well and they deserve to be identified, if they want to be, and they deserve the respect and appreciation and the honor that the American people would like to give them.

The best thing we can do for the memories of those that are lost is to provide the full truth that goes outside that that must be classified. As history moves on, classification changes because of relevance of need for it to remain secret also changes.

So perhaps today we can pick up the momentum to get those final signatures on the Wolf resolution, get to the point where we can convince our Speaker that we need to have this special select committee to investigate Benghazi, that it incorporates the top people from the five committees that have jurisdiction to do those kind of hearings with a significant budget where we can make sure that it's well staffed and also subpoena the people that we need to put that record out into the public eye and the public ear, record that record and build that and put it into a bound copy, a version which says, This is the reasoned judgment of Congress. These are the facts as they can be gathered, and that has been scrutinized by the public in real-time.

□ 1230

If we do that—we can draw our conclusions; historians will be able to

draw their conclusions—we can do honor to those who lost their lives, gave their lives for us. We can do honor to those who have suffered serious wounds, and we can do honor to those who were in that conflict. And we can clean this up to the point where all of those that serve us in the Foreign Service and put their lives on the line—and there have been, by my recollection, eight Ambassadors who have lost their lives in the line of duty or died while in service of our country over the course of the history of the United States—Ambassador Stevens the most recent, the most violent, but also the one that they have the most questions about.

This was going to be an open administration, one of the most transparent in history. And now we have the Secretary of State who presided over this, who was the lead voice, the one who should have given us the most direct response, has not given us a full testimony. She did appear before a Senate committee and it was a limited amount of testimony, but she has not come clean with this.

As we see this, the situation of the coverup of the facts of Benghazi, we are also seeing the people that are engaged in this that do know the facts asking for an even higher level of responsibility in leadership, in fact, all the way to the White House seems to be the direction that the former Secretary of State would like to take. I'm going to suggest, Madam Speaker, that this can't happen in America. You cannot have someone who covered up something worse than Watergate find a path to go back to the White House and then put this country back under another shield to hide information, a coverup. The American people deserve the truth.

One of the strengths that we have as a Nation is because we have been willing to face the real truth, face the real realities, and brace up and take on the enemies within the world. The people that serve this country, and do so with dignity and honor and nobility, are those in uniform. But it isn't only those in uniform. It's those that are in the CIA. It's some of the civilian contractors that have served in our military that are also part now of civilian security detail. There are those in the State Department that know they're out there on the edge and on the end. We need to honor all of them by bringing the truth out.

There are many people, especially within the State Department and the CIA, who are sick at heart because they know the real truth. We need to give them an opportunity to bring that real truth out.

I would be happy to yield to the gentleman from Pennsylvania.

Mr. PERRY. Well, you are absolutely right, Mr. KING. As you already stated, the American people deserve to know.

Scarcely 6 weeks ago, I talked to some of the families of the fallen who have not, since that fateful day nearly—well, it's a year ago now; then it was just nearly a year—have still not gotten any answers from the administration. As a matter of fact, the administration doesn't talk to them at all. They're coming into Congress asking us to find answers.

I would ask the American people: Is that how you want the people that serve this country overseas in very dangerous situations to be treated? Some of these are former military members serving in this capacity as security detail for the Ambassador, or that just picked up and went to the fight, even though they were told not to, and gave their lives. Their lives were taken from them. And this is how their families are being treated. They're dead, and their families are getting no resolution. They're getting no closure on this thing. And it's at the hands of this Federal Government and this administration. It's reprehensible. And it can be stopped immediately if they would just answer the questions that we have, that all Americans have.

Mr. KING of Iowa. Reclaiming my time, I will just say a few more words, Madam Speaker.

I sat through a series of briefings over the last week or a little better in different places around the world. In one of those briefings, one of our Special Operations Forces personnel made a point that they were ready to go to Benghazi. Now, there's nobody there that trains that isn't ready. Nobody is reluctant to step in and serve. No matter how dangerous a mission, no matter what the prospects are of success, if there are Americans in trouble and they are given the green light—and that's the order to go into battle—they don't hesitate. They don't shrink back. They don't think, ''I wish I wasn't here.'' They train for that. And as they train for that, there is no hesitation.

So we should always know that our military men and women, our security personnel, there is no hesitation on their part. They wanted to be there. That's why, when they got the order to stand down at the third time, they went anyway because these were brethren that needed to be protected.

I yield to the gentleman.

Mr. PERRY. I would ask, Mr. KING, we were told that there wasn't adequate time, that reinforcements and help were too far away. How did the administration know how long this was going to take, how long this attack was going to go on for? Because when the calls came from the Ambassador, it was hours and hours later until he perished, until others perished. During that period of time, we could have sent people on the way. Maybe they would have never gotten there in time, and maybe that's still a failure in planning, but I think the American people could forgive the mistake with the effort. But the effort wasn't made at all.

And I wonder who made the determination that this is going to end in 2 hours or 3 hours or 10 hours or 10 minutes and said, No, we're not going to send anybody because it's going to be over. How did they know that? I would suggest they never knew that because they never had any intention of sending anybody because they never had any plan. They never expected this, they never wanted this, and they hoped it would go away quietly into the night. That's what I would suggest.

Mr. KING of Iowa. Well, reclaiming my time, it appears to me that there was a political decision that was made in the Situation Room in the White House, and that political decision was: We're in a tough, tight, reelection battle. This is September 11. We are less than 2 months before the election date. This could become a whole pivotal issue that the election is decided upon. Let's see if we can slide this thing down and tamp it under the rug and maybe it will go away. Maybe it won't be as big or as bad as we fear that it is. That is the question that comes back.

There is a time in this job to do your duty. There is a time in this political arena that we're in that you set aside politics. There is a time when you look at your reelection and you decide, My job here in this moment doing the right thing is more important than any prospects of how people will vote 2 months from now or a year or more from now. That's that sense of duty.

That's why we take an oath to uphold this Constitution. We all stand here on the floor of this House and take this oath to preserve, protect, and defend the Constitution of the United States. The President does so. The executive personnel do so.

When I look back through history, I can think of no time that our leadership in the White House has decided that the political calculation was more important than the lives of an Ambassador that had an opportunity to be saved. And maybe we would not have been able to save the Ambassador. Maybe we could have saved two of the others that were killed later in that operation. But we could have at least been there to send that message and to intimidate. And we're now a year and a day later. The press has identified some of the perpetrators. They have gone to Benghazi and sat down and had lunch and interviewed them. There are at least three media networks that have interviewed one or more of these perpetrators. If we know who they are and justice was going to be brought to them, why hasn't that been the case? Why hasn't this administration acted?

Meanwhile, they will tell us they know exactly how to put a precision strike in on Assad in Syria to send just the right message that won't tip the balance of power and change the result of the civil war in Syria, but it will give him the message that he won't use weapons of mass destruction again. They have enough intel to apparently do that, but not enough intel to just follow the reporters around in Benghazi and collar the people that they talk to. That would be just that simple.

Furthermore, the intel that seems to have identified the elements of the

Free Syrian Army, I'll just say a few words about that that I've gathered as I have circumnavigated this globe and sat down in a whole series of meetings that took place that put the pieces of the puzzle together on the intel with Syria and Egypt and others.

Just on the Syria side, we had a Free Syrian Army that emerged. It emerged as a popular uprising against Assad for his cruel and evil dictatorship of his people and for killing some of his own people even then, his political enemies. And the Free Syrian Army emerged. So they should have easily been the people that we supported.

Well, as that battle went on, they were taking over different areas within Syria, tactical objectives and communities and cities and large geographical areas of Syria. And at a certain point, the Muslim Brotherhood stepped in. They took over some parts of the Free Syrian Army. They set up an operation to essentially sacrifice the leader of the Free Syrian Army. He was captured in an operation where he was sacrificed. They took him out of command. His successor commander now has been marginalized and pushed off to the side.

And the Free Syrian Army—the knowledge that I have—is now controlled by the Muslim Brotherhood and other radical Islamist entities, including al Qaeda. That is the entity that we now have good enough intel that we are starting to send supplies and military supplies into.

Those two entities, Assad and radical Islamist components, which is a large component of the Free Syrian Army, they're the bad guys. They're both our enemies. Yet the administration is in the business now, a year after that should have been happening in an aggressive way, of arming some of the wrong people.

It's not that we didn't have good choices. There still are good choices. There still are good people in Syria and outside Syria that will step forward that want to have a secular Syria, a Syria that has freedom of religion, a Syria that is run by the people of Syria. Those elements are still there in Syria and around Syria—at least 2 million Syrian refugees. That force can be put together. It takes longer than firing a cruise missile into Damascus and picking a target to send a pinprick message. It can be done, but I'm not confident that this administration has identified our friends.

What I have seen is that, when we've aligned with anybody in the Middle East, it's been the Muslim Brotherhood. We've had 2½ years of the Arab Spring; and in every break that has changed the power within the countries of North Africa and the Middle East, every break has gone in favor of the Muslim Brotherhood, except one. That is now, when the Muslim Brotherhood took over Egypt under Morsi. Thirty to 33 million people came to the streets in a popular demonstration—the largest demonstration in the history of the world—to unseat Morsi because they don't have a constitutional way to impeach him. They didn't have a way to arrest him. The only thing they could do was go to the streets and demand that he be removed from power.

Our administration sent a message before Morsi came to power that Mubarak had to be gone yesterday—remember that word? ''He needs to be gone yesterday.'' Well, that upset the balance of power in Egypt. That helped Morsi come to power. Morsi squeaked by by winning an election with 5.8 million people voting for him out of 83 million or so Egyptians altogether. Not exactly what you would call a majority of the people supporting Morsi—Morsi's complete incompetence, but also his very bold moves to consolidate power within Egypt to where it became clear that there was not going to be another election in Egypt and that the Muslim Brotherhood was going to impose shari'a law. And you start seeing that happen.

Well, 30 to 33 million people in the streets of Egypt, and the Egyptian military stepped forward to support the popular uprising that took place. Now they have laid out a time line, a roadmap to write a constitution, put a constitution out on a public vote to ratify and then to elect a president and a civilian government. And General Assisi has pledged to turn over this military control of the Egyptian Government to a newly elected, legitimate civilian government. That time line is a good time line. It's a good commitment that has been set up and it's a good result.

The problem we have is that our administration was against Mubarak and helped push him out of power. That helped open the door for Morsi, who came in—one of the Muslim Brotherhood. And it's clear, this new leadership, the interim President of Egypt, General Assisi, commanding the military—and also, by the way, they have the support of the Pope of the Coptic Christian Church in Egypt—all of that, the new forces are clear. They oppose the Muslim Brotherhood.

The struggle within the Middle East, Muslim Brotherhood, radical Islam, radical and violent Islamist groups working against the free people in that part of the world, we need to be on the right side of everyone, not on the wrong side of everyone. And the administration is going to have to turn their course around in Egypt and get behind the new administration and support new elections and a new constitution.

I yield to the gentleman from Pennsylvania.

Mr. PERRY. I would like to pose a question to you based on what you've seen regarding Syria and Benghazi and Libya, the classified briefings and your travels.

This administration reported to us that Syria had used chemical weapons 11 times previously. On the 12th time, we want to send a message that that's not okay—and it's not okay, let's be clear about that. But why didn't we send a message and why haven't we sent a message that it's not okay to kill a United States Ambassador? When is that message going to be sent?

I would just like to get your thoughts on that and the dichotomy and the lack of parallel in some kind of strategy and foreign policy that is congruent and makes sense to our allies and our adversaries.

Mr. KING of Iowa. Well, I would just say to the gentleman that he has pointed out a stark contradiction in our policy. Eleven or 12 times of alleged, at least, weapons of mass destruction used against the Syrian people. I'm going to suggest that this push now is because some of the people that want those elements of the Free Syrian Army that I described to succeed are saying, Help us out by landing a strike or two in on Assad. That's my guess.

But with regard to justice for the people that perpetrated the Benghazi incident against our Americans and our American Ambassador, that justice needs to be delivered. We know who some of those people are. And it's irresponsible of this administration to shut information down to the United States Congress, to the American people, and to fail to act when they have a clear act of war committed against the United States on U.S. territory.

□12:45

I'm aware that the clock has ticked down here to the end.

I want to thank the gentleman from Pennsylvania for coming to the floor. I'm sure that he wasn't aware that this wasn't choreographed. It was a spontaneous eruption of protest calling for the truth to come out and a light to shine on Benghazi.

I thank the gentleman from Virginia for his leadership on this, Mr. Speaker, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALMON). The Chair would remind Members to direct their remarks to the Chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Pate, one of his secretaries.

PRINCIPLES FOR MODERNIZING THE MILITARY COMPENSATION AND RETIREMENT SYSTEMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–60)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

Pursuant to section 674(c) of the National Defense Authorization Act for

Fiscal Year 2013, Public Law 112–239, January 2, 2013, I hereby transmit principles for modernizing the military compensation and retirement systems requested by the Act.

BARACK OBAMA.

THE WHITE HOUSE, *September 12, 2013.*

GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 30 minutes.

Ms. NORTON. Mr. Speaker, as the House adjourns, I want to note that when we come back the House will be in session for 5 days before the end of the fiscal year. That could bring a shutdown of the Federal Government. What most Americans don't know is that that could bring a shutdown also of the government of the Nation's Capital, the District of Columbia.

I want to make clear that there is not a single Member of this House or the Senate who desires that outcome. There is nothing in that for anybody. Many Members of Congress and their staff actually live in the District of Columbia, so to have the Nation's Capital shut down is not anything that would be even in their interest.

Beyond their own interest, most Members of Congress believe in local control and are mystified when they come here, whatever their party, to find that the Congress has anything to do with the local budget of the District of Columbia—$8 billion raised by the city—which has to come here before the city can spend a dime of its own money.

The city has before the Congress, as I speak, a balanced budget. In fact, a budget that has won plaudits all around the country, and even in this Congress, because of the fund balance that the city has managed to build—over $1 billion—over time. D.C.'s very middle name should be ''prudence.'' If anything, the District of Columbia has been an example of what we are trying to get cities and States all across the country to do.

I understand why the leadership decided not to move forward with a continuing resolution, which would have guaranteed that the government would remain open until December 15. They need the time to get the votes and to satisfy their Members. That's perfectly understandable. What would not be understandable is if we went through another shutdown crisis.

The government actually did shut down about 18 years ago. I do want to say here on the floor how grateful I am to the Speaker of the House at the time, Newt Gingrich, who indeed kept the District of Columbia, the Nation's Capital, open during multiple shutdowns of the Federal Government. He did so simply because it makes no sense to shut down the government of the Nation's Capital, which has not one ounce of interest in or blame for the disputes that have increasingly grown and have caused us to go on continuing resolutions because we do not get our bills done in time. There needs to be time to reconcile those matters.

It is important to note that the District of Columbia budget, which was submitted here on time, is in such good shape that it did, in fact, pass both of the appropriation committees that receive it. So there's no issue here involving the District of Columbia, no reason why anybody would want it entangled in a Federal dispute. In fact, I thought that my good friends in the majority, above all, stood for disentanglement of the Federal Government from what should rightly be the work of the localities.

I hasten to say this is an unintended consequence that comes from the fact that most Members don't even know it. Members come here to do the business of their district and the Federal Government. They don't come here to be educated on the District of Columbia. They have no idea that the District would close down if there was a closedown of the Federal Government. They would understand that I must do my job, and that is to take whatever steps I can to make sure that this unintended result does not occur.

I'm asking to testify at the Rules Committee when the continuing resolution is considered. That is the resolution, as I indicated, that would keep the government open until December 15. It is interesting to know that with only a slight change the District of Columbia would not be an issue here.

I want to thank the Republican appropriators who—it must be at least 10 years ago—corrected another consequence that the Congress never intended. The District budget used to be held up whenever the budget, of course, of the Federal Government was held up, and for the very same reason that it hadn't come to the floor.

So you had a city whose budget was due out by September 30 which sometimes got out in November or December. This wreaked havoc on the opening of schools and on the ability of the city to contract because the budget was over here and hadn't been passed.

It is important also to put on the record that the budget doesn't come here because any Member of the Congress is interested in the budget or thinks that their oversight is necessary to make sure that the budget is done correctly. In fact, the budget is virtually never looked at.

What does happen when a budget comes here is that extraneous amendments that reflect the views, not of the District of Columbia, but of a Member who is offering them, often are attached to our budget.

The Appropriations Committee has never interfered with the budget itself. How could they? The budget has been put together by D.C. Council subcommittees and committees and the city has a chief financial officer—the only jurisdiction in the United States that has a financial officer appointed for 5 years, cannot be fired except for cause, who has to pass on the budget and make sure that there is no overspending. The D.C. budget comes here out of tradition. It comes here because for more than 200 years it has come here while the Congress has been trying to figure out how to deal with the anomalous position that it has put its Nation's Capital in.

So here it is. In order to avoid the budget getting out so late that you cripple or certainly make extremely difficult the ability of the city officials to run a big, complicated city, the appropriators agreed upon a small change. I'm asking us to act on that already existing change.

That change says that in every CR there will be, no matter what the CR says, and most CRs say very little, that the District will be allowed to spend its own funds at the levels that have been approved by its council, and by the Mayor, at next year's level. That has had enormously important good effects on the city. I believe we will be in the upcoming CR in the same way.

As the District's Member of Congress, I have to contemplate the possibility, however, that even on December 15 the government could close down. And I would have to, indeed, look at what would be even, perhaps, better, that it didn't close down but there was yet another CR. Imagine trying to run a big city in the United States on multiple CRs. That's what I'm trying to avoid. That's what no Member of Congress intends.

I also have had to take precautions for the possibility that even the CR that comes before us—I'm hoping next week—could fail. If that CR fails, I also have a bill that would allow the District to run whenever the Federal Government shuts down, this year and in perpetuity. Again, if I am right that there is no Member who would like to shut down any local jurisdiction, and especially the Nation's Capital, then I think this bill would take care of it.

I have to go now to the Rules Committee for the CR, the next step. That's the next opportunity to draw this matter to the attention of the House and to, therefore, by amendment allow the District to spend for the entire fiscal year, not from CR to CR, but for the entire fiscal year.

I don't think that is asking too much, and I've never had an objection when I've tried to keep the District open. It has been difficult to do. Three times the District almost shut down in recent history because we got that close to it.

The problem for the city when the city almost closes down runs close to being like if it does close down. The city can't assume the best; it has to assume the worst, so it has to call out its staff and its lead officials to prepare for a shutdown even if a shutdown does not occur.

The only responsible thing for the city to do right now with only 5 session

days left, at least as it now stands, because there is to be a recess beginning at the end of the month, is we've got to assume the status quo and we've got to assume the worst because it would be irresponsible not to. So, in addition, I have to put in a bill—that's in addition to the amendment—that would allow the District to remain open.

To illustrate just how unintended would be a shutdown, the House needs to know that the Oversight and Government Reform Committee, on which I sit, has passed a bill that would give the District more autonomy over its local budget and, importantly, would keep the District from shutting down. That bill now is pending and could come to the floor at any point.

□ 1300

The President of the United States has in his budget a shutdown avoidance bill for the District, and the Senate Appropriations Committee has the same language in its bill. The House appropriators have taken the position that they do not believe the District should be shut down. Of course, they defer to the authorizers, as I indicated, and the Oversight Committee has legislation that has been voted out of committee that is now pending.

I think any Member who has held local office—and by the way, I did not hold local office before I came to Congress—have, I think, a better idea of what such a threat means to a local jurisdiction and how much it is at odds with what both sides understand to be the American approach to federalism, when local jurisdictions get to run their own localities and States and, by the way, get to raise their own funds. That is what the District has done, and it has done it well.

These frequent shutdown threats have had a very disruptive effect on the city and on its employees and on its residents. It does something that we, I'm sure, appreciate that no elected official wants to have happen: it casts a pall of uncertainty right when you're looking forward to a budget for the coming year. That kind of uncertainty already has had its effect. Wall Street, for example, understands that the District budget is not final until it somehow is passed out of the Congress. The District pays a premium—it pays a price—for that because there are two bodies, not one, that get a say over its local budget.

No city should ever have to wonder whether it will be shut down. Shutdowns really don't occur at the local level because residents won't let it occur. They are close enough to the people so that that is not a threat you could much get away with at the local level. Here we are some levels above that, and most Members and most Americans don't know that there is local legislation that is put in that peril as I speak.

The District has about 630,000 residents. It's growing well. People are moving into the city, not out. There are cranes all over town; and much of this comes out of the excellent management of the city, out of the way the city has conducted its economic affairs, out of the fact that it has an independent chief financial officer, who cannot be fired because he disagrees with the council or with the Mayor and, therefore, has to tell the truth. It's all worked together to make the District the kind of jurisdiction that the Congress, at least, should have no concerns about and, I believe, has no concerns about.

The price the District would pay is hard for me to make clear to Members because it would have to occur before they felt it. We have come close to feeling it; and almost 20 years ago, we did, in fact, feel it. There are some parts of your services to the people that continue, but huge parts cannot because the Congress has not passed the budget, not because the Congress objects to the budget and not because any Member of this House desires that outcome.

This House does not mean to hold the District budget as hostage. If it did, there would have been something the District could do to get out of the hostage fight. So what makes this so frustrating is that there is nothing we can give, nothing we can do to extricate ourselves from a fight that is wholly inside baseball within this Chamber and the Chamber across the way. To be sure, I have contacted my Senate allies; but, frankly, this has to be done here. We've got to get agreement on both sides of the aisle to the simple proposition that those of us who believe in the great and important freedoms of the Framers would least want to be held responsible for closing down a local jurisdiction, one with which we have no beef.

This country was established on a pedestal of federalism. One thing we understand is the difference between a local jurisdiction and its rights and responsibilities and ourselves. If anything, there are Members of this Chamber who would want some of what the Federal government does no longer done by the Federal Government at all but, in fact, to be the work of local jurisdictions. Many in this Chamber not only support but, indeed, believe that local jurisdictions do a better job at governing than does any institution at the Federal level. I can, therefore, find no set of principles here from any Member of Congress that would be in play when the decision is made on my amendment to the continuing resolution or on the bill that I will introduce as a fallback in case it does not occur.

As we go home, perhaps earlier than expected, to ponder what to do with keeping the Federal Government open, I ask that Members bear in mind that they would be closing not only Federal agencies but the District of Columbia Government. In the name of the people of the District of Columbia, I ask you, wherever we stand on the Federal Government, to allow the District of Columbia to move forward, to govern itself, and to take care of its day-to-day business.

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 281

Ms. GABBARD. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 281.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

THE INVESTIGATIONS OF CONGRESS

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

Mr. GOHMERT. Thank you, Mr. Speaker.

There are a couple of issues that are certainly worth elaborating on today. One is codified in The Wall Street Journal article from September 11, yesterday, and 7:35 p.m. is when it's timed out. It's regarding IRS Supervisor Lois Lerner. The article is entitled ''Lois Lerner's Own Words.''

The article reads:

> Congress' investigation into the IRS targeting of conservatives has been continuing out of the Syria headlines, and it's turning up news. Emails unearthed by the House Ways and Means Committee between former director of Exempt Organizations Lois Lerner and her staff raise doubts about IRS claims that the targeting wasn't politically motivated and that low-level employees in Cincinnati masterminded the operation.
>
> In a February 2011 email, Ms. Lerner advised her staff, including then Exempt Organizations technical manager Michael Seto and then Rulings and Agreements director Holly Paz, that a Tea Party matter is ''very dangerous'' and is something ''counsel and Lerner adviser Judy Kindell need to be in on.'' Ms. Lerner adds, ''Cincy should probably NOT have these cases.''
>
> That's a different tune than the IRS sang in May when former IRS Commissioner Steven Miller said the Agency's overzealous enforcement was the work of two ''rogue'' employees in Cincinnati. When the story broke, Ms. Lerner suggested that her office had been unaware of the pattern of targeting until she read about it in the newspaper. ''So it was pretty much we started seeing information in the press that raised questions for us, and we went back and took a look,'' she said in May.

Mr. Speaker, so no one misunderstands, it is a crime to give false information to Congress.

The article goes on:

> Earlier this summer, IRS lawyer Carter Hull, who oversaw the review of many Tea Party cases and questionnaires, testified that his oversight began in April 2010. Tea Party cases under review are ''being supervised by Chip Hull at each step,'' Ms. Paz wrote to Ms. Lerner in a February 2011 email. ''He reviews info from TPs—or Tea Partys—correspondence to TPs, et cetera. No decisions are going out of Cincy until we go all the way through the process with the (c)(3) and (c)(4) cases here.''

The emails also put the targeting in the context of the media and congressional drumbeat over the impact of conservative campaign spending on the 2012 elections. On July 10, 2012, then Lerner adviser Sharon Light emailed Ms. Lerner a National Public Radio story on how outside money was making it hard for Democrats to hold their Senate majority.

It certainly appears that the IRS was weaponized for the political purpose of one party, which would, of course, be one of the worst nightmares for the Founders of this country. Of course, George Washington didn't even want us to have political parties—he warned of the danger there—and here we are, all this time later, with a group of Democratic operatives who are doing things with the IRS that Richard Nixon could have only dreamed of doing.

This article from The Wall Street Journal goes on:

The Democratic Senatorial Campaign Committee had complained to the Federal Election Commission that conservative groups like Crossroads GPS and Americans for Prosperity should be treated as political committees rather than 501(c)(4)s, which are tax-exempt social welfare groups that do not have to disclose their donors. ''Perhaps the FEC will save the day,'' Ms. Lerner wrote back later that morning.

□ 1315

Having been a district judge presiding over criminal cases, that is what you would call, Mr. Speaker, a statement against interests by Ms. Lerner in a prior communication that directly contradicts what she said the motivation was. I think there are criminal implications here that need to be followed up.

In any event, the article goes on:

That response suggests Ms. Lerner's political leanings, and it also raises questions about Ms. Lerner's intentions in a separate email exchange she had when an FEC investigator inquired about the status of the conservative group, the American Future Fund. The FEC and IRS don't have the authority to share that information under section 6103 of the Internal Revenue Code. But the bigger question is: Why did they want to? After the FEC inquiry, the American Future Fund also got a questionnaire from the IRS.

Again, that's from The Wall Street Journal dated last night.

When one party in power in the executive branch can weaponize its Federal agencies against its political opponents, unless it is stopped, this little experiment in democracy will come to an end. It will bring about the very things that the Founders had hoped would not happen but were realistic enough to talk about them at some length about when and if we might move to one person being able to grasp control of the Federal Government.

Of course, one of the things they used to try to keep that from happening was to give Congress the power of the purse, to give Congress oversight over the executive and judicial branches. When we've had Congress try to do oversight, whether it's over Fast and Furious, Benghazi, the IRS scandal, we've met with nothing but blinded opaqueness—not transparency—from this administration. They have obfuscated constantly, done everything they can to prevent Congress from getting the truth about what they have called even phony scandals.

If they're so phony, why don't you get the transparency out here, Mr. Speaker? Let's get people out here with the truth and then we can see fully whether or not they're phony scandals. The more this drip, drip, drip of information comes out, the more it becomes clear as to why this administration has been hiding evidence and attempting to keep Congress from discovering things.

I have personally been pushing for many months now to have a special prosecutor investigate the Internal Revenue Service situation with regard to targeting for political purposes. The reason is that there are statutes that pertain to the IRS that could make some of this conduct potential crimes for which people could go to prison.

I am so proud that I became a friend of Chuck Colson before he passed. I think he is one of the great Christian luminaries of the 20th and 21st centuries. His becoming a Christian all came about after his arrogance and his willful disobedience of the law during the Nixon administration brought him to prison. He had possession of information from the FBI about someone. As I recall, that got him about 1½ years in prison. Yet, we have seen during the close of the Clinton years as President, one man having, at the White House, about 1,000 FBI files. If he had been held to the same standard as Chuck Colson, he would never have gotten out of prison, but nobody went to prison.

We've seen, as time has gone on and abuses within the executive branch have not been dealt with properly, the abuses have continued and gotten worse. From reports I hear from conservative groups, whether Tea Party, pro-Israel, pro-marriage, as it's been known throughout the history of mankind as being between a man and a woman, groups that just wanted the Constitution followed are all coming under attack—not all of the groups have, but most of the groups that have have been these type of groups—from the IRS.

Then I hear from others who are being hit by inquiries from the FEC, not about Democratic matters, but about contributions to the Republican candidates and party. Then we hear that the EPA and other Federal agencies are going after conservatives.

It is unbelievable how powerful this government has gotten and how dramatically it can affect the outcome of an election. We must make sure that these kinds of abuses stop. We have the power of the purse to stop it, and we should. If the administration is not going to be forthcoming with information about the IRS, then it may be necessary to defund part of the executive branch until such time as they become truthful.

The Department of Justice still has not been forthcoming on information that in our Judicial Committee we've been trying to get. We still haven't gotten answers to all of the matters that ended up resulting in the Attorney General of the United States being held in contempt for failing and refusing to answer.

It would seem that in the Fast and Furious scandal, where this administration saw to it that 2,000 or so guns made their way into the hands of drug cartels in Mexico, resulting in the loss of hundreds of lives in Mexico and at least one or more here in the United States, that someone should be held to account. When no one is held to account, when there is no accountability, the abuses get worse. That's what we're hearing.

You would have thought once the IRS scandal had been exposed that people would be more cautious about going after conservative groups for political purposes. Since no one has been held accountable yet, no budgets cut, the arrogance and the political maneuvering within Federal agencies seems to be growing much worse.

I'm hoping that my friends on the other side of the aisle will understand that the pendulum swings back and forth. I cannot imagine a single of my Democratic friends across the aisle being nearly as composed as we've been on the Republican side of the aisle about the abuses if the shoe were on the other foot and those abuses were over Democratic groups that were trying to elect the next Democratic President. If they were, I should be helping the Democrats and I would help the Democrats, because there's no place for an administration that weaponizes for political purposes the agencies under its control. We've gone for over 200 years fighting and doing what we could to avoid that happening, yet here it's happening.

It is a Federal agency that I want to go to next that's been involved in carrying out the will of this administration.

Here's an article from yesterday from Breitbart, written by John Sexton. He says:

It has been nearly a year since the attack which killed four Americans in Benghazi. During that time, various minute-by-minute accounts of the attack have been published. In addition, the administration's decisions to refuse additional security requests and to revise its talking points after the attack have been examined in detail.

Mr. Speaker, before I go on, I would like to grab a couple of posters.

I would have felt good in life having Ty Woods and Glen Doherty covering my back, just as they were trying to do for the survivors for our American Government workers at our consulate in our annex in Benghazi.

These are the four people we've lost: Chris Stevens, Sean Smith, and our two former Navy seals, Ty Woods and Glen Doherty. They deserve the truth to come out.

This article continues:

But Benghazi may have been a case where most observers have missed the forest for the

trees. This is not an attempt to add new information so much as it is to collate the information that already exists from the most reputable journalistic sources.

To begin with, Benghazi was a CIA operation involving weapons, one which had no cover beyond a small mission that provided a diplomatic fig leaf for the effort. Officially, the CIA was there to track and collect dangerous weapons left over from the war that ousted Qadhafi. But the evidence suggests that the CIA was also either tacitly or actively involved in a multinational effort to ship those weapons to Syrian rebels. Our covert effort in Benghazi, Libya, was connected to our escalating involvement in Syria.

The general outlines of this CIA effort have been reported. One fact which has not been highlighted is that the U.N. arms embargo of Libya, which the United States helped pass in 2011, makes shipping weapons in or out of the country a violation of international law. Indeed, the way the U.N. resolution is written, even knowingly allowing such shipments to take place may be a violation of the agreement.

I want to add parenthetically here that some of our concerns with having a world court and international tribunals that have jurisdiction over American citizens is that they may have laws that they decide to enforce that are against or outside what our United States Constitution allows. I would submit that American individuals, whether they're CIA agents or military, should be accountable to the United States and under the United States Constitution and not some world court. And it should be worth noting that as this administration pushed U.N. resolutions—I'm not sure what the statute of limitations is, but if individuals within this administration then violated the international law that they pushed to create, then they probably need to be careful when they're traveling in years after they leave the White House or the administration efforts because, who knows, you might get an indictment somewhere in one of these international tribunals that you violated the U.N. law you passed. You got guns into or out of Libya, you violated the law.

People in this country need to understand that participating in the making of laws and that participating in the violation of laws have consequences.

This article continues:

In 2012, the Obama administration publicly claimed it was working on diplomatic and humanitarian responses to the situation in Syria. But behind the scenes, the United States was aware that a network of arms shipments was being created to support the rebels. This network involved shipping weapons from Qatar and, later, Libya to Turkey where they could be taken across the border and distributed to militia in Syria.

In June of 2012, The New York Times reported that a contingent of CIA agents were ''operating secretly'' in Turkey to help vet which groups would receive these weapons. But later reporting by the Times would indicate the CIA was doing more than vetting.

□ 1330

The article goes on down and mentions that The Wall Street Journal reported at the time, this was back in June, that:

The Central Intelligence Agency has begun moving weapons to Jordan from a network of secret warehouses and plans to start arming small groups of vetted Syrian rebels within a month, expanding U.S. support of moderate forces battling President Bashar al-Assad, according to diplomats and U.S. officials briefed on the plans. To sum up, the CIA encouraged the creation of a multinational arms pipeline, helped shop for weapons to fill it, vetted the groups who would receive those weapons in Syria and, since June of 2013, contributed U.S. weapons to the mix. With that backdrop in place, we can now return our attention to Libya.

During the U.S. involvement in overthrowing Libyan dictator Muammar Qadhafi during 2011, the Obama administration became aware that shipments of weapons were making their way to Qadhafi's troops, allowing them to resupply themselves and pose a greater threat to civilians.

I might add parenthetically that with Qadhafi, that Qadhafi was an ally of this administration and this country at the time, that this administration chose to destroy and help remove.

The article says:

So in February the U.S. and other allied nations including the U.K. and France pushed for a package of international sanctions which became U.N. Security Council Resolution 1970. Resolution 1970 condemned the bombing of civilians, imposed travel restrictions on Qadhafi and his inner circle, froze assets and, importantly, banned any transfer of arms to or from Libya. In addition, Resolution 917 requires member states, upon discovery of such arms, to destroy them.

A second resolution, number 1973, was passed a month later in March 2011. It created a no-fly zone and reaffirmed that member states were expected to help enforce the embargo by inspecting any sea or air vessels believed to be shipping weapons to or from Libya. If discovered, such weapons were to be destroyed. But despite Resolution 1970, The New York Times reported in April 2011 that shipments of arms were reaching Libyan rebels from Qatar. Another in-depth story published in December 2012 describes how the U.S. winked at these shipments despite concerns that some weapons were falling into the hands of extremists.

Parenthetically, I might insert, duh. The article goes on:

In fact, the nature of our military strategy in Libya made partnering with Qatar necessary. The Obama administration wanted to avoid getting immersed in a ground war, which officials feared could lead the United States into another quagmire in the Middle East. As a result, the White House largely relied on Qatar and the United Arab Emirates, two small Persian Gulf states and frequent allies of the United States. After discussions among members of the National Security Council, the Obama administration backed the arms shipments from both countries, according to two former administration officials briefed on the talks. ''The UAE was asking for clearance to send U.S. weapons,'' said one former official. ''We told them it's okay to ship other weapons.''

But the American support for the arms shipments from Qatar and the Emirates could not be completely hidden. NATO air and sea forces around Libya had to be alerted not to interdict the cargo planes and freighters transporting the arms into Libya from Qatar and the Emirates, American officials said.

Again, that would be a direct violation of the U.N. resolution that we helped pushed into international law.

The article says:

This pattern of winking at violation of the U.N. arms embargo of Libya was repeated after Qadhafi's ouster. With the war in Libya at an end and the one in Syria ramping up, the direction of the arms pipeline simply reversed itself. Whereas weapons had been coming into Libya from Qatar, they now headed out of Libya back to Qatar and from there on to either Mali or Syria by way of Turkey. A June 21, 2013 New York Times story points out that local militias were organizing these shipments—including flights this year from Tripoli and Benghazi. But these shipments out of Libya are said to have been taking place for a year, beginning several months before the 9/11 attack in Benghazi—

that killed these four American patriots.

To sum up, the U.S. approved and cleared a path for a pipeline of weapons into Libya during the revolution in 2011. That pipeline would eventually reverse course to provide the same spare weapons to rebel in Syria. Both efforts seem to violate the U.N. resolutions which the United States helped pass in early 2011. But late in 2011 the United States realized its revolution on the cheap in Libya had a worrisome downside. Thousands of dangerous anti-aircraft weapons were loose in Libya, attracting militants who might wish to use them to commit terrorist acts against civilian air traffic. Something had to be done.

So the article goes on to talk about how we sent people into Libya to try to reclaim the weapons that we had helped provide, including surface-to-air missiles. The article says:

A month later, just three days after the 9/11 attack in Benghazi, the Times of London reported that a Libyan ship carrying 400 tons of weapons, including SAM–7 surface-to-air anti-aircraft missiles, docked in Turkey. This was the largest known shipment of weapons to Syria at the time. The ship's captain, Omar Mousaeeb, was from Benghazi.

The article goes on to make light of the allegation that this is a phony scandal. If it's so phony, why is there so much in the way of effort to keep Congress from knowing what really happened? Reports have been that we have CIA agents with direct knowledge of what happened during the death of our four patriots. They are being polygraphed every 30 days to keep them quiet, and demanding to know if anyone has leaked any information to Congress or the media because this administration is doing absolutely everything they can to keep us from getting to the truth of what happened there.

And I have been greatly encouraged this week, and in a trip to the Middle East, where, over the safety and the future of the United States, people in a bipartisan way were very concerned about our involvement in Syria, that we should not get involved in Syria, that it would be a huge mistake. Some say Members of Congress should never travel outside their district or Washington, D.C., but what I have seen, and especially from a trip to the Middle East last week, we're not getting the straight information from this administration. If we want to know what's

really going on, where we are appropriating money, where we are making policy through our control of the purse strings—or lack of control—we've got to go to those areas and talk to the leaders involved. It's amazing what you find out. When leaders of allied countries tell us we don't understand you, what you are doing. Do you not know you went to war in Afghanistan for the Muslim Brotherhood—against the Muslim Brotherhood? There you were fighting the Taliban, and then you go to Libya, and—well, first to Egypt. We have helped the Muslim Brotherhood in the wrong places, and it needs to stop in Syria as well.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for September 11 and 12.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 130. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

S. 157. An act to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 256. An act to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

S. 304. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

S. 459. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, September 16, 2013, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2831. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Grapes Grown in Designated Area of Southeastern California; Increased Assessment Rate [Doc. No.: AMS-FV-13-0005; FV13-925-1 FR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2832. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Increase in Fees for Voluntary Federal Dairy Grading and Inspection Services [Doc. No.: AMS-DA-10-0002] (RIN: 0581-AD25) received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2833. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Kiwifruit Grown in California and Imported Kiwifruit; Relaxation of Minimum Grade Requirement [Doc. No.: AMS-FV-13-0032; FV13-920-1 IR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2834. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Decreased Assessment Rate [Doc. No.: AMS-FV-12-0076; FV13-932-1 FIR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2835. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Mango Promotion, Research, and Information Order; Nominations of Foreign Producers and Election of Officers [Doc. No.: AMS-FV-12-0041] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2836. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Revising Reporting Requirements and New Information Collection [Doc. No.: AMS-FV-12-0052; FV12-905-2 FR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2837. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2013-2014 Marketing Year [Doc. No.: AMS-FV-12-0064; FV13-985-1 FR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2838. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Modification of the General Cull and Handling Regulation for Area No. 2 [Doc. No.: AMS-FV-13-0001; FV13-948-1 FR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2839. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — User Fees for 2013 Crop Cotton Classification Services to Growers [AMS-CN-12-0074] (RIN: 0581-AD30) received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2840. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements [Doc. No.: AMS-FV-12-0002; FV12-929-1 FIR] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2841. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2013 Amendment) [Doc.: AMS-CN-12-0065] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2842. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Office of Justice Programs annual report for Fiscal Year 2012, pursuant to 42 U.S.C. 3712(b); to the Committee on Judiciary.

2843. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Health, United States, 2012 report''; to the Committee on Energy and Commerce.

2844. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

2845. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001; to the Committee on Foreign Affairs.

2846. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011; to the Committee on Foreign Affairs.

2847. A letter from the Acting Secretary, Department of Labor, transmitting pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act), the Department's annual report for FY 2012; to the Committee on Oversight and Government Reform.

2848. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2012 management report of the Federal Home Loan Bank of New York, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2849. A letter from the Inspector General, Federal Trade Commission, transmitting notification that the Commission recently began the audit of financial statements for the fiscal year 2013; to the Committee on Oversight and Government Reform.

2850. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's final inventory list for 2011; to the Committee on Oversight and Government Reform.

2851. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2852. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Sphaeralcea gierischii (Gierisch Mallow) [Docket No.: FWS-R2-ES-2013-0018] (RIN: 1018-AZ46) received August 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2853. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Diamond Darter [Docket No.: FWS-R5-ES-2012-

0045] (RIN: 1018-AY12) received August 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2854. A letter from the Chief, Branch of Recovery and State Grants, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Topeka Shiner (Notropis topeka) in Northern Missouri [Docket No.: FWS-R3-ES-2012-0087] (RIN: 1018-AY45) received August 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2855. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2009 through September 30, 2010 as required by section 413(a) of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

2856. A letter from the Clerk, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit, KM Enterprises, Inc., v. Global Traffic Technologies, Inc. and Global Traffic Technologies, LLC, No. 12-3406, (Aug 2, 2013); to the Committee on the Judiciary.

2857. A letter from the Clerk, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit, Milija Zivkovic v. Eric Holder, Jr., No. 12-2143, (July 31, 2013); to the Committee on the Judiciary.

2858. A letter from the Secretary, Judicial Conference of the United States, transmitting copy of the Report of the Proceedings of the Judicial Conference of the United States for the March 2013 session; to the Committee on the Judiciary.

2859. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deadline to Submit Opinion and Advisory Letter Applications for Defined Benefit Mass Submitter Plans is Extended to January 31, 2014 [Announcement 2013-37] received August 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2860. A letter from the Secretary, Department of Energy, transmitting the Department's 2012 report entitled, ''Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board''; jointly to the Committees on Energy and Commerce and Armed Services.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PASCRELL (for himself, Mr. STOCKMAN, Ms. SCHWARTZ, Ms. LINDA T. SÁNCHEZ of California, and Mr. NEAL):

H.R. 3084. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of renewable chemicals; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. RUSH, Ms. KELLY of Illinois, Mr. GUTIÉRREZ, Mr. QUIGLEY, Mr. ROSKAM, Mr. DANNY K. DAVIS of Illinois, Ms. DUCKWORTH, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. FOSTER, Mr. ENYART, Mr. RODNEY DAVIS of Illinois, Mr. HULTGREN, Mr. SHIMKUS, Mr. KINZINGER of Illinois, Mrs. BUSTOS, and Mr. SCHOCK):

H.R. 3085. A bill to designate the facility of the United States Postal Service located at 3349 West 111th Street in Chicago, Illinois, as the ''Captain Herbert Johnson Memorial Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. GOODLATTE (for himself, Ms. ESHOO, Mr. BACHUS, Mr. COHEN, and Mr. CHABOT):

H.R. 3086. A bill to permanently extend the Internet Tax Freedom Act; to the Committee on the Judiciary.

By Mr. ROE of Tennessee:

H.R. 3087. A bill to amend title 38, United States Code, to prohibit the receipt of bonuses by Department of Veterans Affairs employees who violate Federal civil laws or regulations, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. WATERS (for herself, Mr. ELLISON, Mr. LEWIS, Ms. NORTON, Ms. BROWN of Florida, Mr. RUSH, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. COHEN, Mr. QUIGLEY, Mr. PAYNE, and Ms. JACKSON LEE):

H.R. 3088. A bill to concentrate Federal resources aimed at the prosecution of drug offenses on those offenses that are major; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH of Virginia (for himself, Ms. DEGETTE, and Mr. GENE GREEN of Texas):

H.R. 3089. A bill to amend section 503A of the Federal Food, Drug, and Cosmetic Act with respect to pharmacy compounding; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Ms. NORTON, Mr. VARGAS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PETERS of Michigan, Mr. BARBER, Mr. RUSH, Mr. GRAYSON, Mr. RANGEL, Mrs. NAPOLITANO, Mr. CONNOLLY, Mr. COURTNEY, Ms. FRANKEL of Florida, Mrs. NEGRETE MCLEOD, Mr. LANGEVIN, Ms. ESHOO, Mr. PALLONE, Mr. DOGGETT, Mr. PASCRELL, Mr. CROWLEY, Mr. CÁRDENAS, Ms. HAHN, Mr. GRIJALVA, Mr. RAHALL, Ms. SHEA-PORTER, Ms. SCHWARTZ, Mr. TONKO, Ms. JACKSON LEE, Mr. GENE GREEN of Texas, and Mr. DEUTCH):

H.R. 3090. A bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LANCE (for himself, Mr. ROSKAM, Mr. GUTHRIE, Mr. PAULSEN, Mr. RANGEL, Mr. RUNYAN, Ms. SCHWARTZ, Mr. KING of New York, Mr. MCCAUL, Mr. WALDEN, Mr. TIBERI, Mr. LOEBSACK, Mr. BEN RAY LUJÁN of New Mexico, Mr. ELLISON, Mr. JONES, and Mr. LONG):

H.R. 3091. A bill to promote the development of meaningful treatments for patients; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, 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. GUTHRIE (for himself, Mr. KLINE, and Mr. WALBERG):

H.R. 3092. A bill to amend the Missing Children's Assistance Act, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. BLACK (for herself, Mr. GRIFFIN of Arkansas, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. FLEISCHMANN, Mr. CRAWFORD, and Mr. DUNCAN of Tennessee):

H.R. 3093. A bill to exclude individuals who receive health insurance coverage pursuant to the terms of a collective bargaining agreement from tax credits and reductions in cost-sharing 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. BRALEY of Iowa:

H.R. 3094. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. BUCSHON (for himself, Mr. LIPINSKI, Mr. RADEL, Mr. FARENTHOLD, Mr. YOUNG of Alaska, Mr. HANNA, Mr. GIBBS, Mr. RIBBLE, Mr. MEEHAN, and Mr. SOUTHERLAND):

H.R. 3095. A bill to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY (for himself, Mr. HANNA, Mr. WOLF, and Mr. MORAN):

H.R. 3096. A bill to designate the building occupied by the Federal Bureau of Investigation located at 801 Follin Lane, Vienna, Virginia, as the ''Michael D. Resnick Terrorist Screening Center''; to the Committee on Transportation and Infrastructure.

By Ms. DELAURO (for herself, Mr. MEEKS, Mr. RANGEL, Mr. LEWIS, Ms. CLARKE, Mr. CLAY, Ms. LEE of California, Ms. JACKSON LEE, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KELLY of Illinois, Mr. CONYERS, Mr. CUMMINGS, Mr. JOHNSON of Georgia, Mr. NADLER, Mr. WATT, Mr. CARSON of Indiana, and Ms. SCHAKOWSKY):

H.R. 3097. A bill to posthumously award a congressional gold medal to Constance Baker Motley; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself, Mr. GARAMENDI, and Ms. BROWN of Florida):

H.R. 3098. A bill to amend title 38, United States Code, to enhance the treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida (for himself, Mr. RICHMOND, Mr. BOUSTANY, Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. LATTA, Mr. OLSON, Mr. PALAZZO, Mr. ROGERS of Alabama, Mr. SCALISE, Mr. AUSTIN SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. WALZ, Mr. WESTMORELAND, and Mr. WITTMAN):

H.R. 3099. A bill to provide for the development of a fishery management plan for the Gulf of Mexico red snapper, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 3100. A bill to amend the District of Columbia Home Rule Act to make local funds of the District of Columbia available for use by the District during any portion of a fiscal year in which no Federal law appropriating local funds for the fiscal year is in effect, at the rates of operation provided under the local budget act for the fiscal year, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RUPPERSBERGER:

H.R. 3101. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care

facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. GRAVES of Georgia (for himself, Mr. JORDAN, Mr. MEADOWS, Mr. DUNCAN of South Carolina, Mr. SOUTHERLAND, Mr. COLLINS of Georgia, Mr. LABRADOR, Mr. GOWDY, Mr. WEBER of Texas, Mr. OLSON, Mr. MARINO, Mr. PALAZZO, Mr. PITTS, Mr. BROUN of Georgia, Mr. SALMON, Mr. SENSENBRENNER, Mr. HUDSON, Mr. HENSARLING, Mr. DESANTIS, Mr. WESTMORELAND, Mr. MASSIE, Mr. GINGREY of Georgia, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, Mr. CASSIDY, Mr. NEUGEBAUER, Mr. SCHWEIKERT, Mr. PERRY, Mr. FARENTHOLD, Mr. HUIZENGA of Michigan, Mr. MESSER, Mr. FLORES, Mr. MULVANEY, Mr. HUELSKAMP, Mr. DAINES, Mr. WILSON of South Carolina, Mrs. BLACKBURN, Mr. RIBBLE, Mr. PRICE of Georgia, Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Mr. FRANKS of Arizona, and Mr. STUTZMAN):

H.J. Res. 62. A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on the Budget, and 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. RIBBLE (for himself and Mr. WALZ):

H. Con. Res. 52. Concurrent resolution expressing the sense of Congress that the Federal excise tax on heavy-duty trucks should not be increased; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Ms. PINGREE of Maine, Mr. HONDA, Mr. GRIJALVA, Mr. GRAYSON, and Mr. HUFFMAN):

H. Con. Res. 53. Concurrent resolution urging all parties to the conflict in Syria to work through the United Nations and with the international community to hold the Assad regime accountable and resolve the crisis in Syria through a negotiated political settlement; to the Committee on Foreign Affairs.

By Mr. FITZPATRICK:

H. Res. 342. A resolution expressing support for the designation of September 2013 as ''National Sepsis and Septic Shock Awareness Month''; to the Committee on Oversight and Government Reform.

By Mr. BUCHANAN (for himself, Mr. HASTINGS of Florida, Mr. ROONEY, Mr. GARCIA, Mr. YOUNG of Florida, Mr. DEUTCH, Mr. DIAZ-BALART, Ms. BROWN of Florida, Mr. MICA, Ms. FRANKEL of Florida, Mr. MILLER of Florida, Ms. WILSON of Florida, Mr. RADEL, Mr. GRAYSON, Mr. ROSS, Ms. CASTOR of Florida, Mr. WEBSTER of Florida, Mr. CRENSHAW, Ms. ROS-LEHTINEN, Mr. POSEY, Mr. NUGENT, Mr. SOUTHERLAND, Mr. DESANTIS, Mr. YOHO, Mr. BILIRAKIS, Ms. WASSERMAN SCHULTZ, and Mr. MURPHY of Florida):

H. Res. 343. A resolution expressing the condolences of the House of Representatives on the death of the Honorable E. Clay Shaw, Jr., formerly a Representative of the State of Florida; to the Committee on House Administration.

By Mr. GOHMERT:

H. Res. 344. A resolution directing the Speaker of the House of Representatives to direct, for the purpose of interpreting Office of Personnel Management (OPM) guidance with respect to the Patient Protection and Affordable Care Act, that the definition of ''congressional staff'' employed by an ''official office'' shall include all committee staff, all joint committee staff, and all staff employed by leadership offices of the House of Representatives; to the Committee on House Administration.

By Mr. HASTINGS of Florida (for himself, Mr. ROONEY, Ms. BORDALLO, Mr. BUCHANAN, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Mr. CONYERS, Mr. DEUTCH, Ms. JACKSON LEE, Mr. HONDA, Ms. NORTON, Mr. HORSFORD, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. PETERS of Michigan, and Ms. WILSON of Florida):

H. Res. 345. A resolution recognizing the importance of nonprofit organizations and expressing support for designation of May 16, 2014, as ''National Nonprofit Day''; to the Committee on Oversight and Government Reform.

By Ms. MOORE (for herself and Mr. RIBBLE):

H. Res. 346. A resolution recognizing the 110th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. PASCRELL:

H.R. 3084.

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

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LIPINSKI:

H.R. 3085.

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

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. GOODLATTE:

H.R. 3086.

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

Article I, Section 1 of the United States Constitution, Article I, Section 8 of the United States Constitution, including, but not limited to, Clauses 1, 3 and 18.

By Mr. ROE of Tennessee:

H.R. 3087.

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

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. WATERS:

H.R. 3088.

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

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 9

The Congress shall have Power *** To constitute Tribunals inferior to the supreme Court.

Article III, Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Article III, Section 2

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the Supreme Court shall have original Jurisdiction. In all other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Article IV, Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof.

Article I, Section 9, Clause 2

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Article I, Section 8, Clause 18

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

By Mr. GRIFFITH of Virginia:

H.R. 3089.

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. CARTWRIGHT:

H.R. 3090.

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

Article 1, Section 8—to provide for the common Defence and general Welfare of the United States.

By Mr. LANCE:

H.R. 3091.

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

Article I, Section 2, Clause 3

By Mr. GUTHRIE:

H.R. 3092.

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

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

By Mrs. BLACK:

H.R. 3093.

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

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

By Mr. BRALEY of Iowa

H.R. 3094.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BUCSHON:

H.R. 3095.

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

The power granted to Congress under Article I, Section 8, Clause 3 of the Constitution.

By Mr. CONNOLLY:

H.R. 3096.

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

The ''necessary and proper'' clause of Article 1, Section 8 of the United States Constitution

By Ms. DELAURO:

H.R. 3097.

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

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MCNERNEY:

H.R. 3098.

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

Article I, section 8 of the United States Constitution.

By Mr. MILLER of Florida:

H.R. 3099.

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

Article I. Section 8. Clause 3.

By Ms. NORTON:

H.R. 3100.

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

Clause 17 of section 8 of article I of the Constitution.

By Mr. RUPPERSBERGER:

H.R. 3101.

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

Commerce Clause

By Mr. GRAVES of Georgia:

H.J. Res. 62.

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

Article I, Section 9, Clause 7—''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law;''

ADDITIONAL SPONSORS

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

H.R. 24: Mr. COLLINS of New York.
H.R. 25: Mr. MASSIE.
H.R. 200: Mr. MICHAUD.
H.R. 207: Mr. ENYART.
H.R. 274: Mr. MAFFEI and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 362: Mr. VARGAS.
H.R. 363: Mr. VARGAS.
H.R. 471: Mr. OWENS.
H.R. 495: Mr. MILLER of Florida and Mr. RODNEY DAVIS of Illinois.
H.R. 498: Mr. SCHIFF.
H.R. 533: Mr. BISHOP of Utah.
H.R. 543: Mr. THOMPSON of California.
H.R. 638: Mr. DUNCAN of South Carolina.
H.R. 681: Ms. ESHOO.
H.R. 685: Ms. SCHWARTZ.
H.R. 689: Mr. POCAN.
H.R. 713: Ms. SHEA-PORTER, Mr. DIAZ-BALART, and Mr. HORSFORD.
H.R. 724: Mrs. BUSTOS and Mr. WAXMAN.
H.R. 792: Mr. HALL and Ms. LORETTA SANCHEZ of California.
H.R. 797: Mr. PAULSEN and Ms. DUCKWORTH.
H.R. 809: Mr. WALBERG.
H.R. 833: Mr. CARTWRIGHT.
H.R. 855: Mr. MCINTYRE, Mr. DEFAZIO, Mr. ENYART, Mr. FARR, Mr. HUFFMAN, Ms. GABBARD, Ms. HANABUSA, Mr. SIRES, and Mr. BRIDENSTINE.
H.R. 911: Mr. COURTNEY.
H.R. 920: Mr. VALADAO, Mr. CUELLAR, Mr. COFFMAN, Mr. MCINTYRE, Mr. WALDEN, Mr. ELLISON, Mr. FITZPATRICK, Mr. DUNCAN of South Carolina, Mr. GRIFFIN of Arkansas, Mr. DEFAZIO, and Mr. FARR.
H.R. 942: Mr. HORSFORD, Ms. LOFGREN, Mr. RUSH, Mr. BARLETTA, Mr. BACHUS, MR. PRICE of Georgia, Mr. MAFFEI, Mr. FOSTER, Mr. CAPUANO, and Mrs. CAPITO.
H.R. 1020: Ms. LINDA T. SÁNCHEZ of California and Mr. CRAMER.
H.R. 1078: Mrs. WAGNER.
H.R. 1091: Mr. ROGERS of Michigan.
H.R. 1180: Ms. DEGETTE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ESHOO, and Mr. PASTOR of Arizona.
H.R. 1201: Mr. PASTOR of Arizona.
H.R. 1248: Mr. ROTHFUS.
H.R. 1250: Mr. MATHESON, Mr. VARGAS, Mr. TAKANO, Mr. ROGERS of Alabama, Mr. GARAMENDI, Mr. ISRAEL, and Mr. PASTOR of Arizona.
H.R. 1303: Mr. TIPTON and Mrs. NEGRETE MCLEOD.
H.R. 1309: Mr. ROE of Tennessee.
H.R. 1310: Mr. FARENTHOLD.
H.R. 1318: Mr. HONDA, Ms. SCHAKOWSKY, and Mr. QUIGLEY.
H.R. 1339: Mr. COURTNEY, Ms. TSONGAS Mr. PASTOR of Arizona, Mr. WHITFIELD, and Mr. HUFFMAN.
H.R. 1431: Mr. GRAYSON.
H.R. 1462: Mr. RADEL.
H.R. 1466: Mrs. BEATTY.
H.R. 1485: Mr. NUGENT.
H.R. 1523: Mr. STOCKMAN.
H.R. 1666: Mr. FARR, Ms. TSONGAS, and Mr. COURTNEY.
H.R. 1717: Mr. ANDREWS and Mr. RENACCI.
H.R. 1775: Ms. SCHAKOWSKY.
H.R. 1779: Mr. BROOKS of Alabama and Mrs. BACHMANN.
H.R. 1795: Mr. SHUSTER.
H.R. 1812: Mr. SENSENBRENNER.
H.R. 1830: Mr. LUETKEMEYER.
H.R. 1838: Ms. SEWELL of Alabama and Mr. ELLISON.
H.R. 1869: Mr. QUIGLEY.
H.R. 1905: Mr. ROSKAM and Mr. SCHNEIDER.
H.R. 1908: Mr. WENSTRUP.
H.R. 1926: Mr. KELLY of Pennsylvania.
H.R. 1962: Mr. QUIGLEY and Mr. SALMON.
H.R. 1998: Mr. OWENS.
H.R. 2011: Mr. FORTENBERRY.
H.R. 2085: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2134: Ms. SHEA-PORTER, Ms. WILSON of Florida, and Mr. CAPUANO.
H.R. 2199: Mr. LYNCH, Mr. SCOTT of Virginia, Mr. MCINTYRE, and Mr. OLSON.
H.R. 2203: Mr. CHABOT.
H.R. 2226: Mr. CRAMER.
H.R. 2247: Mr. KELLY of Pennsylvania, Mr. LATTA, Mr. OWENS, and Mr. YOUNG of Alaska.
H.R. 2300: Mr. WEBER of Texas, Mr. RIGELL, and Mr. TIPTON.
H. R. 2318: Mr. CRAMER.
H.R. 2328: Mr. SCALISE.
H.R. 2330: Mr. BARLETTA.
H.R. 2480: Ms. SCHAKOWSKY and Ms. BROWN of Florida.
H.R. 2482: Mr. SIMPSON.
H.R. 2502: Mr. GEORGE MILLER of California.
H.R. 2561: Mr. CARTWRIGHT.
H.R. 2590: Ms. ESTY.
H.R. 2643: Mr. MAFFEI and Mr. BERA of California.
H.R. 2682: Mr. FORBES.
H.R. 2686: Ms. ESTY.
H.R. 2692: Ms. CLARKE, Mrs. DAVIS of California, Mr. HORSFORD, Mr. KEATING, Mr. MCDERMOTT, Mr. HUFFMAN, and Mr. NOLAN.
H.R. 2715: Mr. NOLAN.
H.R. 2720: Mr. KIND and Mr. SCHOCK.
H.R. 2725: Ms. LINDA T. SÁNCHEZ of California and Ms. BROWNLEY of California.
H.R. 2745: Mr. FLEMING.
H.R. 2772: Mr. LOWENTHAL and Ms. SHEA-PORTER.
H.R. 2773: Mr. OWENS.
H.R. 2797: Ms. BROWNLEY of California.
H.R. 2807: Mr. SARBANES.
H.R. 2809: Mr. BILIRAKIS, Mrs. BROOKS of Indiana, Mr. TIPTON, Mr. LANCE, Mr. FINCHER, Mr. HENSARLING, Mr. HARPER, Mr. STUTZMAN, Mr. NUNNELEE, Mr. SIMPSON, Mr. GUTHRIE, Mr. FLORES, Mr. GINGREY of Georgia, and Mrs. HARTZLER.
H.R. 2835: Mr. ROTHFUS.
H.R. 2878: Ms. ROYBAL-ALLARD, Mr. CLAY, and Mr. LOWENTHAL.
H.R. 2901: Mr. CULBERSON and Mrs. NAPOLITANO.
H.R. 2917: Mr. MEEKS and Ms. TSONGAS.
H.R. 2939: Mr. KING of New York and Mr. LOWENTHAL.
H.R. 2955: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2989: Mr. PASTOR of Arizona.
H.R. 2998: Mr. HUFFMAN.
H.R. 3023: Mr. SIMPSON.
H.R. 3037: Mr. BISHOP of Utah, Mr. DAINES, and Mr. GARDNER.
H.R. 3043: Mr. BLUMENAUER.
H.R. 3055: Mr. SALMON.
H.R. 3067: Mr. KINGSTON and Mr. BROUN of Georgia.
H.R. 3076: Mr. FLORES and Mr. KINGSTON.
H.J. Res. 47: Mr. SMITH of Missouri and Mr. MICA.
H. Con. Res. 16: Mrs. ROBY.
H. Con. Res. 48: Mr. MILLER of Florida.
H. Res. 30: Mr. ENYART.
H. Res. 231: Mr. LATHAM, Mr. VEASEY, Mr. PIERLUISI, and Mr. NOLAN.
H. Res. 319: Mr. HORSFORD.
H. Res. 341: Mr. CARTWRIGHT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. Res. 281: Ms. GABBARD.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Member added his name to the following discharge petition:

Petition 4 by Mr. STOCKMAN on House Resolution 306: Dana Rohrabacher.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, SEPTEMBER 12, 2013 No. 120

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.

O God, You are our God alone. Early to You we lift our hearts in praise. We look to You today to sustain us, for because of You we live and move and breathe. By Your power, we find life and joy and peace. Today, help us to focus on Your love that can make us messengers of understanding and purveyors of justice to our Nation and world.

Lord, give to our lawmakers the peace that the world can't give, protecting them from seen and unseen dangers. Encompass them with Your strength and meet their every need.

We pray in Your sacred 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, September 12, 2013.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks there will be an hour of morning business. The majority will control the first half and the Republicans will control the final half.

Following morning business the Senate will consider S. 1392, the energy savings and industrial competitiveness legislation. We may have some votes today. We will work and see if we can come up with some energy-related amendments on which we can vote.

ENERGY EFFICIENCY

Mr. REID. Mr. President, America has and had for so many years the most brilliant, innovative, and imaginative scientists in the world. Many of them have worked hard to develop new environmentally friendly energy sources. That is one area in which we have been so good.

Every year over the last many years during the month of August I host an energy summit in Las Vegas. We have had Governors and Presidents and all kinds of Cabinet officers there. It is a bipartisan event. One of the activities we do there is recognize some of the smartest and most creative inventors and investors in the world to show their latest discoveries, and there are lots of them. This past August I learned about an American company that is developing high-tech batteries. It has great potential. They want to store solar power for use long after the Sun goes down. I met the inventor of a flying wind turbine that looks like a cross between a giant kite and a small plane.

On the Nevada and California border just a few miles from Las Vegas there is an amazing project going on out there. They have hundreds and hundreds of thousands of solar panels—mirrors. They have three very tall towers that look like skyscrapers, and they harness the Sun. The reason this invention is so terrific is that one of the problems we found with solar energy is that when the Sun goes down, it is not producing energy anymore. This will no longer be the case because these large skyscrapers have molten salt stored in them. During the day it heats up, and when the Sun goes down it still produces energy. It is amazing. That is now 98 percent completed.

I am constantly amazed by the ingenuity of the clean energy that brings a bright spot during the darkest of economic times. But Americans cannot just rely on scientists and inventors to solve our energy dilemma and break our reliance on polluting fossil fuels. We need to be part of the solution instead of part of the problem, and that will mean reducing our energy consumption at home and at work. That is what the Shaheen-Portman legislation is all about.

Being more efficient at home—we can start with small choices, such as replacing a burned out lightbulb with an energy-efficient one, buying more efficient appliances, which are out there, so we can do that. We can install thermostats that turn the heat or the air down when no one is home. It can be regulated remotely. The effect of these choices and many more is real.

We also need to make the buildings we live in and work in, as well as the technology inside those buildings, more efficient. What has happened for generations here in America is that

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

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you design a building and give the specifications, but then people come in and build it as cheaply as they can. At the time it is constructed, the construction company wants to get it done as quickly and cheaply as possible. As a result, the insulation is not good and the air-conditioning equipment and appliances are not as good as they could be. So we need to make the buildings we work in, as well as the technology inside those buildings, more efficient.

Much of the electricity created in America is wasted. When I was a boy growing up in rural Nevada, less than a mile from our home were these massive power lines coming from the Hoover Dam, extending to California—lots of them. We used to be amazed. We would stand under them and hear the electricity popping and snapping. It went from Boulder City to L.A. Think of all of the electricity lost while transmitting that electricity down there. So much of the electricity we use in America today is wasted. Just heating and cooling our homes and offices with outdated technology is one way we waste so much electricity. The legislation before the Senate will spur the use of energy-efficient technologies. Here is what Senators SHAHEEN and PORTMAN named the legislation: the Energy Savings and Industrial Competitiveness Act. It will spur the use of energy-efficient technologies in private homes, commercial buildings, as well as in the industrial sector—all at no cost to taxpayers. I commend Senators SHAHEEN and PORTMAN for their persistence and dedication in bringing this bill to the floor. I thank Senator WYDEN, chairman of the full committee, and Ranking Member MURKOWSKI for their able management of this measure.

Investing in energy efficiency is one of the fastest and most effective ways to grow our economy. This legislation will make our country more energy independent, protect our environment, and will also save consumers and taxpayers money by lowering their energy bills.

It is estimated that this measure would save American families today $14 billion per year and will create more than 150,000 new jobs, according to some of the studies surrounding this legislation. This bipartisan bill makes it easier for the private sector to adopt efficient technology.

By 2030—even as a young man presiding, the Senator understands how quickly 2030 will get here—this legislation will reduce Americans' CO_2 emission as much as taking nearly 17 million cars off the road. The bill creates incentives for companies to use technology that is already available right off the shelf. It is technology that can be used in every State in the Nation, and it will pay for itself right away through savings and energy.

The Federal Government also has an important role to play in saving energy, and we have not done very well in the past. The Federal Government is the Nation's single largest energy consumer of electricity. No one is a bigger customer for electricity in America today than the Federal Government. Reducing the government's energy use will not only be good for the environment, it will save taxpayers lots of money.

I am aware that Senators wish to offer amendments. I have been told by Senator SHAHEEN that there are 18 bipartisan amendments to be offered. I look forward to working with them and the bill's managers to help American businesses and consumers play an active role in reducing our Nation's energy consumption. While some of the answers to America's energy dilemma will come from inventors and researchers, others must begin in the places we live and work.

There has been a lot of happy talk about what a great piece of legislation this is—and it is. I have worked with Senator SHAHEEN and Senator PORTMAN. They said there will be amendments and that all the amendments are bipartisan. Of course, we have been totally diverted from what this bill is all about. Why? Because the anarchists have taken over. They have taken over the House, and now they have done the same in the Senate.

The Speaker could not pass a simple CR today. When asked at a press event yesterday—as I heard reported on the news today—they said: What is next?

He said: If you have a couple of ideas, give them to me, and they will be shot down also.

We are in a position here where people who don't believe in government—and that is what the tea party is all about—are winning. That is a shame. There has not been a single amendment allowed to be offered in this legislation that has anything to do with energy. There are all kinds of different issues, such as defunding ObamaCare.

As the fiscal year comes to an end, I guess that is what it is all about: You do what we want and get rid of ObamaCare or we won't fund the government. The President of the United States has said he is not going to negotiate dealing with the debt ceiling.

If the Republicans in the House can't pass a simple funding resolution for a short time, then it will shut down because of that. The government can't fund unless we have activity here.

Even though I gave all the reasons why we need to do this Energy bill—and Senators SHAHEEN and PORTMAN have been talking to me for months and months: Let's do this bill. They said there won't be amendments on it unless they relate to energy. So here we are. Where are we? Where we have been this whole year. What have we accomplished? Not much.

RECOGNITION OF THE MINORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, I did a lot of listening over the past several weeks in meetings and events all across Kentucky. Last week I participated in my 51st hospital townhall since 2011, and one thing kept emerging over and over: Kentuckians are really, really worried about ObamaCare. They read the same stories we have about businesses being forced to cut hours and eliminate health care and about people being laid off. They read about how the rollout of this massive law is becoming a massive mess and how their personal information could be compromised by scam artists. I know there are some who supported the law who are thinking: Well, they will learn to like it. But it is precisely the kind of ''we know what is good for you'' attitude that is so upsetting to my constituents. That is what got us into this mess in the first place.

So let's at least get this much straight: The doctors, the nurses, the health care professionals, the patients, and everyday Kentuckians I have been speaking with on this issue are not ignorant of the facts. They know what they are talking about. A lot of them know more about health care than those who voted for this law ever will.

The fact is that the more my constituents seem to know about ObamaCare, the more worried they tend to be. That is true for the business owners too. One small business owner in Murray wrote to me about how she is looking at premium increases of nearly 90 percent. I think she summed up the situation pretty well. She wrote:

> Government is crippling the businesses that are keeping this country going.

Another constituent wrote to me to say that as a matter of conscience, he doesn't want to let his employees go uninsured but that realistically he may no longer have a choice. One of Kentucky's biggest employers recently announced plans to stop providing health care to spouses of 15,000 of its employees—also due in part to ObamaCare.

This is part of a growing trend across America. These are just some of the human costs of this law, and it hasn't even fully come online yet. So it is small consolation for business owners in my State that they will have a little more time to work through this mess after the President's decision to delay the so-called employer mandate for a year. They get a reprieve for a year, and then the mess comes along a year later.

Interestingly enough, just yesterday the country's largest union federation, the AFL–CIO, outlined serious flaws in ObamaCare that could hurt its members too. Apparently, they came very close—very close—to calling for outright repeal. This is the AFL–CIO that came very close to calling for outright repeal. News reports suggested a lot of harsh words were said. I don't think I can even quote all of it on the floor.

But one union leader implied that ObamaCare could lead to the federation losing three-quarters of its membership in just the next few years. This is the AFL–CIO—the biggest supporter the President had—coming this close to calling for outright repeal.

So we know Big Labor is leaning on the President. We know they want him to let them rewrite the same law they helped ram through, and apparently he is listening to them.

But what about everybody else who is not in Big Labor? What about the single mom in Bowling Green who will not be able to cover rent if her hours are, in fact, cut as she anticipates they will be? What about the recent college graduate in Louisville who is barely scraping by as it is and who will not be able to afford a premium increase? What about the families from Covington to Paducah who are worried sick about this law? Doesn't the administration think those folks deserve some relief too? The same kind of delay at least businesses will get? Republicans do. That is why the Republican-led House of Representatives passed a bill on a bipartisan basis—that means Democrats voted for it too—before the August recess to do just that. Last month I tried to pass that same bill in the Senate, but the Washington Democratic leadership blocked it. I am not sure why.

This legislation is just common sense. It is the fair thing, the right thing to do. So today I am going to try again. Yesterday, along with a number of my colleagues, I filed an amendment to the Portman-Shaheen bill that would provide the same reprieve for individuals the administration has already offered to businesses. This time I hope my colleagues on the other side will join me in supporting it, as a number of Democrats did over in the House.

I know they all got an earful when they were home last month. So maybe they have reconsidered the wisdom and fairness of their earlier position. Maybe now they think individuals and families should be treated no differently than businesses when it comes to protecting them from ObamaCare. This same legislation, as I indicated, attracted votes from both Republicans and Democrats in the House, and there is no reason for blocking it in the Senate.

We need to pass a 1-year delay—a 1-year delay—of ObamaCare for everyone. That is what the amendment I filed would do. Then we need to enact what Kentuckians and Americans truly need, a full repeal of this job-killing mess of a law—job-killing mess of a law; that is what it is—and what I intend to keep fighting for. As I said earlier, union members who pushed for this bill now are turning against it in droves, so are businesses and so are our constituents. I don't care what party people are in, we will hear from them. So let's take this first step together. Let's delay ObamaCare mandates for families right now, just as the White House did for businesses, while there is still time to do it. Then let's work together, Democrats and Republicans, to repeal the law for good and replace it with the kind of commonsense, step-by-step reforms that will actually lower costs.

That is what Kentuckians want, that is what Americans want, and anybody who actually listened to their constituents last month already knows what I just said.

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 for 1 hour, with the time equally divided and controlled between the two leaders and their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half.

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. BARRASSO. 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. BARRASSO. Mr. President, I come to the floor today to talk about a new CNN poll that came out yesterday. It says support for the President's health care law appears to be ''waning.'' CNN polling director Keating Holland talks about this. He says that support has dropped in virtually all demographic categories, but it has fallen the farthest among two core Democratic groups: women and Americans who make less than $50,000 a year.

He goes on to say:

> Those are also the two groups that are most likely to pay attention to health insurance issues and possibly the ones most likely to be affected by any changes. That may be particularly true for lower-income Americans who are most likely to have part-time jobs, be on Medicaid, or not currently have health insurance and thus be the first to have to navigate the new system.

So there is the story from CNN polling yesterday: Support for the President's health care law appears to be waning.

I have spent a lot of time, as the Presiding Officer has, over the last month traveling around my State, listening to constituents, hearing what is on people's minds. That is what I did back in Wyoming over the last month. I do it every weekend, meet with lots of people. We have had lots of county fairs and rodeos, townhall gatherings.

One thing that came up just about everywhere I went was the concern that so many folks still have about the President's health care law. Some are confused, many are upset, and many more are angry, angry that the law is doing serious damage to middle-class jobs and to people's paychecks. Even the insurance coverage many people already had and liked, there are things they are going to lose.

Republicans have warned from the beginning that the President's law created too much redtape, too many new taxes, new fees, and expensive mandates. As a result, people are going to end up paying a lot for health insurance.

Well, for months now, Americans have been seeing exactly that. One of the latest numbers that really stuck out was from Delta Air Lines. They say they are going to be paying about $100 million more to cover their employees next year. All of the mandates in the health care law, the President has said so many of these are free. They are not free. Somebody has got to pay for them. Just covering workers' children up until age 26—it is about 8,000 young people covered by Delta Air Lines, added to their policy—is going to cost them an extra $14 million next year.

Remember, the President said health care costs were supposed to go down, not up. He also said that for 85 to 90 percent of Americans who already have health insurance, the only impact, he said, of the law was that their insurance was better than it has ever been before.

Well, that does not seem to be the case. All you need to do is pull out today's New York Times business section, first page, B–1, above the fold, ''Unions' Misgivings on Health Law Burst Into View.'' Labor delegates level criticism at Congress and the President. It seems the President's promises to people who believed him that they could keep what they had if they like it—they are now saying: Mr. President, something has to change here. You know, you have not leveled with us. What we are seeing now coming out of this administration is not what you promised us.

It is not just the New York Times. Today's Investors Business Daily, above the fold, first page, ''ObamaCare Hitting Union Members—And They're Upset.'' Unionized part-timers losing health insurance; full-timers losing hours. That is not what the President promised.

What this means is people are not just losing their health care, their insurance, it is affecting their jobs and it is affecting their paychecks.

Another step some employers have had to take is to drop coverage for spouses who can get their insurance elsewhere. The President said that was not going to happen. He said, if you like the insurance you have, you will

be able to keep it. But once again the President has failed to see how much harm his health care law will do to middle-class Americans. Those hard-working people are now paying the price. In a recent memo to employees, the shipping company UPS said it plans to exclude 15,000 spouses from its insurance plan. They cited the health care law as the top reason for the switch.

It is not just businesses. The University of Virginia recently announced plans to drop spousal coverage for some of its employees too. The President is berating colleges about the cost of tuition, but yet his own mandates are making it more expensive for colleges to provide insurance for members of their faculty. So, of course, they pass those costs on to the students. The school said the President's health care law would add $7.3 million to the cost of its health plan in 2014. So just like UPS, if a worker's husband or wife can get insurance from their own employer, the University of Virginia will not be covering them anymore, even if it is insurance that they have and they like, the President said they could keep. The school directly laid some of the blame on the health care law. It is not something the President admitted might happen, and it is not something he is eager to talk about now.

He is also not eager to talk about his promise to cut the price people pay for insurance. President Obama promised that by the end of his first term he would lower people's premiums by $2,500 per family per year. He did not say this once; he said it over and over, at least 19 times. He did not misspeak. It was a practiced line, an intentional line, an intentional part of his stump speech.

He did not say premiums would go down if Congress passes a perfect law that takes effect the first day in office. He did not tell the audience it would be $2,500 less than the projected rate of growth someone estimated we would have otherwise. He chose to ignore all of that, to leave out every caveat he could have included. He said, $2,500 less by the end of his first term, period.

Every person, every audience, knew what the President was promising. Well, now we know President Obama broke that promise, like so many others. He and his supporters should stop trying to explain it away and admit they failed.

According to the Kaiser Family Foundation, the average family premium has soared by almost $3,000 since the President took office. That is not a prediction about what will happen over the next 4 years; it is a simple, indisputable fact about how much more people are already paying. So you have people who are losing their insurance plans that the President's health care law taxes too heavily. You have other people losing the insurance they have now because employers are dropping coverage for spouses. You have some people who will keep their insurance but they are going to have a lot less money in their paycheck because costs are going up, thanks to the health care law. You have a lot of people the President's health care law is really hitting in the wallet. It is because we are continuing to see towns and counties and school districts having to cut back the hours of their workers. They need to keep more employees at a part-time status in order to reduce the burdens and expenses of the health care law. Over the past month, even more places have had to take these steps.

Middletown Township in New Jersey said they would cut the hours of 25 people. A county in Texas said it would do the same. Another county in Florida figured it would cost them more than $1 million to cover all of their part-time workers under the health care law. So they are already reducing the hours for some of these people and they are planning to make additional cuts.

The Obama administration is brushing off these reports. They are saying it is only anecdotal evidence. Anecdotal? These are not anecdotes, these are people's jobs. One of the analysts out there found 258 different employers have cut work hours, cut jobs, or taken other steps to avoid ObamaCare's costs—258 employers across the country, many of them school districts, counties, communities, some private businesses, and more are coming forward every day. They are limiting the hours they can pay busdrivers, librarians, coaches, substitute teachers, and middle-class workers. The Obama administration says, everything is fine because some of these workers will get a subsidy to help buy their expensive insurance.

Well, the people I talk to are not looking for a subsidy, they are looking for a job. They are looking for more hours. They are looking for the ability to take home a paycheck comparable to the paycheck they may have had last year but it is going down because their hours have been cut. They want the Obama administration to stop making it so tough for them to find full-time work. They want to go back to the insurance they had before the President's health care law went into effect. Instead, they are getting more bad news, more signs that the health care law is a trainwreck that is going to hurt the middle class even more.

We all knew the health care system in this country had problems and needed to be fixed. Costs were rising year after year. Too many people were having trouble getting the care they needed. Democrats could have sat down with Republicans to write a law to help those people. Instead, President Obama and Democrats in Congress, who were in charge of the House and the Senate, passed their plan, a one-sided plan, a plan that today is failing the American people. They did it without Republican support, and they did it without seriously considering our ideas.

Washington Democrats promised reform, but the reform they promised is not what is delivered in this 2,800-page health care law. With over 100,000 pages of regulations, it is hard for anyone to understand or comply with.

Republicans have voted to repeal this failed law and start over with reforms that solve the biggest problems families face today. We are going to keep trying to get that done. If Democrats are serious about helping middle-class Americans, they will join us.

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

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

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

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

Mr. COATS. Mr. President, since its inception, ObamaCare has remained consistent in one regard: an alarming pattern of delays, glitches, and overturned provisions, not to mention failure to meet certain promises that were made when this bill was passed.

First, Congress repealed the law's 1099 mandate after realizing this provision would drastically increase expenses on every business, charity, and local government entity. Then Congress repealed the law's long-term care program in 2012 after the administration admitted this wouldn't work.

Next came a slough of waivers. Rather than admit ObamaCare would drive up costs, the administration created a program that has granted more than 1,700 waivers covering more than 4.1 million people. A lot of other Americans are saying: Hey, how about our waiver? Why did these 1,700 waivers covering 4.1 million people go to them and not to us?

Even meeting its own deadlines for implementation seems to be too difficult for the White House. According to the Congressional Research Service, as of May 31, 2013, the administration had yet to meet half, only 41 of 82, of the deadlines legally required by the Congress under this legislation.

But in June 2013, President Obama claimed: ''I think it is important for us to recognize and acknowledge this is working the way it's supposed to.''

Really? There are 1,700 waivers for people who couldn't comply with this, repeals enacted by Congress, and it is working the way it is supposed to? Is that what they intended when they passed the bill? It is not what they promised. A month later the President's team announced the delay of another key ObamaCare component, the employer mandate—a 1-year delay—while maintaining implementation of the individual mandate. Individuals, yes; employers, no.

We know they are not able to comply, that the downside of complying with this under this timetable doesn't work, so we force individuals to comply with the law and the mandate to buy health insurance or pay a tax, but we take that burden away from employers.

Is that fair? Is that fair, to give it to part of the country, give it to employers? How about the other half, the employees? How about the other individuals who don't fall under those plans? Yesterday the nonpartisan Congressional Budget Office released a report of 19 instances in which portions of ObamaCare had been changed, rescinded, repealed, or delayed—19 separate times when it has either been changed, repealed, rescinded, or delayed.

The report specifically found the President has signed 14 laws, several of these with multiple provisions, that each amend, rescind, or repeal part of ObamaCare. The administration also has delayed at least five significant provisions of the law.

What does all of this tell us? It tells us that even the President and his administration recognized the health care law they wrote and they passed—not one single vote of support from the opposing party. They recognize this is not going as promised or planned.

Recognizing the impact his health care law is having on job creators, the President decided to give relief to businesses. As I said before, don't all Americans deserve the same break? Don't we all deserve some relief?

While it is a necessary step, even the delay of the employer mandate came too late for many Hoosiers, whose companies have been forced to drop employees or cut back their hours to less than 30 hours per week, the threshold at which ObamaCare kicked in for companies.

In recent weeks newspapers across Indiana had been filled with stories of companies and school systems that have reduced hours to avoid the ObamaCare requirements. All this is coming at a time of continued, chronic, high unemployment. People are working two and three part-time jobs to keep their heads above water, only to barely keep the bills paid at a time when our economy is growing at half the rate it should.

We are not putting people back to work and people are actually dropping out of the job search category. We add this burden on them.

Let's take a moment and consider the contrast between these reports, the promises made by those who authored and those who have supported and voted for it. This administration continues to say it is working as planned.

When President Obama signed his health care reform package into law back in March 2010, he said the reforms would ''lower costs for families and for businesses'' and ''help lift a decades-long drag on our economy.''

A law that was supposed to help workers, employers, and families in our economy is, instead, doing the exact opposite. I have heard the same sentiments over and over—and I continue to hear from Hoosiers as I travel across the State—this law is not helping, it is hurting.

We need to repeal this law and replace it step by step with reforms that lower costs, increase access to care, and empower patients, not bureaucrats in Washington.

I have voted more than two dozen times to repeal, defund, and strip provisions from ObamaCare. It is a principle I share with all of my colleagues on the Republican side, and I will continue to support these efforts.

However, I believe the best way to stave off this coming train wreck—as described by a Democratic Senator who was instrumental in writing the bill—is to delay implementation of the ObamaCare mandates for 1 year.

The President has already determined he is going to delay the employer mandate, so let's add to that the delay of the individual mandate which essentially delays the implementation of this law for a year so we have the opportunity to do what we need to do legislatively. We need to repeal this law and replace it with sensible legislation—rational and cost-effective legislation—that actually addresses the problem we are dealing with. It also gives the American people a chance to basically tell the White House: This ain't working.

We need to make a difference here. This can be an issue American people can debate throughout 2014 while it is delayed and then express their concerns at the ballot box in November of 2014.

As a consequence of this, I have introduced legislation, supported now by over 30 Senators, which would delay the individual mandate until January 2015. I am pleased the minority leader, Senator MCCONNELL, has agreed to take up this bill to lead the effort, to join me in not only having this body examine this bill, debate it, and vote on it, but to join the House, which has already passed.

My Indiana colleague in the House, Congressman TODD YOUNG, introduced this legislation in the House of Representatives, and it passed with bipartisan support. Even the members of the President's own party have recognized this train wreck that is coming and have chosen, in significant numbers, to support the Republican effort of my colleague from Indiana, Congressman YOUNG.

I am carrying this ball here in the Senate. I am pleased the minority leader, as I stated, Senator MCCONNELL, is willing to take this up. We already have the support of more than 30 Senators, and I expect that will grow and hopefully it will be bipartisan support.

The bill is identical to legislation the Republicans passed in the House. I am proud that fellow Hoosier Congressman TODD YOUNG has authored that bill.

If Democrats, Republicans, and a majority of the Americans agree this law is not working, then let's do something now before ObamaCare's full impact on our economy takes effect.

I urge the majority leader to allow a vote on this amendment that will be offered and give all Americans the same protection this administration has provided to businesses—to give that to individual Americans. After all, it is simply a matter of fairness. The administration, having decided to waive for a year the implementation of the employer mandate, needs to waive for a year the implementation of the individual mandate in fairness to the American people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

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

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

Mr. FLAKE. I come to the floor today to urge my colleagues to do everything we can to ensure ObamaCare is delayed. Like the Senator from Indiana who just spoke, we know this law is not ready for prime time. The President has delayed certain parts of it, a number of parts of it.

The individual mandate has been delayed. If we are going to delay the employer mandate, it would make sense to delay the individual mandate as well.

I have introduced S. 1490. This would delay by 1 year all provisions of the Affordable Care Act that are supposed to take effect on January 1, 2014, or later.

In addition, it would suspend all taxes, including the tax on medical devices associated with the law for 1 year.

I am also a cosponsor of the legislation introduced by Senator COATS. The minority leader has offered this legislation as an amendment to the energy efficiency legislation which is on the floor now. It would also delay the individual employer mandates for 1 year.

Like many of my colleagues, I have opposed ObamaCare from the beginning. I have voted against this legislation time and time again. I think the count is 37 times in the House to repeal it. Obviously I did not support it in the first place. Even the law's strong advocates agree there are issues with implementation under the current timeline and that a positive immediate next step for all Americans would be to delay this harmful law.

January 1, 2014, marks a rollout of some of the most fundamental parts of the law. The CBO estimates some 37 million will join the individual exchanges that are scheduled to open their enrollment period in less than 3 weeks from now, and all of our constituents will start feeling the pain if the law isn't ready from the outset. As I mentioned, even the President has conceded the health care law is not ready by issuing a combination of waivers and delays for certain parts of the law.

He did it for the employer mandate a while ago. If we do it for the employer mandate, it makes sense to do it for the individual mandate as well. Because of the delay of this employer mandate starting in 2014, many individuals will be using the honor system to

verify their income and whether they have access to employer-provided health coverage. Without an appropriate verification system in place, individuals will have an incentive to report a lower income to receive more subsidies than they qualify for. This will ultimately raise the cost for everyone else.

On the individual exchanges, just 2 weeks ago HHS delayed the signing of final agreements for insurance plans that are going to be sold on the exchanges starting October 1. This comes on top of a report issued by GAO this past June cautioning that the health care law could miss the October 1 open enrollment date because of missed deadlines and delays in several areas. The administration has also delayed the cap on out-of-pocket expenses that was intended to go into effect in 2014.

If this wasn't enough, there are also privacy and fraud concerns. There is great apprehension over the new Federal navigators who are hired by the Federal Government to help individuals weed their way through the new paperwork and enrollment guidelines of the Affordable Care Act. These navigators receive no antifraud training, and the administration recently announced the training for these individuals would be reduced from 30 to 20 hours. Further, these individuals will have access to consumers' private and personal data without having any minimum eligibility criteria or background checks.

I could continue to list the pitfalls this law has already faced, but the point is clear: The law is simply not ready for prime time. Implementing this law before it is ready will only force taxpayers into a system riddled with potential fraud, certain gridlock, and increase costs for all. As lawmakers, we have a responsibility to our constituents. If a law is not ready, we need to delay it for everyone. That is why I urge my colleagues to support the minority leader's amendment coming up on this legislation on the floor today and any other legislative vehicle to grant taxpayers a 1-year delay for the Affordable Care Act to ensure the least harmful path forward.

Simply put, I believe a total delay of ObamaCare is the fairest way and most realistic plan to prevent the law from wreaking havoc on all Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I strongly support the previous two speakers in their attempts to delay a law that is clearly not ready for prime time. In that spirit, I again put forward my proposal to make sure there is no Washington exemption from ObamaCare. This, I believe more than anything else, will ensure that Washington doesn't impose something unduly burdensome—not ready for prime time—on America if it is living under the same rules.

Unfortunately, that is not the case right now. This special OPM rule, which was made up out of thin air, in my opinion, and unveiled in draft form a little over 1 month ago, creates a huge Washington exemption—a special deal—particularly for Members of Congress and our staff.

We need to say no Washington exemption, and my amendment on the bill that is on the floor now, and my separate bill of the same substance, the No Exemption for Washington from ObamaCare Act, will do just that. It will say all Members of Congress, all congressional staff, the President, the Vice President, and all of their political appointees have to go to the exchanges for their health care—the fallback option for every American—and they have to do that under the same rules, under the same parameters as every other American does—no special deal, no special exemption, no special subsidy.

I urge my colleagues to support this measure as an amendment on the bill that is on the floor now or as a freestanding bill.

With regard to the posture of the bill on the floor now, I have no desire to hold up any other amendments. I am eager to move forward with those amendments and with mine. I simply need assurance that my amendment will get a fair vote, particularly before October 1. This is very time sensitive because October 1 is when the OPM rule will otherwise take effect. I am eager to come to an agreement so all of us can move forward with this proposal and this vote and others in a constructive way, and I look forward to that happening.

I would add this doesn't have to happen on this bill. This can happen regarding my stand-alone bill or in other ways, as long as that is assured before October 1.

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

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

The legislative clerk proceeded to call the roll.

Mr. WYDEN. 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.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1392, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

Pending:

Wyden (for Merkley) amendment No. 1858, to provide for a study and report on standby usage power standards implemented by States and other industrialized nations.

Mr. WYDEN. Mr. President, when the Senate began debate on the bipartisan energy efficiency bill yesterday, I thought it was important to start by putting the discussion in the context of what I know Senators heard all summer long. All summer long Senators heard from folks at home who said: Look, when the Senate goes back into session in September, what you folks have to do is knock off some of this bickering, this pettiness, which seems like a kind of glorified food fight, and get serious about real issues, get serious about those kinds of concerns that are most important to us here at home—energy, creating good-paying jobs, the infrastructure, and all of those bread-and-butter questions that go right to the heart of how middle-class people in America improve their standard of living.

I was struck yesterday—and I especially appreciate the tone brought to this discussion by the Senator from New Hampshire and the Senator from Ohio—by how the Senate reflected and got, in those first few hours of the debate, the message from the summer. It seemed this body heard the American people saying: Knock off this pettiness and this bickering and get serious about real issues, and that means doing it in a bipartisan way. In the first couple hours of this discussion, we had five amendments that were bipartisan, and all of them stemmed, in effect, from Senators on both sides of the aisle who were responding to this kind of welling up of the benefits of energy savings and how those energy savings help to create good-paying jobs and a cleaner environment.

For the first couple hours, we had Senator after Senator coming in these bipartisan kind of pairs to discuss real issues. So I am just going to spend a few minutes talking about how that unfolded.

The first one that came up was the Inhofe-Carper amendment. Those two might not agree on every possible cause but certainly they said: Look, we ought to include thermal energy in the definition of renewable energy as part of the Federal energy purchases that take place. That probably is too logical for some—and certainly if you want to spend your time on polarizing fights you might not be that interested in the Inhofe-Carper amendment—but I said I was going to back that because two Senators did a lot of good, constructive work and they came to us early on with a good idea.

Then we heard from Senator COLLINS and Senator UDALL about another practical idea to reduce redtape—to reduce bureaucracy and redtape—so we could maximize energy efficiency programs in our schools.

We also heard about a useful amendment from Senators BENNET and

AYOTTE in terms of recognizing the efficiency achievements of commercial building tenants. This space constitutes about 41 percent of all the energy that is used in our country, and so two Senators said here is an opportunity to again promote the efficiency and the visibility of the programs that work.

Then we had a useful amendment offered by Senators KLOBUCHAR and HOEVEN to assist nongovernmental organizations. These are the churches and the senior citizens groups and the programs for kids. These are the nonprofits. And what that bipartisan coalition wanted to do was to assist nongovernmental organizations in making these energy-efficient improvements.

Then as the fifth part of this discussion we had the Landrieu-Wicker-Pryor amendment to improve the way in which various governmental agencies select the Green Building Program certification systems for Federal agency use—again, something designed to reduce some of the bureaucratic redtape that is associated with how these programs are implemented.

So there you are. The first five amendments are bipartisan. They are in response to this kind of welling up, as I would characterize it, to the opportunity that this bill presents.

We received letters from a number of organizations just today—the National Association of Manufacturers, the American Council for an Energy-Efficient Economy, the Business Roundtable, the Alliance to Save Energy, and the Natural Resources Defense Council—all of which wrote to Majority Leader REID and Minority Leader MCCONNELL to express their support for this legislation. I ask unanimous consent to have printed in the RECORD this letter.

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

SEPTEMBER 11, 2013.

MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: We write representing a broad spectrum of interests to express our support of S. 1392, the Energy Savings and Industrial Competitiveness Act, introduced by Senators Shaheen (D–NH) and Portman (R–OH). This bill reflects a bi-partisan, consensus agreement on a set of energy policies that will benefit the economy, advance energy security, and improve the quality of the environment. All agree that expanding energy efficiency is in the national interest and this legislation would increase energy efficiency opportunities for businesses, consumers, and the federal government.

S. 1392 is built on a consensus principle and the broad support it has received is the product of that principle. It is our hope that the Senate will proceed with full consideration of this bill in a manner that gives it the best opportunity to move forward in the legislative process.

Thank you for your consideration and we look forward to continuing to work with you and the Senate to support federal energy efficiency policies that benefit all Americans.

Sincerely,

NATIONAL ASSOCIATION OF MANUFACTURERS.
NATURAL RESOURCES DEFENSE COUNCIL.
AMERICAN COUNCIL FOR AN ENERGY-EFFICIENT ECONOMY.
ALLIANCE TO SAVE ENERGY.
BUSINESS ROUNDTABLE.

Mr. WYDEN. The reason they wrote this kind of letter is that the American Council for an Energy-Efficient Economy has estimated that just 10 of the efficiency amendments—most of which were introduced and heard by our energy subcommittee on June 25—would increase, by 2030, the number of jobs created by 10,000. So 10,000 jobs, and we have just 10 of those amendments that would make that kind of difference, and the amendments would increase energy savings by over 10 percent and increase the annual savings by 2030 by $1.5 billion.

The Business Roundtable, the National Association of Manufacturers, the leading environmental groups—that is not exactly a coalition that comes together for every important energy issue, every important environmental question all the time. But they are there on this one, and they are there to a great extent because they understand that modernizing energy policy and having an ''all of the above'' energy policy means you have to pass legislation like the Shaheen-Portman bill and the useful amendments that are associated with it.

Senators come to the floor here in the Senate constantly to talk about how they are for an ''all of the above'' energy policy. It is almost obligatory that you mention it three or four times just to show you are serious about energy policy. You can't be serious unless you support a robust bipartisan effort, such as the Shaheen-Portman bill. This is too important to the overall agenda for energy, productivity, job creation, and a cleaner environment.

I look forward to hearing more from colleagues on their efficiency amendments. I very much hope we can keep the amendments that go forward relevant to the question of energy policy.

It just seems to me that when you have a bipartisan foundation, as we have with this bill—and it started bipartisan with the Senator from New Hampshire and the Senator from Ohio, and it got significantly more bipartisan yesterday.

It would be one thing if Senators came to the floor yesterday and said: We are here to talk about energy legislation. I really don't care about this topic. What I want to do is talk about these other issues that are important to me politically.

That would be one thing. But Senators didn't do that. They came to the floor and they said they want to talk about energy, they want to talk about getting something done in a bipartisan way, they like the bipartisan bill, and they want to make it even stronger. It seems to me that if we now spend an appreciable amount of our time undermining that bipartisan foundation and preventing us from working together on a subject Senators say they care about, that they recognize is part of an ''all of the above'' energy policy, that would be particularly unfortunate.

This bill is an opportunity for the Senate to put some points on the board for the people who sent us here to pass legislation that is going to benefit the country and have a positive impact on folks at home.

Senator MURKOWSKI and I and Senators SHAHEEN and PORTMAN talked yesterday about the extraordinary breadth of the coalition that supports this bill—business and energy efficiency advocates and environmental organizations. More than 200 businesses and groups from across the political spectrum support this bill.

I have already asked that their letter be printed in the RECORD, but I would like to read one passage from the letter that I think reflects the case for enacting this bill. Those organizations—again, the Business Roundtable, the National Association of Manufacturers, the Natural Resources Defense Council—agreed that ''this bill reflects a bipartisan, consensus agreement on a set of energy policies that will benefit the economy, advance energy security, and improve the quality of the environment. All agree that expanding energy efficiency is in the national interest and this legislation would increase energy efficiency opportunities for businesses, consumers, and the federal government.''

So why the Senate would want to say no to something like that because Senators want to advance other unrelated issues important to them really doesn't add up. I know in the Senate there is a desire to debate a whole host of issues, but the reality is that Senators who have talked about energy policy for years and years—and there are a host of them for whom energy is particularly important—now say they want to have their issues that are unrelated to energy advanced today, even though that has the potential to undermine this bill. I don't know how that adds up if you give a lot of speeches at home about sensible energy policy and then you take steps to undermine a bipartisan effort, which got more bipartisan yesterday.

So I am very hopeful that this legislation, which got out of the energy committee on a 19-to-3 vote and got better yesterday, starting with Senators INHOFE and CARPER and going through all the Senators who had bipartisan proposals, I hope it will not be undermined by unrelated matters. If we stay focused on efficiency, I believe we will have an even stronger vote than we had in the committee, which was a 19-to-3 vote, because Senators will have made clear that they understand this debate is about energy productivity, it is about job creation, it is about a cleaner environment, and that they especially understand this bill reflects what Senators heard all this summer.

All this summer the message was, go back to Washington, deal with important issues, particularly those related to the economy. Do it in a bipartisan way. That is what I believe an overwhelming majority of Senators wants to do, and if we keep this bill related to energy efficiency, that will be the result, and that will be good for the country.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I respect and appreciate my distinguished colleague, the majority floor manager on this bill, and I appreciate his remarks. But since they were all directed at my activity, I would like to briefly respond.

I have nothing against his efforts. I have nothing against this bill and the provisions of it. I applaud that work, and I want to support that work. And I too listened really hard this summer, all through August. I do townhall meetings in every parish in Louisiana every Congress. This August alone I did 18, and I did hear a lot. Quite frankly, I didn't hear about this bill or any provision of this bill, but I am not denigrating it. I support the vast majority of the provisions of this bill.

What I did hear over and over is this: Washington shouldn't be treated differently and better than we are. What is good for America needs to be good for Washington. And if that rule is applied across the board, you all will start getting a lot of things right in Congress and in Washington.

I heard that articulated hundreds of times at 18 townhall meetings in a lot of different ways. That is what my amendment is all about. And the reason I am demanding a vote now is simply because this illegal OPM rule is set to happen and go into effect on October 1, so it is time-sensitive. I didn't ask for that. I didn't invite that. I would like that rule to go away. But that is a fact, and that is why this is a pressing time-sensitive matter.

The distinguished Senator also talked about bipartisanship. Well, this proposal—the ''no Washington exemption from ObamaCare'' proposal—is thoroughly bipartisan in America. It has enormous bipartisan support in America. The only place it is not popular, quite frankly, on a bipartisan basis is in Washington, DC.

Again, what I heard over and over in 18 townhall meetings was this: The quicker you all apply all laws to yourselves as much as they apply to America, the quicker you will start figuring this stuff out and doing the right thing in Washington.

I agree with that. So I am simply asking for a timely vote on my proposal—which has to be before October 1 for reasons I have explained that are beyond my control—and I have no desire to hold up these other amendments or this bill.

In that spirit, I ask unanimous consent that the pending amendment be set aside and the following amendments be made pending: Bennet No. 1847, Enzi No. 1863, Udall No. 1845, Sessions No. 1879, Inhofe No. 1851, Klobuchar No. 1856, and Vitter No. 1866; that on Tuesday, September 17, at a time to be determined jointly by the majority and minority leaders, my amendment No. 1866 and a side-by-side amendment on the same subject by the majority leader be made pending and receive 60 minutes of debate evenly divided and controlled by the majority bill manager and me; that no points of order be in order in relation to these two amendments; and that upon expiration of the time for debate, without any intervening motions or debate, the Senate then proceed to votes on these two amendments subject to a 60-vote threshold for passage, and subsequent to each amendment vote and motion to reconsider, each vote be made and laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WYDEN. Mr. President, I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. VITTER. Mr. President, reclaiming my time, I am sorry for that. I think that establishes a perfectly reasonable path forward in which we could present and vote on these energy votes the distinguished floor manager is talking about. It would mean a 60-minute debate on this important and timely topic I am bringing up next week. So I think that is a reasonable path forward.

But I have an alternative that would take it out of the context of this bill, if that would be preferable.

Mr. President, I ask unanimous consent to withdraw the Vitter amendment No. 1866; that on Wednesday, September 25, 2013, at 3 p.m, the Senate discharge the relevant committees from consideration of my bill, the No Exemption for Washington From ObamaCare Act, and proceed to immediate consideration of that bill; that without any intervening motions or debate, the Senate proceed to 60 minutes of debate on that bill, evenly divided and controlled by the majority leader and me; that the bill not be subject to any amendments or motions to commit; that after debate has expired, the bill be engrossed for a third reading, read a third time, and the Senate immediately vote on final passage; and that the motion to reconsider be made and laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WYDEN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. VITTER. Mr. President, again reclaiming the floor, I think that is unfortunate because that would be a path forward that takes this issue and this vote completely out of the context of this bill—which I have no problem with. I have no problem with that. I have no desire to obstruct or delay this bill, and I have laid out a path that makes that crystal clear. I am open to any reasonable variation of these ideas, either an amendment vote next week on this bill or a timely vote on the amendment—or a timely vote on my identical bill before October 1. I am completely open to any of that. I hope the majority side and the majority leader will take that under consideration and agree to a version of that. That would immediately solve this impasse, which is created by the majority leader, not by me.

This is an important issue. This is timely. This illegal OPM rule, which creates a special exemption, a special deal for Washington, is happening October 1. I heard a lot from my constituents this August and I heard a lot about that. I heard a lot about how Washington should live under the same rules as America. I heard that on a thoroughly bipartisan basis. I look forward to furthering that important goal.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, by way of responding to the distinguished Senator from Louisiana, I think I am about as bipartisan as anybody here. The one thing I have tried to make essentially the focus of my time in public service is trying to find a way to get folks together, whether it is on tax reform or health care or education with MARCO RUBIO. That is what I want to be all about.

Particularly on the Energy Committee, Senator MURKOWSKI has consistently met our side halfway, trying to find common ground, trying to get folks to work together. The two of us laugh often about it. We do not agree on every single issue under the sun, but there is an awful lot we can agree on. That is why no other committee in the Senate has passed as many bills to the floor in a bipartisan way as the Energy and Natural Resources Committee.

When it comes to working on important issues in a bipartisan way, the Senator says that is what he wants to do. He got me at ''hello'' on that. But I ask him to not hold this bipartisan legislation, which was a first-rate bill when Senator SHAHEEN and Senator PORTMAN brought it here. It got better yesterday during the first couple hours. Senator MURKOWSKI and I heard five amendments from Senators. This is already a block of 10 Senators. Each of them was bipartisan, starting with Senator INHOFE and Senator CARPER. It got better yesterday.

I ask the Senator from Louisiana, who I know cares a lot about energy policy—in his State I imagine they talk about energy quite a bit—to not hold this bipartisan Energy bill hostage for something else. Let's get this passed. It is the first significant Energy bill on the floor of the Senate since 2007.

Hydropower was a very good bill, largely accomplished through the leadership of Senator MURKOWSKI and a

handful of other Republican and Democratic Senators. This is a chance to put points on the board for an issue that dominates so much of our country and I know certainly the part of the country that the Senator from Louisiana represents.

I want him to understand—and I think he knows—since my days when I was codirector of the Gray Panthers, health care is truly my first love. I am willing to work with the Senator from Louisiana on these health care issues. But I implore, in the strongest possible way, that we not hold up this bipartisan Energy bill, a bill that was bipartisan before it arrived and it got better after it did—that we not hold this bipartisan Energy bill hostage for something else.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, again, I respect the distinguished majority floor leader. I appreciate his comments. He has been very bipartisan in his work in the Senate. But I am a little confused because it is as if he did not hear my unanimous consent request. I think those are clearly two possible paths forward that do not have to hold up anything. All I am asking for is a vote on a very important issue before this illegal rule goes into effect October 1.

Again, I re-urge both unanimous consent requests and ask the distinguished floor leader, why is that not a path forward and why do the American people—forget about me—why do the American people not deserve this vote? Because they sure as heck support this on a thoroughly bipartisan basis.

Again, I am open to either path forward, either a vote on my amendment on this bill or let's withdraw that and have a separate vote before October 1. That is a path forward. There is no hostage-taking here. There is no holding up anything. What I am reacting to is this illegal OPM rule and this October 1 deadline, which I certainly did not ask for. I think that is completely contrary to the law. But now that it has been issued I think we need to respond and have a public vote. I urge that, either path forward. Let's take that in a bipartisan way. Let's listen to our constituents, Republicans, Democrats, and Independents. If we listen to them, we will not only have this vote, we will pass this amendment, we will pass this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I also wish to respond to my colleague from Louisiana because I appreciate his interest in addressing some of the concerns on health care that have come up. I would certainly like the opportunity to correct a lot of the misinformation that is out there. But, again, I think there are other opportunities to do that. We should not be doing that on an energy bill that has such bipartisan support.

The Senator is talking about wanting to get a vote on his legislation. Senator PORTMAN and I have been waiting for 3 years to get a vote on this legislation. For something that has such overwhelming support, I hope my friend from Louisiana is going to be flexible and think about how he can address the concerns he has and yet let the debate on this bill go forward.

We have, as Senator WYDEN said, 16 bipartisan amendments that have already been vetted by both sides on the committee, that are ready to go, that I think we could probably get a voice vote on, on all of those, because we have so much support on both sides.

This is legislation on which we have had a number of other amendments filed that we should debate, around energy, because we have not debated energy on the floor of the Senate since 2007. We have more than 260 groups and businesses that have endorsed this legislation. Everybody from Eastern Mountain Sports, which is a great New Hampshire business, to large companies such as General Electric and Raytheon, to small businesses such as—in New Hampshire we have a company called Warner Power, which makes the first innovation in transformers in over 100 years; they are supporting it.

One of the other businesses I thought was particularly interesting is Eileen Fisher, which makes women's clothes. They support the legislation. As everybody knows, anybody who is doing manufacturing in this country is using a lot of energy and they are looking for any way possible to reduce their energy use because they want to be competitive.

We have a number of manufacturing companies on this list that are interested in how they can reduce their energy use. Then we have a whole number of organizations, everything from the Christian Coalition to the Union for Reform Judaism. We have environmental groups such as the League of Conservation Voters and the Sierra Club. We have trade associations such as the American Chemistry Council. When is the last bill we have seen that has both the Sierra Club and the American Chemistry Council supporting the same legislation?

We have a whole list of industry groups that understand that energy efficiency is something they can support because it is something that is going to allow them to add jobs in their businesses. We have the League of Women Voters, the National Restaurant Association, the Oil Heat Council of New Hampshire—a small group that is concerned about making sure people in New Hampshire can heat their homes at a reasonable cost.

The North Carolina Chamber of Commerce, the Southern Alliance for Clean Energy—this is legislation that has support all over the country. The U.S. Council of Mayors as well as the U.S. Chamber of Commerce, they are supporting it because they understand first how important energy is for the future of this country. If we are going to stay competitive, we have to be able to meet the energy demands that businesses have, that people who are trying to heat their homes and pay their electric bills have, that we have as a country, as the U.S. government, where we are the biggest user of energy in the country and part of our legislation deals with government's use of energy and tries to reduce that.

They understand it is in their interest to try to reduce their energy use. We are having a debate about how focused we are going to be on fossil fuels, whether we are going to put more support in for alternative sources of energy. But energy efficiency benefits everybody, regardless of whether one supports fossil fuels or new sources of energy. That is why this legislation makes so much sense.

We have heard just in the last couple weeks from the American Council for an Energy-Efficient Economy that if we can pass this legislation, by 2025 it will support the creation of 136,000 jobs. How many pieces of legislation have we seen on the floor of the Senate that for the costs we are talking about in this bill—no new authorization—that we can support the creation of 136,000 jobs?

Last year when they looked at the bill, they said it would also be the equivalent of taking 5 million cars off the road, saving consumers $4 billion. This is a win-win-win. At a time when we know our future energy opportunities are limited, to some extent, by what is happening in the Middle East, what is happening with foreign oil, this is something that makes sense. For us to be held up because there are people in the Chamber who want to debate health care or who want to debate what the EPA is doing or who want to debate any other myriad of issues—I understand. I am willing to have those debates. I am willing to take those votes. But right now we should be limiting our debate to energy because that is the legislation on the floor before us.

I urge that we try to address the concerns that people have but we do it in a way that will allow us to move forward on this Energy bill. I think it is in the best interests of the country. As Senator WYDEN said so eloquently: People in this country want us to work together. They want us to work together to address the issues we are facing in America. Senator PORTMAN and I have tried to do that. We have spent 3 years trying to do that. We want to move forward. We want to work together to address this issue. I certainly want to have the debate with my colleague from Louisiana about health care. But I don't want to have it right now because we cannot move forward on this legislation as long as that, his amendment, is holding this up.

I hope we can work out some way to do that in a way that we can both find

agreeable and that allows us a path forward to address energy because, clearly, we have to come up with a comprehensive energy strategy for this country. I think energy efficiency is the first step, and that is what this legislation would do.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I appreciate not only the words but the work of my colleague from New Hampshire, and I specifically suggest, re-urge, and again call attention to my second suggestion, in the form of a UC which was to withdraw my amendment from this bill as long as a fair vote were assured before October 1.

The reason this is so time sensitive, and the only reason I am camped out here on the floor in this way, is because this illegal OPM rule happens October 1. This is happening right now. It was announced a little over a month ago. We were not here during the intervening time. We were in the August recess. This is happening, so I don't particularly want to debate this next year. We need a vote next week because of that timetable, which is not of my making.

I appreciate the sentiment of the Senator from New Hampshire. I look forward to working with the Senator in that way.

Mrs. SHAHEEN. Mr. President, would my colleague yield for a question?

Mr. VITTER. Mr. President, I will yield for a question.

Mrs. SHAHEEN. Mr. President, I appreciate the consent agreements are usually worked out by the leadership of both the majority and the minority. I know Senator VITTER understands that too. Would the Senator from Louisiana be willing to withdraw his objection to moving forward to amendments on the bill if he and I went—in good faith—to the majority and minority leaders to see if we can get some agreement on when we can address Senator VITTER's issue?

Mr. VITTER. I would not agree to that because that discussion—in good faith—has been going on for a long time, and it is not yielding anything. I hope it does. But simply put, I cannot take the pressure off that discussion to yield something because that discussion has been going on for a long time. I am happy to continue that discussion, but moving forward with the bill, quite frankly, lets all the pressure out and assures defeat and lack of progress.

Mrs. SHAHEEN. Would the Senator from Louisiana not agree there are other bills that will be coming to the Senate in the next couple of weeks, and so if we cannot come to an agreement, there will be another opportunity before the deadline when the Senator could also have this debate he is looking for?

Mr. VITTER. Well, again, answering the question through the Chair, I would observe the time between now and October 1 is pretty darn short, and what may be coming to the floor is pretty limited. It may be a CR, and the amendment opportunities on that are very uncertain. I know there are nominations that are moving forward with obviously no amendment opportunities.

No. 1, I don't know what other bills there may be to even try to get an amendment on; but, No. 2, even if I knew of those targets, I would not be assured of a vote. I would just be put off some more.

Again, I am open to any solution that guarantees a vote, not for me but for the American people, on this important issue before October 1. Again, that timeline was not of my making. It was due to the issuance of what I think is a clearly illegal rule to benefit Washington, contrary to the statutory language of ObamaCare.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I have been watching with admiration the work done by my colleagues from New Hampshire and Ohio, Senators SHAHEEN and PORTMAN, and I would suggest in all respect to colleagues who may have extraneous amendments that this measure is so important and vital to the future of our country. It is important not only in the policies it achieves but also the trust it will inspire. If we are able to come together and work on a bipartisan basis and get this job done, it can set a template for changing the mindset within this building and across the country as to how Congress can function.

We have an opportunity here. Let's seize it. Let's avoid the kind of quagmire, gridlock, and paralysis that has been so damaging to the trust and confidence in our public institutions.

Senators SHAHEEN and PORTMAN deserve a tremendous amount of credit for getting this bill to where it is right now. They never gave up, and I am proud they have come this far. Let us enable this Congress to go the rest of the way.

This legislation is more than the sum of its parts. It is about saving money—clearly saving $13.7 billion per year—and it is about saving energy and creating jobs. It will create 164,000 jobs by 2030, so it is also a great return on investment. It is also about creating trust and confidence in our ability to protect our national security from excess use of energy that makes us more dependent on nations that have no particular affection for us, and indeed, wish us more harm than good.

This legislation authorizes $10 million in grants for institutions of higher learning, trade schools, and community colleges to provide workforce training and skill creation to engineers and builders who need to develop and install the latest, most cutting-edge technologies. It provides limited but very helpful rebates of up to $20 million over the next 2 years for manufacturers who upgrade their electric motors and transformers.

It directs the Department of Energy to focus its ongoing research and development offices on alternative energy sources for our heating and power. These measures, along with energy efficiency required in our Federal buildings and facilities, are meaningful and real. They may not be the biggest steps but they are important steps that take us in the right direction toward saving energy, money, and ultimately saving our planet. We know climate change—more properly known as climate and planet disruption—are facing us if we fail to act as this measure would have us do.

I have an amendment to the bill that will provide for very straightforward, noncontroversial steps in this same direction. It is amendment No. 1878, and it would require the U.S. Department of Energy to study the nonmonetary benefits to our communities of energy-saving products and complying with energy codes for buildings.

For example, buildings account for almost 40 percent of the world's greenhouse gas emissions, according to the World Business Council for Sustainable Development. We all see the difference energy efficiency makes in our pocketbooks and wallets. This amendment will help quantify these same improvements so far as a cleaner environment, and energy saving contributes in nonmonetary ways to our quality of life. It makes us more efficient in the workplace because the quality of life in the workplace is improved and better conditions make people more productive.

There are other amendments, such as the fine work done by my colleague Senator BENNET of Colorado to get a better understanding of the financial—that is the monetary savings that commercial energy-efficient buildings generate for both owners and tenants. My amendment looks to the nonmonetary benefits and seeks to quantify them and build a case for energy efficiency there and throughout our society insofar as we work better and enjoy life more from savings this bill may achieve in money and energy.

As chair of the Senate Judiciary Subcommittee on Oversight of Federal and Agency Actions, I have seen how Federal agencies are able, through the rulemaking process, to take into account the nonmonetary factors during their cost-benefit analysis. Consumers and manufacturers should also have a better understanding of the nonmonetary factors that are addressed through energy efficiency, such as improved building codes that benefit occupants and the general population as well as greater office productivity.

There are three areas of manufacturing in Connecticut that are thriving because of energy efficiency. United Technologies makes building systems, elevators, and heating and air conditioning units and systems that are focused on the most innovative and sustainable technology. We all use their energy-efficient Otis elevators every day to come to the Senate floor, to

bring constituents to the Capitol Visitor Center.

At Legrand in West Hartford, CT, visitors can see firsthand the jobs this legislation supports. Legrand employs about 500 people. They make the electrical and digital insides of buildings across commercial, industrial, and residential markets. They have a demonstration visitors can walk through and see how energy-efficient products work and how they save energy, money, and also improve quality of life.

This past May Legrand was recognized by the U.S. Department of Energy for its continuing efforts in making energy efficiency a top priority through that company's involvement in the Better Buildings, Better Plants Challenge.

Connecticut is also leading the world in making energy-efficient fuel cells and hydrogen energy systems, which is a third area of great importance in energy savings. Fuel cells are of great importance to everything from our neighborhood schools to military bases to many other areas where inexpensive energy storage and power, as well as increased reliability, result from grid independence. These lessons are tangible, real, and dramatic. They are lessons in energy efficiency.

In fact, after Superstorm Sandy, we know something about the need for reliable backup power in Connecticut. Fuel cells are our future, and we should be recognizing that energy efficiency is our future as well. It is an investment that helps everyone in all communities.

I have long supported making energy efficiency more supportable, affordable, and reliable by improving the existing and new technologies. Since arriving in the Senate, I have fought for continued adequate funding for weatherization assistance programs.

A comprehensive energy strategy is what the Nation needs. This measure is a step in that direction. We cannot live successfully and we cannot thrive as a Nation in the 21st century without an energy policy and without moving forward on measures such as this one that enable us to be more energy efficient.

This legislation is an important approach and part of a comprehensive policy our Nation needs to address climate disruption, national security threats, fiscal austerity, and all of the challenges of quality of life that are so imminent and direct to our Nation.

I thank the Presiding Officer, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I appreciate the work of my colleague from Connecticut. I will add his amendment numbered 1878 to my proposed UC. I absolutely support it being fully debated and having a vote. I have absolutely no problem with that.

Alternatively, I have no problem withdrawing my amendment from this bill and getting a vote subsequent to this bill before October 1, and certainly the Blumenthal amendment numbered 1878 should get a vote. I fully support that.

Finally, I absolutely agree with the need to build the confidence of the American people. Let me suggest that I don't think the way to build the confidence of the American people is by passing some energy efficiency act, which I expect to support but they have never heard of, and sweeping under the rug and thereby protecting this special deal and special Washington exemption from ObamaCare.

I think step one of rebuilding the confidence of the American people is to say and to live by the motto that everything we pass and apply to America has to apply in the same way to us. That is exactly what this illegal OPM rule goes against and disrupts.

There is a statutory provision in ObamaCare that specifically says all Members of Congress and all congressional staff have to go to the exchange. This OPM rule completely and effectively reverses that. It takes all the sting out of that. It is contrary to the law and, therefore, illegal. I think letting that stand, ignoring it, or sweeping it under the rug is no way to build the confidence of the American people.

I want to do both things. I want to address that and I want to debate and vote on this bill and all of these amendments, certainly including the Blumenthal amendment No. 1878 which I will certainly add to my proposed UC.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to thank my colleague and friend from Louisiana for his support of my amendment and say that I respect and appreciate the passion and zeal he has brought to this debate on behalf of his beliefs. We can disagree on the policies and the merits of those beliefs, and I would respectfully add my voice to the voices of other colleagues who have suggested there may be other ways to raise this issue and to indeed have a vote. As my colleague from New Hampshire articulated so well, I would in no way shirk from votes on the issues the Senator from Louisiana has raised. I am ready to debate and confront those issues and deal with the merits. I would simply suggest there may be better ways to raise this issue than, in effect, to block consideration of a bill that is so important to the American people, so widely supported among so many different groups, and has amassed and mobilized such a strong bipartisan coalition.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I will respond through the Chair that I appreciate those remarks and the genuine sentiment behind those remarks. I welcome and will accept any reasonable path forward that assures a vote before October 1, which is the deadline established by OPM's illegal rule. I will agree to any path forward that assures a vote before October 1, absolutely. I look forward to that.

Finally, I am not blocking anything. I am proposing votes. I am proposing making amendments and, alternatively, I am proposing withdrawing my amendment from this bill as long as we can vote before October 1.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague from Louisiana for his comments.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. FRANKEN. 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. FRANKEN. Madam President, I rise today to talk about energy efficiency and my amendment to Senators JEANNE SHAHEEN's and ROB PORTMAN's Energy Savings and Industrial Competitiveness Act. I am very pleased we are acting on this legislation today, and I am very appreciative of the work the Energy and Natural Resources Committee Chairman RON WYDEN and Ranking Member LISA MURKOWSKI have done to get us to this point.

This a very important piece of legislation. In the United States, our energy consumption is about one-fifth of the world's total energy consumption. Yet when you consider we have less than one-twentieth of the world's population, that says we have a role to play here and especially when a tremendous amount of that energy is simply lost through inefficient buildings, appliances, industrial processes, and automobiles. Those losses have been estimated to cost U.S. businesses and households $130 billion a year.

By making investments in energy efficiency, we can help consumers lower energy costs, and we can reduce pollution, boost the manufacturing sector, and create jobs. That is a win-win-win-win.

That is what this legislation is all about. I am proud that the first hearing I held as chairman of the Energy Subcommittee on the Energy and Natural Resources Committee was on amendments to Senator SHAHEEN's and Senator PORTMAN's bill. We considered a number of amendments that would bolster the bill's efforts to make our economy more energy efficient. Now we have the opportunity to consider some of those amendments we addressed in my subcommittee on the floor of the Senate. I would like to call up and briefly talk about an amendment I filed to this bill.

Madam President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1855.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Madam President, reserving the right to object, I would like to propose an alternative unanimous consent request that would certainly allow that amendment to be made pending.

I ask unanimous consent that the pending amendment be set aside and the following amendments be made pending: Franken No. 1855, Blumenthal No. 1878, Bennet No. 1847, Enzi No. 1863, Udall No. 1845, Sessions No. 1879, Inhofe No. 1851, Klobuchar No. 1856, and Vitter No. 1866; and that on Tuesday, September 17, at a time to be determined jointly by the majority and minority leaders, my amendment Vitter No. 1866 and a side-by-side amendment on the same subject by the majority leader be made pending and receive 60 minutes of debate, evenly divided and controlled by the majority bill manager and myself; that no points of order be in order in relation to these two amendments; that upon expiration of the time for debate, without any intervening motions or debate, the Senate then proceed to votes on these two amendments subject to a 60-vote threshold for adoption, and that subsequent to each amendment vote, a motion to reconsider each vote be made and laid upon the table.

The PRESIDING OFFICER. Is there objection to the request from the Senator from Louisiana?

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the request from the Senator from Minnesota?

Mr. VITTER. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Minnesota has the floor.

Mr. FRANKEN. Madam President, I am disappointed my colleague is objecting to us moving forward with this energy bill for reasons I believe are entirely unrelated to this bipartisan piece of legislation, for an amendment that is not germane, and I hope we can work this out. But in the meantime, I would like to explain what my amendment does on energy efficiency, which is what this bipartisan bill is about.

My amendment is simply designed to help get information on the energy use in buildings. That way building owners and private sector companies can identify energy savings. Unless we know how well buildings are performing, we cannot be sure what types of energy efficiency technologies will be the most effective. And that is exactly what my amendment addresses.

The main thing my amendment does is to require that building spaces that are leased by the Federal Government measure and report their energy use. The Federal Government is the Nation's largest consumer of energy. Taxpayers are paying for all of that energy. We owe it to them, to our taxpayers, to make sure our buildings save as much energy as possible.

The Energy Savings and Independence Act of 2007 created energy efficiency requirements for Federal buildings and for federally leased spaces. However, over half of those leased spaces are exempt from these energy efficiency requirements. My amendment makes the Federal Government's energy usage accountable to taxpayers by requiring disclosure of energy use in all federally leased spaces, where such disclosures would be practical and appropriate.

This amendment will also have a small grant program so that utilities and their partners that want to measure and disclose energy use in their buildings are able to do so. The grant program is voluntary and is fully offset.

My amendment would be a significant step in making our commercial buildings more energy efficient. I had a call with a member of the Real Estate Roundtable. Benchmarking is what this is called. On that call, he was saying: Well, not only will this save the Federal Government money, save taxpayers money, but it will, through the whole commercial building sector, create more energy efficiency and save dollars. Again, it will make the Federal Government more accountable to taxpayers.

By accessing information on the energy use of buildings, private sector investors and energy service contract companies can identify and deploy more effective energy efficiency retrofit improvements. Retrofits are a win-win-win, and it is low-hanging fruit. When you do a retrofit, you are putting people to work doing the retrofit, you are improving the value of the property, you are using products that are made by manufacturers in the United States, so you are creating jobs there, you are also reducing the amount of energy use, so saving money. Retrofits pay for themselves. It lowers our carbon footprint and, again, it saves money. So it is a win-win-win. Let's do that.

I again commend Senators SHAHEEN and PORTMAN on their legislation. I look forward to the adoption of this commonsense amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I strongly support the Franken amendment. This concept known as benchmarking—and that is what the Senator's amendment is all about—is something of a term of art in the energy field. But I think it is important for people to know that benchmarking is essentially about information. It is about making markets work better. Benchmarking is a process that allows building owners to assess and disclose the energy use of their buildings so they can compare it to similar buildings.

The information provides an incentive for owners to improve building efficiency. And, obviously, better information on energy use is itself an incentive to improve efficiency.

All this amendment does is expand benchmarking. In effect, it approaches the issue of building efficiency and says: One of the most practical commonsense steps we can take is to expand access to good information.

So I am very appreciative that the Senator from Minnesota has offered this amendment. It is very much consistent with what is known as the ENERGY STAR Program, which also encourages building owners to share this kind of information.

So I hope Senators will support it. I am sure that not every Senator has heard the word ''benchmarking'' before because that is something of a term of art in the energy policy field, but to put it in something resembling English, this is about sharing information, it is about making markets work better. There are no mandates or requirements here in terms of the private sector.

I am very hopeful that, again, as part of the effort to keep this bill focused on energy efficiency, we can get the Franken amendment before the entire Senate. I support it and I support it strongly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I thank my colleague from Minnesota for coming down to the floor and talking about his amendment, even though he cannot officially offer it, because I think it is an important amendment. I think it improves the legislation. I appreciate the fact that he took time to figure out how to offset it because some of the original drafts of the amendment had some authorization without offsets. So this is a deficit-neutral amendment, as I understand it. I have looked at the offsets, and they look as if they are offsets that are consistent with the underlying bill to make sure we are not adding any burden to the deficit here.

But it does make sense. This benchmarking is important. It enables people to see what others are doing, comparing performance to similar buildings. It is invaluable when evaluating the need for upgrades, and particularly in the Federal sector, where we do not have necessarily that same profit motive to be able to be incentivized to look at those comparable energy efficiency performances.

So I like this amendment because it has a sensible approach on benchmarking. It has no mandates on the private sector. It does expand benchmarking from federally owned facilities to federally leased facilities, which is important because we have a number of those around the country. And it also does something I think positive in terms of requiring DOE to study the whole methodology behind benchmarking, which will help not only the Federal sector but the private

sector. It requires that these methodologies be studied so that cities and States can implement better practices and best practices.

So I think this amendment is an example of the four other amendments I see here we have already had good discussion on in the last day which deal with aspects of energy efficiency that improve the legislation. Again, I thank my colleague from Minnesota for bringing it forward, as have others—Senator INHOFE, Senator CARPER, Senator HOEVEN, Senator BENNET, Senator AYOTTE, Senator COLLINS, and others, over the last 24 hours.

I look forward to getting the amendment actually called up so we can move forward. I would urge my colleagues on both sides of the aisle to find a unanimous consent agreement so we can move forward. It seems to me we are pretty close to that. Having followed the proceedings this morning, it seems as though every time we get close, there is another concern that gets raised. I think we need to figure out how to resolve the health care issue in a way that does permit this Chamber to have its voice heard but then get back to this underlying legislation and to these amendments.

This is something we have worked on now for 2½ years. It is something that I think is the result of the kind of bipartisan effort we ought to be doing around here, helping to find common ground to actually move the country forward on things that actually help create jobs, help our economy, and make us more competitive as a country but also have an environmental and energy benefit.

I yield the floor and again thank the Members who are willing to come down to the floor and talk about some of these amendments, even though we cannot officially offer them at this point.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I also wish to thank my colleague from Minnesota for his work and for this amendment. I wish to underscore I am not blocking his amendment. In fact, I presented a unanimous consent that makes his amendment pending, assures a debate, and would assure a vote. I am completely open to that with regard to that Senator's amendment and all the other amendments we are talking about.

Alternatively, if it is preferable, earlier—I know the Senator from Minnesota was not on the floor, so I do not expect him to know this, but I wanted to underscore, earlier I presented an alternative unanimous consent request to withdraw my amendment from this bill and be assured of a vote outside of this bill on the Senate floor before October 1.

Of course, that October 1 deadline is real and is important, not created by me, created by this illegal proposed OPM rule. So that is an alternative path forward that would take my amendment and my proposal completely outside of this bill. I also offered that unanimous consent agreement. I would re-urge it. I too hope we are making progress toward that sort of fair resolution.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I would like to speak to an amendment that has been filed by my colleague from North Dakota, Senator HOEVEN. I expect he will be here momentarily to speak specifically to his amendment, but it has to do with the Keystone Pipeline. This is an appropriate opportunity to talk about the energy needs our country has and the way in which those are being addressed.

We believe there is a great opportunity for our country to benefit in so many ways from the building of the Keystone Pipeline. Obviously, Senator HOEVEN's state is benefiting enormously from the oil and gas find they have in North Dakota. There are lots of abundant energy resources. As typically is the case, you have to have a way to get those to the ultimate marketplace.

The most efficient way to do that is through a pipeline. The Keystone Pipeline, which has been proposed now for several years, is a way in which we can move about 830,000 barrels of oil every single day according to the Department of Energy. Not only would this pipeline transport Canadian crude to U.S. markets, but it would also benefit oil production from the Bakken formation in the Upper Great Plains.

Just to put that figure into perspective, 830,000 barrels represent about half the amount that the United States imports from the Middle East each and every day. According to the Department of Energy, much of the needed oil of the United States shipped through this pipeline will be refined at the Gulf Coast refineries and would likely offset heavy crude imports from Venezuela.

Keystone XL Pipeline is a $5.3 billion investment. According to the Obama State Department, the pipeline would support 42,000 jobs across the country; that is, over a 1- to 2-year construction period, approximately 3,900 would be directly employed in construction activities. These jobs would translate into approximately $2 billion in wages and earnings.

Keystone XL would also generate much needed tax revenue in several States, including an estimated $5 billion in additional property taxes throughout the operational life of the pipeline. The Keystone XL Pipeline has been under review now for 1,819 days. September 19 will mark the 5-year anniversary of the initial application for the pipeline's Presidential permit. Four environmental reviews have already concluded that the pipeline would not have a significant impact on the environment.

As President Obama continues to delay, Canada's oil supply is growing by the day and is expected to double by the year 2025. Canadian oil producers are quickly building pipelines to Canada's east and west coast to ship their oil to foreign markets. Meanwhile, reports indicate we may not get a decision out of the administration until the year 2014. By delaying approval of the pipeline, President Obama is providing China and other nations with an opportunity to outcompete the United States and gain access to Canada's growing oil supply.

Senator HOEVEN's resolution declares that the construction of the Keystone XL Pipeline is in our national interest. That is what the State Department will have to conclude at the end of this current environmental impact statement process, which is supposed to be wrapped up in the coming weeks. At that point, Secretary Kerry, the Secretary of State, has 90 days to determine if the pipeline is in our national interest.

I would state again: this pipeline is going to create jobs, it is going to boost investment, it is going to reduce our dependence on Venezuelan oil, and it will strengthen our relationship with our largest trading partner. Keystone XL Pipeline is clearly in our national interest. I would hope the Senate would go on record to that effect. If we think about the impact it can have on our economy, on jobs, the impact it can have on reducing that dangerous dependence we have on foreign sources of energy, this makes all the sense in the world.

I would reiterate what I said earlier; that is, this has been studied, this has been scrutinized, this has been reviewed now for 5 years. 1,819 days have elapsed since this permit was first applied for; five years have lapsed and four environmental reviews have been done. There is now currently yet another environmental impact study under way, which is supposed to be concluded soon, at the conclusion of which there will be a 90-day period in which the Secretary of State has to make a determination about whether the Keystone Pipeline is in our national interest.

What this amendment, offered by my colleague from North Dakota, Senator HOEVEN, would do is simply put the Senate on the record as saying the Keystone Pipeline is, in fact, in our national interest. I believe that is a statement the Senate ought to make. We ought to weigh in on this subject. It is clear from all of the economic impact, clear from the environmental impact, clear from the need that we have to get away from the dependence we have on foreign sources of energy that this is a win-win for Americans, win-win for American consumers, win-win for American workers who need those jobs, and a win-win for the American economy in not having to get so much of our oil and our energy supply from outside the United States.

I would hope my colleagues and I get the chance, as we continue the debate on this bill, to discuss this amendment

but also to ultimately vote on it and to declare once and for all, through the Senate, that this is, in fact, in the national interest. I see my colleague from North Dakota who is the author of this amendment is here. I credit him for bringing this amendment to the floor and giving us an opportunity to discuss what I think is a very important issue, not only to his State and my State and to many others that would be impacted directly by this, but to the entire economy and our country.

I would yield to the Senator from North Dakota who is the author of the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the esteemed Senator from South Dakota for being here and for his comments on this very important issue and also for being a cosponsor of this amendment, both now and in previous amendments that I have submitted in support of the Keystone XL Pipeline project.

I believe some of the other sponsors of this amendment will be joining us. I will ask that they are able to say a few words as well as they appear. I wish to thank the Senator from South Dakota for his leadership on this issue. The pipeline will actually go through part of South Dakota, I should mention.

It was not too long ago I was back home in North Dakota, and down in the southwest corner of our State there are hundreds of miles of pipeline stacked, just waiting to be used, to be put in the ground.

A lot of that pipeline will go through the State of South Dakota, through the western part of your State. Of course, this is all about building vital infrastructure for our Nation. What it is truly about is getting our Nation to energy independence, working with Canada to have North American energy independence, so we no longer depend on oil from the Middle East. That is something all Americans very much want.

As the Senator from South Dakota said, this is a joint resolution, a concurrent resolution of the Senate, and then of course it would go to the House. So it would be putting both the Senate and the House on record together stating specifically and clearly that the Keystone XL Pipeline is in the national interest. It is in the national interest.

Why is that important? Because, quite simply, that is the decision our President needs to make. He has been reviewing this project for 5 years. TransCanada submitted an application to build this pipeline in September of 2008. Now it is September of 2013. For 5 years this has been under review and under study.

So what is the decision for the President of the United States? The decision for the President of the United States is he needs to determine is this pipeline in the national interest? Why is that important? Because it crosses an international boundary. The pipeline starts in Hardisty, which is in Alberta, Canada, and it travels down to the Canadian border and then across our country to our refineries, to a variety of refineries across the country.

It will provide 830,000 barrels of oil a day. But that is not just Canadian oil, that is also oil from the great State of North Dakota and Montana, more than 100,000 barrels a day of the lightest, sweetest crude oil produced anywhere in the country, really in the world. It takes it to our refineries so our consumers can use that refined fuel from Canada and from the United States rather than what? Rather than oil from the Middle East.

How fitting is it that we are here today where we are talking about the Middle East and Syria and today now talking about an energy efficiency bill. I will submit to you, it is a lot more efficient to move oil in a pipeline than it is by trains and trucks. So it is certainly appropriate that this amendment be part of the energy efficiency bill.

Americans do not want to get their oil from the Middle East anymore. That is a no-brainer. They do not want to get oil from the Middle East. They want it produced here. They want to work with our closest friend and neighbor, Canada. That is what this project is all about. So we figure if Congress can go on the record together, the Senate and the House together, just go on the record stating clearly, simply, and straightforwardly, after more than 5 years of study, exhaustive environmental impact statements, we are stating this pipeline is in the national interest.

It is in the national interest because we want the jobs. It is in the national interest because we want the energy. It is in the national interest because it will create tremendous economic activity, tax revenue without raising taxes for our country, for the States. It is in the national interest because of our national security.

We do not want to have to go to Venezuela or to the Middle East for our oil. We can produce it here and we can work with Canada to produce that oil. So by clearly stating in a joint resolution, in a concurrent resolution from the Senate and the House, this is in the national interest, we believe we can get the President to say, after 5 years of study, after environmental impact statement after environmental impact statement that shows no significant environmental impact, that he will make a decision.

The decision is to approve the project.

Mr. THUNE. Will the Senator from North Dakota yield for a question?

Mr. HOEVEN. I yield to my distinguished colleague from South Dakota.

Mr. THUNE. I would ask the Senator from North Dakota, who has been a great leader on all of these energy issues as we debate energy policy in the Senate, to confirm this but my understanding is that, according to President Obama's State Department, the pipeline will support 42,000 jobs across the country.

There have been some discussions and debate but the President, not too long ago, made a comment in front of an editorial board in one of the country's major newspapers that this is only going to create a couple of thousand jobs and that this was a very minimalist thing.

We have an unemployment rate that continues to hover in the 7.5-percent range and we have the lowest labor participation rate in our country today that we have had literally in 35 years, going back to the Carter administration. The real unemployment rate in other words those who are not only unemployed but those who would like to be working full time or those being forced to work part time or those who have quit looking, is actually much higher. About 14 percent—22 million Americans—fall into that category. We should be interested in anything that would create shovel-ready jobs.

We have heard from this administration, particularly when we were debating the stimulus, that we need shovel-ready jobs. We need jobs that can get people back to work immediately. This perfectly fits that description.

I would ask the Senator from North Dakota if it is his understanding, as well, that it is actually thousands of jobs that would be created as a result of building a pipeline. Wouldn't that be something we would add to the argument? There are many arguments, but this certainly is one, when we are talking about a sluggish economy where growth continues to hover in that 1- to 2-percent range, to get the economy growing and expanding again.

This is not only to get the immediate construction jobs but, when we are producing energy in this country and lowering the cost of energy because we are actually having more of it produced here as opposed to importing it from somewhere else around the world, it gives us a competitive advantage. It is good for economic growth and good for job creation.

Would the Senator from North Dakota speak to the issue of jobs and what his understanding is in terms of jobs that would be created if, in fact, we did move forward with the pipeline?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Absolutely. This is a project, a $7.9 billion construction project. The administration's State Department has been working with a variety of agencies and has developed a number of environmental impact statements. In their own analysis, they indicate more than 40,000 jobs. We are talking of a project that costs billions to build and will create more than 40,000 jobs by their own admission. In the construction process alone, it will generate hundreds of millions in tax revenue at the local, State, and Federal level. It has a huge economic impact at

a time when we need to get people working and when we need to get our economy growing.

At this time, I wish to acknowledge this is very much a bipartisan approach. Look, to get anything done, we have to be bipartisan. When we show a concurrent resolution from the Senate and the House, both Houses of Congress together, with Republicans and Democrats coming together and saying this is in the national interest, that is a powerful statement. It is one I certainly hope the President will acknowledge and make the same decision that this project truly is in the national interest.

On that note, I see Senator MARY LANDRIEU, my esteemed colleague from Louisiana, who is also a prime sponsor of this resolution. Also, I see Senator BEGICH from the great State of Alaska and Senator HEITKAMP from my State of North Dakota. They are here as well. I wish to acknowledge them and acknowledge their cosponsorship of this legislation.

I will read the sponsors we have onboard already. There will be more. Then I will turn to the esteemed Senator from Louisiana, who was so instrumental in crafting this resolution.

I wish to mention all of our sponsors in addition to the Senator from Louisiana, Ms. LANDRIEU, Senator THUNE of South Dakota, Senator MCCONNELL of Kentucky, Senator JOHN BARRASSO of Wyoming, Senator BEGICH of Alaska, Senator CORNYN of Texas, Senator BLUNT of Missouri, Senator RISCH of Idaho, Senator MARK PRYOR of Arkansas, and there will be others.

I mention these Senators both to thank them and to make the point this is very much a bipartisan effort because we are serious about getting something done. This is not about making a statement. This is about getting something done in a bipartisan way from the people's representatives across this great Nation.

I yield to Senator LANDRIEU, the coauthor of this resolution, and thank her for all of her great work on this project.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I am proud to join a fairly large group of colleagues, both Republicans and Democrats, to talk about the importance of energy for our country, domestic energy and all facets of it, particularly the Keystone Pipeline. It will transport oil primarily—potentially gas as well but oil right now—from an important part of the country to the refineries that can refine it so our people can use it here and, as appropriate, export it as appropriate around the world.

Canada is a very strong ally of ours. We have reduced our imports of oil because of the fallout of demand and the increased production domestically, but we can do more.

Before I get into my brief remarks, I see Senator SHAHEEN and Senator PORTMAN on the floor. I wish to commend them for bringing an energy bill to the floor, a conservation energy bill to the floor, that will not only make America more secure, but it has the potential to create literally millions of jobs in our country, the kinds of jobs we want that rely on cutting-edge science, technology, and manufacturing here at home. It is hard to get a bill out of any committee with bipartisan support.

The chairman, Senator WYDEN, has done a fabulous job, in my view, navigating between many very tough currents to get this bill to the floor. It is disheartening that some people would come to the floor this morning to talk about health care or to talk about nonrelated issues to energy, when this government needs to be focused on creating jobs, supporting the middle class, and growing the middle class.

I am proud to be here talking about what most Americans want us to talk about, which is creating jobs at home, ending this recession, expanding our economy, and investing in good old American know-how about how to get things done.

I am pleased to spend my time talking about things that are positive; that is, the Keystone Pipeline. I am proud to be the lead cosponsor on the Democratic side with Senator HOEVEN, and we are about to be joined by the Senator from Alaska and Senator HEITKAMP.

I again urge support of our resolution, which we believe will have more than 60 votes. It will urge the President and push us to a place where we can approve the Keystone Pipeline as an important infrastructure component to our efforts to greatly expand production.

There is horizontal drilling that is going on, and there is fracking that can be done very safely with a minimum environmental blueprint. There are some opportunities, as the chairman knows, to export gas. We are a big gas producer and consumer. I understand the balance that is necessary.

We most certainly don't want to export 100 percent of our production, but we do need to export enough to send a signal to the marketplace that if you risk your money to find it, you will have a market for it. These are the fundamentals of any kind of market. Whether it is the cotton market, the gas market or the oil market, they all operate the same.

We are excited about what is happening in America. From our view in Louisiana, this is one of the most exciting times we have had in decades because there is so much interest in more domestic production. So many more jobs are being created.

In Senator HEITKAMP's State, I think they have run out of workers. I am not even sure we can build their roads fast enough to help us get this production underway.

It is revitalizing the manufacturing base of America. All of my industries are excited. I am going to finally say this because there are others who wish to talk.

Just between Lafayette, LA, and Lake Charles, two medium-sized cities in south Louisiana, just the southern part of our State, there is currently $60 billion of investments being made today because of this extraordinary new domestic production.

The Keystone is part of this. I know there are some environmental concerns. I think they are unfounded. I think they have been disputed by any number of groups. What I am here to say is this is about American jobs. This is about building our infrastructure in America for more domestic production.

Let's get over this hump and let's get together, focus on that which matters to the American people and not undermine this bill. I am going to end with this—not undermine this bill. This is an important component to do what we can to get this Keystone Pipeline moving in a cooperative spirit, which is not often found on the floor.

I wish to ask the Senator from Alaska what he heard in Alaska, because I have heard nothing but green light for the Keystone when I was home in Louisiana.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. I thank the Chair.

We find ourselves always on the floor on oil and gas issues, but our group has grown. We have Senator HEITKAMP of North Dakota. We appreciate that she is here on these issues. It is always interesting on Keystone and hearing my colleagues on the other side.

It is one of the issues where Democrats and Republicans are focused on what is right for America, creating jobs and opportunities, not just having partisan fights. We are focused on what is important.

When you think about energy at all, this is what I hear a lot back home.

First, get us off of energy from countries that don't like us. That is the first priority. We do a lot of business with countries that do not like us because we don't have our own production or have the capacity to tap into production.

Second, of course, Alaska is a huge producer of oil. I know my friends from North Dakota will tell me they outrank us today.

I will remind them when the OCS opens, the Outer Continental Shelf, we will have a few 26-plus billion barrels of oil which we have already started moving into production in the sense of exploration. We hope next year they get back into the OCS. We feel very confident about that.

Alaska, similar to Louisiana, North Dakota, Montana, and others, is abundant with this resource which will get us off foreign oil. This is what I hear over and over. What a better deal than to work with our Canadian partners from whom we import enormous amounts of oil.

Why not work on a pipeline with a country that is unbelievably always

there for us. We know a little bit about pipelines in Alaska. We built a pretty large one going through some tough terrain and very environmentally sensitive areas. It has been operating successfully for decades, and that was under the old rules of construction.

Today, with the new engineering technology, there is an unbelievable potential to bring that resource to our refineries. The choice isn't they are not going to do it. I think this is a false argument you hear out there. People say: If we just stop this pipeline, they will not produce it.

No. Canada is a sovereign country. They have a resource they intend to utilize. They will ship this resource to us to refine or China. I don't know about you, but there is a clear difference in environmental standards between China and the United States. By the way, those jobs aren't our jobs in China. These jobs were produced by a project, the pipeline alone. I know there are people who discount it—well, it is only a temporary project, it only has so many jobs.

First off, they have a labor agreement. It is unbelievable when you think about it, laborers, Teamsters, IBEW, plumbers, pipefitters who will be trained and employed. For North Dakota and Montana, a resource of oil being developed there, this creates access. This is access for their product, U.S. oil, to be able to be moved through the pipeline, refined down south and in incredibly strict environmental standards. And yes, some might be exported, some might stay in the United States. But at the end of the day, it is about creating American jobs.

From Alaska's perspective, people say: Well, why are you for this, if you want to do your own projects in Alaska? Because it is good for all of us. I want to see Chukchi Sea and Beaufort Sea in Alaska built, and they are on their way. The National Petroleum Reserve will see the first production. I was up there 2 weeks ago with the Secretary of the Interior and saw CD–5, which is a platform being developed, and over the next 2 years that well alone will produce 14,000 to 15,000 barrels a day—just one well. They have plans for two or three more. This is an incredible component, but Keystone is the safest way to move this.

And oh, by the way, we already have oil coming from that tar sand through the Chicago region—about half a million barrels already. Now unless I have missed something, I didn't hear a lot of complaints on that. So this will up the capacity to 1.1, the southern section that is being built. It is about American jobs, an American resource, and it is the right decision.

I am somewhat perplexed by the administration's delay after delay after delay and arguments why somehow something else can't happen. In reality, this project is a good project, a good jobs project, and it has a lot of opportunity not only for us here in the United States, in the sense of the lower 48—where I am standing today in this Chamber—but for Alaskans too. Because the oil industry moves around. We have people working in the North Dakota region from Alaska; we have people down in Louisiana and vice versa. It is a unified system of employment. It is good jobs, good jobs, good jobs. Did I mention that?

This is the United States and Canada, which have been partners for years. Why would we not purchase this oil or work through this and build this pipeline to make sure this oil from this great partner is refined in the United States, rather than focusing on oil from countries that do not like us? It makes no sense to me.

So I thank my friend from Louisiana for asking. I hear it all the time. I know we have been joined by the Senator from North Dakota, and probably the Senator from Louisiana is very excited to have another person here on the floor with us talking about oil and gas issues because sometimes we feel a little lonely, but on this bill, this amendment, there are a lot of us.

I know my friend from North Dakota has a lot to say because I heard it during her campaign. So I will turn to my colleague from North Dakota, if it is okay with the Senator from Louisiana, and ask my friend from North Dakota if she has some additional comments or what she is also hearing.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I would ask at this time to be able to propound a unanimous consent request with respect to Keystone.

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

Mr. WYDEN. Madam President, there has been a bit of confusion with respect to the handling of Keystone because I was under the impression we would be completed at this time with the discussion of Keystone. So I ask unanimous consent that at this time we allow Senator HEITKAMP to speak with respect to her position on Keystone, then Senator PORTMAN would go next. Both of them have indicated they will be brief. I would then ask, for purposes of this part of the discussion, that Senator BOXER and Senator WHITEHOUSE be recognized for their views with respect to Keystone.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WYDEN. I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. I thank the Senator from Oregon for clarification and for this opportunity to very briefly speak on the significance of the Keystone Pipeline.

We have been waiting 5 years. We fought a world war and defeated the Nazis in less time than we have been waiting to have a determination on the Keystone Pipeline. I know there is a lot of discussion here and a lot of concern and, obviously, this has gotten to be a national issue of some magnitude. But when we look at it, overwhelmingly the building of the Keystone Pipeline is supported by the American people.

Why is that? Because it is good for our national security, and I think we heard how good it is for employment and job opportunities, but I want to spend a moment in recognizing that in this time we are in right now, given the events of last week and early this week, the American public is looking for a way to allow us to express our national security interests without worrying about where our oil comes from.

I was fortunate enough during the August recess to go up to the oil sands in Alberta and spend some time with the Premier, spending some time with their environmental community, spending some time with their labor community, and talked about the developments there and talked about the enormous opportunities. When we take a look at Alberta and North Dakota, these are two of the fastest growing economies in the world because of this development. We should not walk away from this delivery system, which is very remote and very much needs this pipeline in order to participate in this great North American energy independence opportunity we have.

As a final note, I want to talk about the relationship we have with Canada and the responsibility we have to our largest trading partner, the responsibility we have to one of our best and longest allies. In North Dakota, we celebrate that border with a peace garden that is on both sides of the border, recognizing this is unheard of in the history of the world. This is not some rogue country that doesn't have environmental standards. They are adopting standards and doing everything they can to deal with what they believe is their responsibility for global climate change, and they shake their head and wonder why it is we are waiting 5 years down here to provide them with an opportunity to work with us to create a North America that is energy independent. So I can't say enough about how frustrating this issue has been, but I think how important it is that we have again a sense of the Senate because we represent the people. We represent the majority opinion in this country which says build the pipeline.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate the comments of my colleague from North Dakota and my other colleague from North Dakota, who has been leading this effort over the past couple of years to get to a point where we can have, as Senator HEITKAMP said, the views of the American people here on the floor.

Although this discussion is on the energy efficiency bill, and this is more of a production issue, I do think it is consistent with the legislation. As we have

talked about from the start, we need an ''all of the above'' energy strategy, and it has to include, in my view, efficiency as one of those key elements, but also producing more. We have talked about the importance of producing more oil and gas in this country to make us less energy dependent on other countries, where we are currently, and unfortunately, dependent on volatile and dangerous parts of the world for our energy, which affects the price at the pump by virtue of the spike in gasoline prices we have seen. It also affects our economy. So I think this goes hand in hand.

As the Senator from North Dakota knows—because I am a cosponsor of the legislation he has proposed before, and I also supported his amendment on the budget resolution—I would also make an argument here on efficiency. One of the things that has been frustrating to me on this Keystone debate is the discussion seems to be that somehow there would be more emissions and less efficiency if we were to allow the pipeline. I think the opposite is true. This is oil which would come, as we know, from the oil sands in Canada, but it also comes from the Bakken in North Dakota and other places. Right now most of that is being trucked or trained, and that is certainly not an efficient way to move oil and gas. In fact, it is a more dangerous way to do it.

It is difficult for me to see how there are efficiency gains by continuing the current policy rather than allowing this pipeline to be built, which will create tens of thousands of jobs, which is why the AFL–CIO Building Trades Council supports it, but also it has efficiency improvements.

Second, if we don't build the pipeline and cannot access the oil from Canada, which helps us to become North American energy independent from an area of the world which is not volatile and dangerous, then that oil will be sold. As the Senator from Alaska said, it is a sovereign country, they will figure out where the market is, and that market, apparently, is China. Our environmental standards in this country are, of course, at a higher level than in China. So in terms of an emissions issue and an environmental issue it would be an advantage to send it to our high-tech refineries on the gulf coast.

Second, how would that oil get there? Not by pipeline, but by rail and by truck and, ultimately, by tanker. Certainly that is not a more efficient way to deliver that product, regardless of whether there were environmental standards at the end of that process. Of course they would not be at the level as they would be in the United States.

So I do think this is an important amendment, and I do think it ties into this overall strategy of having an ''all of the above'' energy strategy. I do think the way the Senator from North Dakota has phrased this amendment it gives us the opportunity to have our views be expressed, but also the House to have its views be expressed, and hopefully would result in the President making an important decision that is in the interest of economic growth, in the interest of good energy policy, as I said earlier, and in the interest, ultimately, of efficiency and fewer emissions, not more emissions.

With that, with the understanding we have a time agreement here, I appreciate the opportunity to talk a little about it. I appreciate the fact the Senator from North Dakota is also on the energy committee with me and also supports our energy efficiency bill, which is the underlying bill, and also offered an amendment yesterday that we talked about and that is a very important improvement in terms of the energy efficiency issue he offered with the Senator from Minnesota, Senator KLOBUCHAR. He has another amendment, I understand, that deals directly with efficiency. So we appreciate working with him on that.

Again, hopefully we can resolve these unrelated issues and move forward with this energy efficiency legislation and have votes on some of these energy issues.

With that, I yield to my colleague from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I want to express some thanks as we close out our colloquy, and I want to begin with the Senator from Oregon, who is the chairman of the energy committee, as well as our ranking member, the Senator from Alaska—Senator WYDEN from Oregon and Senator MURKOWSKI from Alaska. I thank them for working to get energy legislation to the floor and for the way they are working to be inclusive and bipartisan in this effort.

I also thank Senator SHAHEEN from the great State of New Hampshire and Senator PORTMAN from the great State of Ohio for their bipartisanship in this energy efficiency bill, which truly creates efficiencies and is a natural piece of legislation for us to add this amendment to, as Senator PORTMAN described.

Again, recognizing the time constraints, I want to finish by thanking the Senator from Louisiana, Ms. LANDRIEU, for her coauthorship of this legislation, and for all of the Senators who have joined with us in this bipartisan interest on the Keystone XL Pipeline, which we truly believe is in the national interest.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I rise to talk about why approval of the Keystone XL Pipeline is not in the national interest and why it places our Nation's families at risk.

There is a reason why it is taking a long time to get this approved. It is because it is very controversial and there are some irrefutable facts that I think need to be laid on the table about this pipeline.

I also want to say how discouraging it is to me to see a Senator come here and offer an unrelated amendment that has to be seen, in my mind, as an attack on working people who happen to work for their country and try and derail this bill. It is wrong. And let's be clear: If a Senator doesn't want to have health care here, they should take themselves out of it. If they don't think their staff deserves to have a health care benefit as an employer, tell them they do not have to take it. Tell them to opt out. Tell them it would please you if they didn't have that benefit.

To see a good bill such as this, shepherded by a great chairman, RON WYDEN, and two terrific Senators here on this particular piece of legislation, Senators SHAHEEN and PORTMAN, get derailed because someone wants to attack working people is unfortunate—absolutely unfortunate.

Let me say that one of my colleagues said: Oh, this is all the people in America want the XL pipeline. I don't know. Maybe in her State that is true. It is not true in my State. And it is not true in many States. As a matter of fact, that is why there have been 1.2 million comments to the State Department from various public agencies and private parties, from Native American tribes and others.

I think when the President said on June 25 that our national interests will be served only if this project does not significantly exacerbate the problem of carbon pollution, he was speaking the truth. You would have to be asleep for 10 or 15 years to not believe that carbon pollution is dangerous to the planet. I know Senator WHITEHOUSE will follow with his comments on this. But when I listened to the debate, I didn't hear one person say carbon pollution is a problem.

The Keystone XL would ship one of the dirtiest fuels on the planet through America's heartland and through critical water supplies. It will significantly increase carbon pollution, and the oil will be exported to other countries. So to stand here and not even address the issue of pollution and not even admit that most of this oil will be exported, I do not think is a fair argument.

To put it into context, if the full range of products produced from tar sands crude oil, such as petroleum coke, is taken into account, EPA estimates that tar sands would create 30 percent more carbon pollution than domestic oil. We would see carbon pollution of over 18 million more metric tons per year, according to the State Department.

You would have to be asleep not to notice Superstorm Sandy and what it cost us not only in lives and in damage but in dollars. You would have to be asleep if you haven't noticed that Yosemite National Park is close to burning. Thank the Lord God we had firefighters who were protecting it. The fire is still burning. You would have to be asleep if you didn't notice what is

happening to our oceans and to our economy.

We had just the other day a meeting of folks out there, from farmers to recreational industry people, who were saying their world is changing because of climate change. But you don't hear our colleagues talking about that. They say: Oh, there is no problem. How about the fact that a Nebraska study found that Keystone XL is likely to have 91 major spills over its 50-year lifetime? And tar sands oil will be very difficult to capture if the pipelines rupture.

For all the talk about jobs, when we look at the permanent jobs, we are looking at 50 jobs. What are the chances that there are going to be spills?

Just look at what happened in 2010, when over a million gallons of tar sands oil spilled into the Kalamazoo River in Michigan. Over three years later, the clean-up of the river—which has cost almost $1 billion—still continues, and the local communities are still struggling.

Another reminder of the terrible price that Americans pay when tar sands pipelines rupture occurred in March 2013 in Mayflower, Arkansas. In that case, 22 residents were evacuated when tar sands oil ran through the neighborhood streets, and contaminated a local lake.

The risks are real, and we cannot forget the damage that tar sands oil spills have already caused in our communities.

What are the chances that we are going to hurt this planet? And what are the chances that if we were smart and we did what this underlying bill is doing—which is make sure we have incentives for alternatives that are clean, that are made in America, that work for us—there will be many more jobs? That is the kind of alternative I want to see.

They may pass their amendment if we ever get to it, if they can stop this attack on our working people that is evident in an amendment that has been offered, but I know there is a better way, and I would like to see us make sure that when we say XL is great, we consider all of the reasons there is so much controversy surrounding it.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am very pleased to come to the floor today after my chairman on the Environment and Public Works Committee, Senator BOXER, and offer an alternative view to that expressed by my distinguished colleagues who are supporting the Keystone XL Pipeline. In my view, that pipeline takes us in the wrong direction, from an energy point of view, and it supports the wrong kind of energy.

If we look at the growth of green and renewable energy, there are actually more jobs in clean, green, and renewable energy than there are in the oil industry. I had that question reviewed by Politifact, and I got a ''true'' on it. The energy jobs of the future are going to be in clean, green, renewable, sustainable energy, and this takes us in exactly the wrong direction.

Moreover, they are temporary jobs. I think the State Department put the number of final jobs produced by the Keystone Pipeline at between 35 and 50—not thousands, not tens of thousands, but between 35 and 50. What we might as well do is actually go out there and build a pyramid and put tens of thousands of people to work stacking up a pyramid, and we would actually do better because that pyramid wouldn't pollute. Those are the kinds of jobs we are talking about.

We would be far better off investing in clean, green, renewable, sustainable energy technologies and developing those markets which are going to be the competitive markets in the future rather than chasing the tail of fossil fuel technology.

I didn't hear everybody speak the whole time. I had to come over from my office, and I missed that point, and I had to take a call, and I missed that point. I believe I heard seven Senators speak for 45 minutes, and I believe the words ''climate change'' and the words ''carbon pollution'' were never mentioned.

We are going to pipe out the tar sands from Canada, and we are going to add 18.7 million metric tons of additional carbon pollution. That is just from refining the tar sands. We are going to add another 3.5 million metric tons from the electricity required to heat and pump the stuff through the pipeline. The refining cost is the equivalent of 5 million cars out on the road that otherwise wouldn't be there. The electricity cost is another 600,000 cars on the road that wouldn't be there.

We just hit 400 parts per million carbon dioxide in the atmosphere. For as long as the human species has existed on this planet, we have been in a window of 175 to 300 parts per million. It has been a long and successful run for homo sapiens in that comfortable window of environmental protection. We are out of it. We are out of it for the first time in probably millions of years—at a minimum, 800,000 years, more likely 3 million or more. We are not out of it a little bit—not 301, not 315—but 400 and climbing. This adds to that problem.

It is irresponsible to discuss energy and refuse to discuss climate change, refuse to discuss carbon pollution. But for our friends on the other side and for our friends from the coal- and oil-producing States, carbon pollution and climate change are the Lord Voldemorts of the discussion: It is he who must not be named. They are just going to ignore it, pretend it isn't there at all. That is wildly irresponsible in the environment we are in right now, as we see the effects of climate change occurring on our coasts, in our oceans, in acidification, to our fisheries, to our farms, and to our forests. You really don't have to go very far in this country to find something that is being affected by the changes in our climate from our carbon pollution, and all of that for 50 long-term jobs. I don't think this is the good deal our colleagues suggest.

I will close by saying two things. First, on energy independence, this pipeline connects to Port Arthur, TX, a foreign-trade tax-free zone. That is where it is going to go, and then it is going to be shipped overseas to other countries. This isn't going to protect American energy independence; this is going to protect energy corporation profits. That is what is behind all of this.

We have a supplemental environmental impact statement coming from the State Department. You can believe the people who for some reason can't seem to get the phrase ''climate change'' or ''carbon pollution'' to come out of their mouths or you can believe me. You can believe whomever you want. But from a point of view of being fair to the process, we should probably wait until the State Department has concluded the supplemental environmental impact statement they are now working on before we make too many rash decisions about polluting tar sands oil, investing in that dirty addition to our energy mix, and continuing to suck funding and support away from the energy sources of the future, which are the clean ones and the sustainable ones and the ones that aren't going to keep shoving the carbon dioxide concentration in our atmosphere over and beyond where it is right now, which is 400, where it hasn't been in millions of years, where it hasn't been in the history of the human species.

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

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

Mr. WYDEN. I ask unanimous consent that we be in a period of debate only until 2 p.m.

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

Mr. WYDEN. Mr. President, I am going to be very brief. I think Senator BOXER and Senator WHITEHOUSE have made a number of very important points with respect to this climate debate and particularly the scientific finding that we are now at 400 parts per million. That ought to be a wake-up call to everyone with respect to the challenge of climate and carbon.

I was in North Dakota last week at the request of our colleague and friend Senator HOEVEN. Certainly, there is a lot of common ground that can be found on this natural gas issue. Of course, natural gas is 50 percent cleaner than the other fossil fuels. It has

been a real catalyst for the American manufacturing sector, with a lot of companies that for economic reasons felt they had to do business overseas coming back to do business here in the United States. Of course, it has a direct connection to the expansion of green power—solar and wind and others—because it can be a key factor in making those energy sources part of an embedded power system.

So there are a lot of opportunities for common ground. For example, when I was with Senator HOEVEN last week, we talked about—the way I would characterize it—a wide berth for the States with respect to regulating natural gas because the geology differs for various States.

So when we look at these kinds of approaches, there is an opportunity for common ground. Clearly, this is a good set of challenges to have. We have the natural gas, the world wants it, and the pricing advantage is ours. This is a good set of challenges to have.

I do think it is important to recognize that the debate about the pipeline has changed very significantly since it was originally proposed. I am particularly struck by the fact that we now have the CEO of the largest producer in the Bakken essentially saying that the pipeline isn't needed, and we have the CEO of the largest oil company in Canada saying that Keystone isn't needed. I will be very specific and use their words.

Last month Harold Hamm, the CEO of the largest oil producer in the Bakken shale, Continental, said the Keystone Pipeline was not ''critical.'' For anybody who is interested in the politics, Mr. Hamm isn't some flaming liberal. He was Mitt Romney's chief energy adviser.

Just a few days ago we had the CEO of Suncor—by some estimates, Canada's largest oil company—saying that the lack of a pipeline, in his words, has ''certainly not constrained [his company's] growth'' and that his best estimate would be that it has not ''significantly constrained the rest of the market, either.''

So we recently had the CEO of the largest producer in the Bakken saying the pipeline is not needed. We have the CEO of the largest oil company in Canada saying essentially the same thing. That basically leaves only the refiners. It turns out they have been pretty much saying the same thing.

A few days ago the Wall Street Journal had a story with the headline ''U.S. Refiners Don't Care if Keystone Gets Built.''

Valero, one of the largest refiners in the country, said Keystone was, in their words, not ''critical'' to their business. This is a refiner that signed up early to get oil from Keystone, spent billions upgrading their refiners in the gulf to process it, and they now say it is not critical.

We are going to have further discussion about this. I want it understood that I think Senator BOXER and Senator WHITEHOUSE have made some important points. I am particularly struck by how, as you get into this issue, there are significant questions about how this fundamentally benefits the American people. My hope—and I have talked about this with Senators on both sides of the aisle—is that we can work out the various procedural questions with respect to how Keystone comes up here on the floor of the Senate. In fact, I am going to go spend about 45 minutes trying to be part of an effort to see if we can find some common ground so we can get the issues that Senators want addressed done, done promptly, done once, and then we can go to the energy efficiency legislation and have a vote, up or down, on the merits of that bill.

Senator PORTMAN is here. He and Senator SHAHEEN have done an excellent job. Frankly, they had done a good job of keeping this issue bipartisan in the interests of energy security, in the interests of creating more jobs and a cleaner environment. They had done that before the bill arrived on floor, and the bill has been improved since it came to the floor with bipartisan amendments that colleagues have offered.

I appreciate that we are now in a period of debate only until 2 o'clock.

With that, I yield the floor.

Mr. President, I suggest the absence a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. I ask to engage in a colloquy with the Senator from Mississippi for 5 minutes.

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

Ms. LANDRIEU. Mr. President, Senator WICKER and I come to the floor to talk about a very important matter. We appreciate the opportunity to talk about our amendment that will update the current EISA statute to reflect the evolution of green building rating systems and create a more strategic approach for the Federal Government so that we have the highest performing, most efficient, and most cost-effective buildings. I would like to ask Senator WICKER to go into a little bit more detail, and then I will come back to some more information about our amendment that has been filed.

Mr. WICKER. Mr. President, I thank my colleague from Louisiana and agree that this is a very important amendment because it addresses a number of issues that are important to American industries. In particular, the amendment specifies that the Department of Energy and the General Services Administration must allow the use of multiple green building rating systems for both commercial and residential buildings. We should avoid the situation where the Federal Government endorses one green building standard over others.

DOE and GSA ought to support competition and allow the free market to produce the best energy-efficient buildings at the lowest cost. They also ought to support the use of domestically produced materials, such as sustainable wood and green technologies.

Ms. LANDRIEU. Mr. President, I agree with the Senator from Mississippi. He and I have worked very closely together on the amendment we are talking about today, and hopefully we will get a vote on it sometime in the near future. But I am also concerned that many rating systems arbitrarily discriminate against domestically produced products based on arbitrary hazards, without consideration for risk of exposure and supporting scientific data.

Our amendment—and we have worked very carefully on this—will address this issue by requiring an ongoing review of private sector green building certification systems and allowing for the exclusion of portions of green building certification systems that are found to be discriminatory. This will not preclude efforts to exclude or reduce exposure to known environmental risks, such as radon, formaldehyde, or volatile organic compounds; however, it will ensure that the risk of exposure is not ignored.

This process will support competition among green building certification systems and encourage existing systems to revise portions of their systems that are determined to be discriminatory to domestic products.

Let me add that since many of these products that are in question come from Mississippi and Louisiana as well as other States, that is what has engaged and piqued our interest.

Mr. WICKER. Mr. President, the Senator from Louisiana is exactly correct. Basically, what we are saying is there is more than one way to get where we need to go when it comes to green buildings. This amendment is a step forward to ensure GSA's and DOE's green building policies are fair and effective.

I also wish to point out that this amendment requires the consideration of environmental impacts across the entire life cycle of a building material or product by incorporating a life-cycle assessment. This will ensure that the Federal Government is utilizing green building certification systems that are the most efficient.

I thank the Senator from Louisiana, and I wholeheartedly endorse our amendment and call on our colleagues to vote on it.

Ms. LANDRIEU. Mr. President, let me finally say that we believe our amendment strengthens—not weakens but strengthens—the Energy Savings and Industrial Competitiveness Act as introduced by Senators SHAHEEN and PORTMAN by encouraging improvements to green building rating systems

and policies. I look forward to seeing this bipartisan legislation move forward. It is in that spirit that our colloquy and our amendment is being offered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. UDALL of New Mexico. Mr. President, I wish to discuss amendments I am offering to the Shaheen-Portman bill. However, I have been watching what has been happening on the floor, and I don't understand this because I have some amendments I am working on which are bipartisan. I know there have been major endorsements of this bill from the Business Roundtable, from the Chamber, and many others. What we are seeing here is a very targeted attack from the other side to prevent all of these bipartisan amendments from coming forward. All the debate this week has been good on this bill, but we aren't able to offer amendments. We are not having the ability to debate amendments. That is very important. So I am one of the Members who is going to be talking about amendments. I have been reaching out. I think they are very bipartisan amendments. But we are being blocked, and that is very unfortunate.

I rise today to discuss several amendments to the Energy Savings and Industrial Competitiveness Act. First, I wish to thank Senators SHAHEEN and PORTMAN for working on this important legislation, for working on it so long, and for being so diligent about it. Energy efficiency is critical for our future, and this bill takes us in the right direction.

There are a few areas where I think we need to take additional steps. My first amendment connects energy and water efficiency. Many people do not realize that water efficiency is energy efficiency. Three to four percent of our national electricity consumption is for water and wastewater services each year. That is about 5 to 6 billion kilowatts and $4 billion a year in costs. That is a lot of energy and it is a lot of money.

When we talk to the water management professionals in our States, they tell us these costs add up quickly. The energy-water nexus is one that cannot be ignored.

The energy committee has been engaged in the water-energy nexus for some time, both under Senator Bingaman and continuing under the leadership of Senator WYDEN. I know the Presiding Officer is on the committee with Senator WYDEN, and I know he is very interested. The Senator from Oregon has done a very good job in terms of trying to pull all of this together.

Water and wastewater utilities are typically the largest consumers of energy in towns and cities, often accounting for 30 to 40 percent of total energy consumed. As ratepayers, we all pay those bills. And inefficient systems don't just cost money; they waste huge amounts of water. As much as 6 billion gallons per year is lost. Let me repeat that: Six billion gallons of water a year is wasted. That is enough water to serve 10 of the largest cities in this country or the entire State of California.

To continue this practice while the Southwest and other regions are facing extreme drought is ridiculous, and in some of our communities it is downright dangerous. We can do better, and we have to do better. Efficiency of U.S. water and wastewater pumping facilities is about 55 percent. But for a new, well-designed pumping facility, it is 80 percent. Consider this: If water and wastewater utilities could reduce energy use by just 10 percent, it would save about $400 million annually.

My amendment calls for $15 million to support smart water system pilot projects, supporting innovation and the kinds of investments today that will pay off tomorrow. Our amendment is fully offset. This is not about adding cost; it is about reducing the cost to ratepayers.

I believe this amendment is worthy of bipartisan support. We have support from almost every major water utility association and from the technology industry. It should be included on any amendment list, especially on a bipartisan amendment list. I am talking about the blocking that is going on from the other side of the aisle to prevent good, bipartisan amendments from coming forward.

Putting innovation to work in three to five cities is a first step. The program will be jointly managed by the Department of Energy and the EPA to create incentives for public-private partnerships, lowering the cost of innovation, applying best practices to the public and private sectors, and to eventually benefit communities across the entire country.

I also plan to introduce a second more ambitious amendment to improve the water efficiency of our homes, to save water, and to lower costs for American families. The average family of 4 in our country uses 400 gallons of water every day. My amendment will provide funds to States, local government, and utilities to implement incentives and rebates for customers to purchase water-efficient products and landscaping.

In addition, the amendment will authorize the EPA WaterSense Program, similar to the ENERGY STAR Program, to enable WaterSense to improve and expand its labeling system for water-efficient appliances, plumbing fixtures, landscaping, and new homes.

My amendment also establishes a grant program called Blue Bank, providing water and sewer utilities with grants for important investments in climate change adaptation, including advanced water supply management, modification of infrastructure, improved planning, and water efficiency and reuse.

Finally, I will offer an amendment for a renewable electricity standard, to get to 25 percent renewable electricity by 2025. The first legislation I introduced as a Senator was to create a national RES. The time is right to put this idea back on the table. Renewables are a crucial part of our energy mix. A national RES will create thousands of jobs that cannot be outsourced and will help revitalize rural America. It has worked in over half of the States in the country by guaranteeing a market for wind and sun and other clean energy sources.

Renewable energy is a key partner of energy efficiency in a modern energy system. They are often installed side by side, increasing the payback in energy savings and reducing emissions and fighting climate change.

Our Nation needs a ''do it all, do it right'' energy policy to address global climate change and to reduce our dependence on foreign oil—those are the big threats—but also a big opportunity. We can create a clean energy economy that leads the world in producing the jobs of the future.

Again, I wish to thank my colleagues Senator SHAHEEN and Senator PORTMAN for their work and I look forward to continued bipartisan efforts as we address the energy needs of our country.

I would say to Senator SHAHEEN and to Senator WYDEN, I find it very unfortunate that we are in a position now where so many Members have come to the floor to offer bipartisan amendments and my colleagues have been stopped in their tracks from moving this bill forward, dealing with and voting on those amendments. We should let the Senate work its will. I know my colleagues are trying to cut through that, but I wish the other side of the aisle would let us proceed to the bipartisan amendments and move forward.

I see Senator WYDEN is here on the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I thank Senator UDALL for steering the Senate toward a very sensible, important area.

Last year, it is my understanding we had the worst drought in our country's history since the Dust Bowl. So we are looking at some serious drought issues in the days ahead. The Senator from New Mexico is suggesting we start very modestly. The Senator has some voluntary efforts. These are not mandatory, not run from Washington, one size fits all—leviathans that would inflict pain and trauma on local communities. They are voluntary. They are about saving water, which is about saving energy.

In our part of the world, the West, this is especially important. But I

think what we saw last year, with these extraordinary drought conditions, is this is something that is not going to go away.

So Senator MURKOWSKI and I have already begun to look at these issues. I will just say for myself, I am looking forward to very closely working with the Senator on these issues, and I am very hopeful we can get the Senator's amendment up and we can work out some way to advance this idea because water is, frankly, an issue that has gotten short shrift. It has gotten short shrift in the West. It has gotten short shrift in terms of our policy debate. I think the Senator is clearly starting us in the right direction. I look forward to working closely with the Senator.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, before the Senator from New Mexico leaves, I just want to also commend him for his work. I have not seen the amendment he would like to offer. Like him, I am so disappointed he is not able to offer it right now, that it is being held up on an unrelated issue. But as the Senator pointed out, there is a clear nexus between water and energy use.

I remember visiting the wastewater treatment plant in North Conway, NH, and being told that 4 percent of our energy use in the country is with wastewater treatment. I have seen that at the Portsmouth Naval Shipyard, where they do such great work on Los Angeles class and Virginia class submarines. As they have cut back their energy use, they have also been able to cut back their use of water in a way that has provided for tens of thousands of gallons in savings in water, as well as tremendous savings in energy use. So this is a connection we all ought to be making as we look at our energy use in the future.

I truly appreciate the Senator working on this amendment, his interest in offering it, and I certainly hope we are going to get to the point where we can actually debate the amendments people are bringing to the floor because we have so much bipartisan support for not only the bill but for so many amendments.

I appreciate my colleague from Ohio, Senator PORTMAN, his partnership in working on this legislation. This is a win-win-win, and we need to move this forward.

Thank you.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, let me thank Senator SHAHEEN and Senator WYDEN, and I see Senator PORTMAN is on the floor too. I just want to say to Senator PORTMAN that the partnership he and Senator SHAHEEN have developed has been incredibly impressive. I know how hard they have worked on this bill, and our intent is that many of us want to try to improve it. We want to try to bring forward bipartisan amendments.

So I hope we can all work together to make sure whatever roadblocks and objections are out there, that we can deal with this bill in a way where bipartisan amendments can be voted on, we can move the bill along, and let the Senate work its will because this is the kind of bill I believe can pass in the House of Representatives because these two Senators have worked so hard over the last couple years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I understand where we are. I would make the following comments to my colleagues who have not been here quite as long as I have. Regular order, before they got here, was you could offer any amendment on any bill anytime you wanted. Since we have had the leadership that we have, we have changed that, and now we consider it abnormal that somebody wants to address a critical issue in our country on a bill, and we find that distasteful.

I will remind you that 92 percent of the people in this country think everybody involved in the FEHBP who is working for the Federal Government ought to be in the exchanges. To not allow a vote on an amendment is cowardly because it says: I do not want to vote on that issue.

So there is a very big difference from what we have heard said and what the reality has been—until 2006, the end of 2006 and the starting of the Congress in 2007. I think it is important.

I have several amendments to this bill, several that I think will make it much more compliant with what the Constitution says, and I will not offer them today until this logjam of lack of minority rights is relieved. But I do have some comments.

The intention of this bill is good. I appreciate what Senator SHAHEEN and Senator PORTMAN have done. But I have some real differences of opinion about the effectiveness and the command and controls centered in Washington that come about through this bill.

If you actually read this little book called the U.S. Constitution, we are going down the same path again that says Washington knows best, because in this bill the Secretary is going to determine final plans, final efficiency standards—not the standards groups that are out there because the Secretary will have to do it.

So my hope is that we can get back to offering amendments on this bill—all the amendments that need to be offered, whether it is germane to the bill or not, as the Senate functioned for over 200 years. There should not be an issue that we cannot debate an amendment in the Senate at any time. That is the history of the Senate. That is what makes it a great body. That is what allows our Republic, our constitutional Republic, to function.

I would say I am disappointed that the majority leader does not want to have a vote on something that 92 percent of the people in this country agree with and that he is not allowing Senator VITTER to have his amendment to address an issue people are burned up over—creating something better for us than what the average American can get. It is a tin ear. We do not pay attention to the American public at our own risk.

I will not spend any more time. I have several amendments. I will try to offer them in the first part of next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first, I wish to thank my colleague from Oklahoma. He does have some amendments, and we are looking forward to them. We have talked about this bill and some of his amendments. I think you are going to find it is a good debate and some of the amendments will be helpful to the legislation.

We have tried, as you know, on this legislation to focus on exactly what my friend from Oklahoma talked about, which is to make sure we are not putting new mandates on the private sector. There are none in this legislation—none.

We do have some mandates on the Federal Government. It basically asks the Federal Government to practice what it preaches. Being the biggest user of energy, not just in the country but in the world, we believe the Federal Government can do a lot better. So things such as requiring the Federal Government to use some efficiency standards and some of the best practices saves all of us, as taxpayers, money. It is the right thing to do for taxpayers. It is also the right thing to do for energy efficiency and for our environment.

We are not focused on mandates. In fact, we are explicitly focused on only incentives, only best practices. There are lots of amendments that will be offered on the floor that will try to add some mandates, and as a group we do not think that is the way to go, just to be clear on that.

Also, in terms of the development of building efficiency standards, it is not the Secretary who will establish them. The Secretary provides the technical assistance, but the authority is preserved actually in the private standard-making bodies. I think that is appropriate.

So we have gone out of our way to make this a voluntary bill, not a mandate bill. We have gone out of our way to ensure that this is responsive to what we are hearing out there among the business community: They are looking for better research, technology, looking for some deployable technologies to be able to improve their efficiency, to make them more competitive with their global competitors, because around the world other companies are competing with our companies in Ohio or in the other

States represented in this great body. What we find is we are not going to want to compete on labor rates with developing countries. We do not want to lower our standards. Where we can compete is on the energy input into our manufacturing process. We are spending more than we have to because we are not as efficient as other countries, even some emerging economies, much less developed economies.

So that is part of the reason the National Association of Manufacturers, the Chamber of Commerce, the Ohio manufacturers are supporting this legislation strongly. Over 200 businesses are supporting it because they believe this will help them to compete and win in the global marketplace.

By the way, the Chamber of Commerce agreed today that they are going to key vote this legislation. They are strongly in support of it. I appreciate that. I think that will help to make the point this is not about Washington knows best; this is about ensuring that people have the information, the transparency, the technology, the research to be able to have a true ''all of the above'' energy strategy—yes, including producing more energy, which I am strongly for. We talked about that earlier. We need to produce more in this country. But also we could use the energy we have more efficiently. That combination is a recipe for success because it will help create jobs, it will help ensure we have a cleaner environment, and it will certainly help to make us less dependent on foreign oil and other forms of energy, which is in our national security interests, as we have seen so poignantly over the last couple weeks in the Middle East and other dangerous, volatile parts of the world we are relying on for our energy.

I thank my colleague from Oklahoma. I look forward to working with him on his amendments when he is able to offer them. Again, I would strongly urge my colleagues on both sides of the aisle to look carefully at the actual legislation because there is some information out there that may or may not be accurate in terms of the subsidies or mandates in this legislation. There are no mandates in the private sector, period, and we have deliberately crafted it in that manner.

With that, I yield back.

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

Mr. WYDEN. Madam President, very briefly, Leader REID has indicated to me that we continue to look for a way to move forward on the energy efficiency issue and there may be votes still today. The leader will have more to say, certainly, as he has a chance to explore these issues in the afternoon.

Thank you.

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. VITTER. 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. VITTER. I know there are still discussions ongoing, including with the majority leader, about moving forward with this bill and with the important ''no Washington exemption'' issue. I want to encourage that discussion toward a positive resolution and state again that I am open to multiple ways in which all of that can be accomplished. Let me specifically address one issue.

There is some concern that somehow I am going to demand multiple votes on this between now and October. What I am looking for is one vote straight up on this issue between now and October 1. It can be on this bill, it can be on the CR. But I am looking for that one vote. If we do have, for instance, an amendment vote on this bill, and the issue is added perhaps to the CR from the House and comes over, then I am sure we would have to deal with it again. But that would not be of my making or of my demanding.

What I am looking for here in the Senate is simply to lock down and be assured of one fair up-or-down vote on this crucial issue between now and October. Of course, if this issue persists, I am sure I will talk about it and bring it up again, including after October 1. There are plenty of different ways to get there, all of which would be consistent with moving forward on the energy amendments and moving forward on this bill.

I think there are a lot of reasonable ways to solve this. I am open to any and all of them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SANDERS. I ask unanimous consent that the pending amendment be set aside so that I may call up my own amendment.

The PRESIDING OFFICER. Is there objection?

Mr. VITTER. Reserving the right to object, I propose an alternative unanimous consent. I ask unanimous consent that the pending amendment be set aside and the following amendments be made pending: the Sanders amendment, Bennet amendment No. 1847, Udall amendment No. 1845, Klobuchar amendment No. 1856, Franken amendment No. 1855, Blumenthal amendment No. 1878, and Vitter amendment No. 1866; that on Tuesday, September 17, at a time to be determined jointly by the majority and the minority leaders, my amendment No. 1866 and the side-by-side amendment on the same subject by the majority leader be made pending and receive 60 minutes of debate evenly divided and controlled by the majority bill manager and me; that no points of order be in order in relation to these two amendments; that upon expiration of the time for debate, without any intervening motions or debate, the Senate then proceed to votes on these two amendments subject to a 60-vote threshold for passage; and that subsequent to each vote, a motion to reconsider each vote be made and laid upon the table.

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

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard to the modified request.

Is there objection to the original request?

Mr. VITTER. Madam President, again reserving my right to object, I wish to outline another alternative which I think is a very reasonable path forward on this amendment and on the bill.

I ask unanimous consent to withdraw the Vitter amendment No. 1866 and then on Wednesday, September 25, 2013, at 3 p.m., the Senate discharge the relevant committees from consideration of my bill, the No Exemption for Washington from ObamaCare Act, and then proceed immediately to consideration of that bill; that without any intervening motions or debate, the Senate proceed with 60 minutes of debate on that bill evenly divided and controlled by the majority leader and me; that the bill not be subject to any amendments or motions to commit; that after debate has expired, the bill be engrossed for a third reading, read a third time, and the Senate immediately vote on final passage subject to a 60-vote threshold; and that the motion to reconsider be made and laid upon the table.

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

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. VITTER. Madam President, I do object, sadly, that we can't choose such a path forward.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. SANDERS. It is clear there are differences of opinion in this body and in this country on how we proceed on energy matters. But I think—at least I hope—that there is pretty unanimous agreement that energy efficiency makes a whole lot of sense.

At a time when the Lawrence Livermore National Laboratory tells us that over half of the total energy produced in the United States is wasted due to inefficiency, I would hope that regardless of one's political perspective, we could all move forward together to create a more energy-efficient society which will, A, lower the cost of fuel for millions of Americans; B, cut back on greenhouse gas emissions and help us

deal with the planetary crisis of global warming; and C, as we make our Nation more energy efficient, we can create tens and tens of thousands of jobs. If there is a win-win-win situation out there, I think this is it, and I would hope we could move forward. This is why, because of the win-win-win aspect of this bill, I think we should be supporting the Shaheen-Portman bill, which has earned support from a wide array of Senators and organizations from across the political spectrum.

I think Senator SHAHEEN would agree this is a fairly modest bill. It is not transforming the world, but this is a small step forward in doing what certainly needs to be done and that there should be very little disagreement about.

As part of this effort, Chairman WYDEN and I are proposing what I think is a significant amendment that complements the overall thrust of the bill. Our amendment is called the Residential Energy Savings Act, which, in fact, is a strong complement to the Shaheen-Portman bill. Our legislation focuses on residential energy efficiency—residential. We do that because we understand that in Vermont, in Louisiana, in Oregon, all over this country, there are tens of millions of people who understand they are wasting energy. When it gets cold, the heat is going through their roofs, through their windows, and through their walls. They are wasting money every single day, but they don't have the modest investment they need to make their homes more energy efficient. This is the problem Senator WYDEN and I are trying to address. We are focusing attention on homeowners all over this country.

The Residential Energy Savings Act will save money for homeowners and tenants and cut energy use by lowering the cost of energy efficiency upgrades. It will also create jobs for installers and for the companies that manufacture windows, insulation, and other energy efficiency materials.

How does this amendment work? It is pretty simple. This bill makes loans available to States through the State Energy Program of the U.S. Department of Energy to create or expand existing financing programs. This provides homeowners and tenants with access to low-cost, consumer-friendly capital for energy efficiency projects. Homeowners and tenants use the funding to invest in energy efficiency. Here is the exciting part of this concept: They pay back the loans through their energy savings and the U.S. Treasury gets the money back. In other words, we lend somebody $15,000 to make their home more energy efficient. They save $1,000 a year. They pay back the loan by those savings in their fuel bill. At the end of the day—for 15 years in that example—they are not paying any more for fuel, but in the 16th year they are going to see significant savings in their bill, and throughout the process we see significant reductions in greenhouse gas emissions. In addition, we have created jobs in a number of areas—the installers and those people who manufacture energy-efficient products.

These are the key features of the amendment introduced by Senator WYDEN and me:

It is technology neutral. People will make their own choices about how they want to go forward.

This amendment provides States with a high level of flexibility to support existing State and local programs or to design new financing programs that best fit their own circumstances and need.

This amendment supports effective existing State and local programs and supports innovations designed to improve energy efficiency financing. There are no mandates. Participation is entirely voluntary. The Department of Energy must consider regional diversity in issuing loans. This amendment encourages public-private partnerships and other strategies for leveraging public dollars.

The bill incorporates annual reporting requirements to ensure accountability and provides valuable data to consumers, State and local governments, lenders, utilities, and the real estate industry about financing industry upgrades. The residential energy savings amendment is complementary to energy efficiency proposals by other Senators. Supporters of this amendment include the Alliance to Save Energy, the American Council for an Energy-Efficient Economy, the American Institute of Architects, Efficiency First, and the National Association of State Energy Officials.

Residential energy efficiency—helping homeowners save energy and money while creating jobs at the same time—is an approach that is enjoyed by people all over the country.

Let me reiterate the bottom line. This is a very simple concept. The Federal Government lends money to the States to be repaid back in full. This is not an expense for the Federal Government. There will be an administrative cost.

We think at the end of the day there will be $1 billion of effort in making residential homes more energy efficient. In Vermont, you don't have to be a genius or an economist to know that it is pretty stupid to be heating your home in the wintertime and seeing that heat go out the window or the roof or the walls. In Vermont, and I am sure all over this country, we have a lot of older homes. They are wasting a lot of energy. People are spending much more money than they should.

I will never forget doing an event with two sisters from Barre, VT, who were in their eighties. The State put forth a weatherization program. They reduced the cost of their fuel bill by something like 50 percent. Their home was much more comfortable. This is what we should be doing all over this country, but working families and middle-class families in many ways can't come up with that $10-, $15-, $20,000 they need in order to make this happen. This bill gives money to the States, and they give it to the homeowners. The homeowners repay it based on reductions in fuel bills. The Federal Government gets its money back. We create jobs, we cut greenhouse gas emissions, and we save consumers huge sums of money. If this is not a win-win-win situation, I am not sure what is.

I thank Senator WYDEN for his hard work on this amendment. We look forward to working with my colleagues to see that it gets passed.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I am going to be very brief.

I thank Senator CORNYN for his courtesy. To respond, I am very pleased to be supportive of this amendment. I just want my colleagues to get one number with respect to this proposal. Our assessment is that for every dollar made available under this particular amendment, it would leverage $10 worth of loans for homeowners to weatherize across the country. So when people talk about getting bang for the buck, that is the relevant number. Make $1 available through the States—this is not run by the Federal Government—under this program, and that results in $10 worth of loans being made for weatherization across the country. I think that is getting bang for the buck.

I thank Senator CORNYN for his courtesy. I hope colleagues, when we get a chance to vote, will vote positively on the amendment.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, our friends on the other side of the aisle keep promising that once the President's health care law is fully implemented it will deliver fabulous results. Unfortunately, they have a massive credibility problem. Indeed, despite all the promises made to the American people during the debate and passage of the Affordable Care Act in 2009 and 2010, every week brings more evidence the President's health care law is, No. 1, already discouraging full-time job creation; No. 2, destroying many existing full-time jobs; No. 3, hampering medical innovation; and No. 4, encouraging further executive branch overreach.

And of course the worst is yet to come because, amazingly enough, once this law was passed in 2010, it wasn't implemented before the 2010 mid-term elections, nor was it implemented fully between then and the 2012 Presidential election. So the American people have yet to feel the full force of the implementation of ObamaCare, even though what we see already is discouraging, to say the least.

Once ObamaCare is fully implemented, it will drive up individual insurance premiums. We have already seen some indication of that around

the country in the rates that have been announced for the individual exchanges that have been created. That is because of phenomena such as the guaranteed issue and age banding, which basically have engineered the insurance industry so that it no longer is insurance but prepaid health care.

Secondly, it will cause millions of Americans to lose their current coverage. Remember when the President said: If you like what you have, you can keep it? That is proving not to be true.

Thirdly, it will weaken Medicare and Medicaid.

My colleagues may recall that during the 4th of July recess the administration announced it would not be confirming taxpayer eligibility for the ObamaCare premium subsidies until 2015, even though the subsidies will begin flowing—taxpayer dollars will be flowing—1 year earlier in 2014. In other words, for 1 year, under the administration's current plan, people will be able to get taxpayer dollars without any independent verification of what they are representing in terms of their eligibility for those tax dollars. That is correct, without any independent verification—no safeguards for overpayments or fraud.

Earlier today the House of Representatives passed legislation that would delay the ObamaCare premium subsidies until the administration establishes a system for verifying eligibility, to make sure those tax dollars are not stolen or obtained under false pretenses.

It is one of those measures that should be a no-brainer. After all, whatever one thinks about health care reform, everyone should want to prevent waste, fraud, and abuse. Yet our colleagues on the other side of the Capitol, House Democrats, were almost unanimously opposed to the No Subsidies Without Verification Act, and the majority leader in this body refuses to allow a vote in the Senate on similar legislation.

Again, this is what one outside of Washington and the beltway would think is a no-brainer, but here we have an alternate universe, apparently. Apparently, our Democratic friends are okay with that, but I certainly am not, and neither are the 26 million people in Texas I have the privilege of representing.

At a time when the Federal Government is almost $17 trillion in debt, shouldn't we be doing everything humanly possible to try and crack down on wasteful spending and fraud? Well, I would think so. But here is yet another question: Wasn't ObamaCare itself sold on the basis it would reduce health care fraud? Wasn't it supposed to improve oversight? That is what we were told during 2009 and 2010. Apparently those promises have now been forgotten.

If the President and his allies are wondering why they have such an enormous credibility gap on ObamaCare, the answer is actually quite simple: So many of the promises that were made in selling ObamaCare have simply not been kept. It is simply not performing as advertised.

Think about what we have learned in the last few months alone. In July, the National Bureau of Economic Research published a study showing ObamaCare may cause substantial declines in aggregate employment. In other words, unemployment will go up and the number of people getting work will go down. That same month, the Wall Street Journal reported that between 2009 and 2012 the number of doctors opting out of Medicare nearly tripled.

In my State, if you are covered by Medicare you might find a doctor who will take a new Medicare patient and you might not. Only about two-thirds of Texas physicians will take a new Medicare patient because the reimbursements have been slashed to the point where many doctors simply can't economically take a new Medicare patient. This is like the old shell game where people are told they have coverage but they can't find a doctor willing to see them based on that coverage.

The problem for Medicaid is even worse. In mid-August the University of Virginia announced that ObamaCare is projected to add $7.3 million to the cost of the university's health plan in 2014 alone. That is just at the University of Virginia. About a week later, National Journal reported that for the vast majority of Americans, premium prices will be higher in the individual exchanges than they are paying currently for employer-sponsored benefits.

I have two daughters in their early thirties. They are the ones, under ObamaCare, who are going to have to bear the financial burden for subsidizing the health care costs for older Americans, and it is unfair. This is the very same cohort of the population that is finding it harder to find jobs and finding the burdens of our broken entitlement programs are going to be visited upon them, not to mention their share of the Federal debt, which boils down to about $53,000 each. If I were a 30-year-old or 30-something, I would be pretty irritated at my elders for not being responsible and pushing that debt and those responsibilities on me—if I were them.

Last week Investor's Business Daily reported that ''more than 250 employers had cut work hours, jobs, or taken other steps to avoid ObamaCare costs.'' We heard a lot about this, including from some of the largest labor unions in the country, saying many employers, in order to avoid the employer mandate and other mandates associated with ObamaCare, were simply taking full-time jobs and turning them into part-time work, obviously resulting in people taking a cut in their income.

A few days ago, a local media outlet in Michigan reported ObamaCare will cost the medical device company Stryker ''fully 20 percent of its total research and development investments.'' This has to do with the medical device tax which is part of the way ObamaCare was paid for and which punishes medical device companies. These companies create jobs here in the United States. They create new and innovative medical equipment that helps improve outcomes and makes our lives better. Yet they are being targeted under ObamaCare with this medical device tax and it is chasing jobs overseas and stifling innovative medical research.

In addition, the Huffington Post has reported the Trader Joe's grocery chain will be dropping health insurance coverage for all employees who work fewer than 30 hours a week.

As I said, we have seen some of our organized labor unions, particularly the one representing IRS employees that announced it does not want its members to receive health insurance through ObamaCare exchanges, even though, under ObamaCare, the IRS will be implementing the exchanges for everyone else, as well as the individual mandate. In other words, the very people responsible for administering ObamaCare want no part of joining the exchanges, and that should speak volumes to all of us.

The truth is it wasn't supposed to be this way. Whether you were one of the most ardent advocates for the Affordable Care Act or whether you were a skeptic, such as I, who didn't believe it could work, I think the facts are undeniable. The Affordable Care Act was supposed to help the middle class, not cut their work hours and threaten their benefits. It was supposed to help young people, not drive up their insurance premiums. It was supposed to help medical innovation, not lead to factory closures and cancellations. And it was supposed to help make Medicaid stronger, not overload a broken system. It was sold on the basis it would strengthen Medicare, not trigger an exodus of doctors from seeing Medicare patients.

My point is: Whether you were one of the most ardent advocates or whether you were a skeptic, ObamaCare is not living up to the hopes and the promises made by its biggest fans, and we should work together to try and find a way to deal with that in a responsible way.

One final point. The President has apparently decided ObamaCare says whatever he wants it to say. For example, he has unilaterally delayed both the employer mandate and the eligibility verification I spoke about a moment ago simply because it has proven to be politically inconvenient. Many of my constituents are outraged at this and wonder how a law that applies to everyone in America can be enforced on a piecemeal or cherry-picked basis. My only explanation to them is the President controls the executive branch of government, including the Department of Justice. Congress has no authority to enforce these laws, only to pass the laws, expecting the executive branch will administer the laws

and enforce the laws as written. But that hasn't happened. Meanwhile, the IRS has announced it will violate the text of the law and issue health subsidies through Federal exchanges, even though the law clearly states those subsidies can only be issued through the State exchanges.

Here again is another example in this case of the IRS rewriting the law where it proves to be convenient to achieve a particular outcome. This should be and is an outrage. Indeed, on issues ranging from the tax subsidies to the employer mandate, ObamaCare has effectively become government by waiver.

There is no way to sugarcoat it. The law is damaging our economy, damaging our health care system, and weakening our constitutional checks and balances and our legacy of being a Nation of laws, not of men. That is why the best course of action, I believe, is to delay ObamaCare, dismantle ObamaCare, and replace ObamaCare.

I have cosponsored legislation numerous times that would delay both the employer and individual mandates, for example. It was introduced last night, the latest version, as an amendment to the current energy efficiency bill. My ultimate goal is to replace ObamaCare with patient-centered reforms that do several important things we could all, hopefully, agree are important principles for whatever our health care system is.

First of all, a replacement would make sure a health care system is in place where price and quality information is fully transparent and readily available. That is so people can compare and shop and use the market system to make sure people who provide those goods and services do so at as low a price and at as high a quality as they can get.

A replacement system would include a Tax Code that treats individually purchased health insurance the same way as employer-provided health insurance.

A replacement system would make sure every American is protected against catastrophic expenses.

This is one of the phony ways I have heard people talk against this idea. They say: Well, if you replace ObamaCare, you will eliminate the system against dealing with people with preexisting conditions. That is false. That is not true. You don't need this behemoth legislation that costs $2.7 trillion—or whatever the final figure is—in order to deal with people with preexisting conditions. What we can do is simply help fund the State-based insurance exchanges that provide coverage to people with preexisting conditions at a far cheaper price and still accomplish the same goal.

So anyone who tells you we have to have ObamaCare to deal with preexisting conditions is trying to sell you a bill of goods.

We should have a system replacing ObamaCare that gives all Americans an opportunity to save money in tax-free health savings accounts so they can use that money to pay for their health bills. If they don't need the money for that purpose, they can save it like an IRA or some other savings account tax free.

We should have a replacement system where the States will have much greater flexibility in improving Medicaid. We would be happy in Texas for the Federal Government to write us a check for its share of Medicaid and let us administer it in a much more cost-effective and a much higher quality sort of way.

We need a system to replace ObamaCare that protects Medicare for future generations and a system that preserves the right for the most important decisions about medical care to be left to patients and their physicians.

I remain confident that someday we can make this kind of health care system a reality. First, we need to delay if we can't replace it now. Certainly, as ObamaCare starts crumbling in on itself, we need to protect the American people from this catastrophic and epic failure and provide an alternative that has the sort of qualities I have described a moment ago—which will make sure that people have access to quality health care at an affordable price in a way that doesn't let Washington interfere with doctor-patient relationships or decisions we ought to reserve to ourselves and our families when it comes to our health care.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, often it is a little hard to divine what is actually going on here on the floor of the Senate.

I want to make sure folks understand that the pending business before the Senate is a bipartisan bill offered by the Senator from New Hampshire and the Senator from Ohio on energy efficiency. That is the pending business before the Senate. One of the measures of this bill is the extraordinary support. We have business groups such as the Chamber of Commerce, National Association of Manufacturers, and the Roundtable joining with the Natural Resources Defense Council. That is not exactly a coalition that comes up every single day, but you have it because of the good work Senator SHAHEEN and Senator PORTMAN have done. They had all that in place as we came to the Senate.

Since that time—and it has been 1½ days now that we have been on this bill—Senator after Senator has come to the floor of the Senate in a bipartisan fashion, starting with Senator INHOFE and Senator CARPER—and the list goes on and on—have come to the floor to say this is a good energy efficiency bill and we have some ideas on how we can make it even better. So they have offered their bipartisan amendments, and they have not been able to get a vote on those bipartisan amendments to a bipartisan bill. I think it would be fair to say that if they could get votes on those bipartisan amendments, they would pass overwhelmingly. We have others certainly in the wings as well.

Who are the losers because we haven't been able to get those amendments up and we haven't been able to move ahead on this bill? I would say to my colleagues on the other side of the aisle, the people who are the losers are the consumers. They are the job creators. If you look at the American Council for an Energy-Efficient Economy, a business-oriented group, this is legislation that will create thousands of jobs. And taxpayers are the losers, because a bipartisan bill which would be improved by the bipartisan amendments colleagues want to offer cannot go forward because it is stuck in this procedural morass.

So you have consumers losing out on billions of dollars of savings, thousands of jobs, and our country missing out on dramatic energy savings.

That seems foolish even by the sometimes stilted standards of the beltway, to pass up that kind of opportunity. The reason the breadth and support of this bill is so extensive is because this bill isn't run from a Washington Federal leviathan. This doesn't involve any mandates. The focus is on States and the private sector.

Senator SANDERS talked about an idea in terms of weatherization that I find very appealing. It is voluntary, like virtually this entire bill is.

I was very pleased when Leader REID indicated he was continuing to look for a way to move forward. I and others have been talking to various Senators in the leadership about how to do that. I hope that will be possible and we will see tangible progress made here shortly.

I think it is so important to respond to what people said all summer to Senators, in Massachusetts, New Hampshire, Oregon, and across the country; that is, people at home are tired of this food fight in Washington, tired of the bickering and the pettiness. They would like to see us show up, work together in a bipartisan way on issues that are fundamental to their well-being, and, in particular, grow an economy with more opportunities for high-skilled, high-wage jobs in the middle class. That is certainly what happens when we promote some of the top technologies associated with energy efficiency.

The public said Senators ought to go back to Washington and do exactly what Senator SHAHEEN and Senator PORTMAN have been talking about, an effort which has been supplemented by similar kinds of bipartisan proposals from various Senators.

That is where we are 1½ days after the bill, Senator after Senator coming to the floor wanting to offer relevant bipartisan amendments to a bill that will be good for the productivity of the country, good for our environment, and good for our job creation.

I am going to stay at my post here and hope we can find a path to go forward. I know there are discussions taking place. I am very grateful because Senator SHAHEEN and Senator PORTMAN have been here at their posts trying to advance the bipartisan focus of this legislation.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I thank Chairman WYDEN for making the clarification that we are here on the floor not to talk about health care or other unrelated issues, but we are here to talk about energy.

As the Senator pointed out yesterday, as Senator MURKOWSKI, Senator PORTMAN, and I have pointed out, this is the first energy bill to come to the floor since 2007. On an issue that is so critical to the future of our country, it is nice to finally be having a debate. It is nice to finally be able to listen to people on both sides of the aisle talking about why energy is so important, and talking about their amendments and the difference those amendments will make for people across this country.

We were interrupted by health care after Senator WYDEN and Senator SANDERS talked about the amendment on residential energy efficiency, but I wanted to applaud both for that effort. Senator SANDERS talked about the challenges faced by people in his home State of Vermont. My neighboring State of New Hampshire, the Presiding Officer's State of Massachusetts, the State of Oregon are all States that are cold weather States. In New Hampshire we have an inordinate number of people who heat with home heating oil which is very expensive, and we have a lot of old buildings. Because New Hampshire is one of the first States in the original Thirteen Colonies, we have a lot of buildings in the State that are old that need to be upgraded to be more energy efficient so people can afford their heating bills. This amendment that Senators would like to introduce—if we can ever get on the bill and get to some of these bipartisan amendments—would help address the challenges that people in the Northeast, the upper West, and the upper Midwest all face with the high costs of heating their homes in the wintertime.

I would also point out that it is not just important to us in the North to have more energy-efficient homes, even though in the northeast we have more older homes. In the South it is equally important because air conditioning is very expensive as well. So people who can have their homes be more efficient when they are trying to cool them in the summer also benefit.

This is an amendment that is a win-win. As Senator WYDEN pointed out for the last 1½ days, this legislation is a win-win for everybody. It is a win on job creation, it is a win on helping to prevent pollution in our environment, it is a win on reducing the threat from dependence on foreign oil. So the connection to national security is there. And it is a win in terms of saving consumers the cost of energy.

In New Hampshire we have the sixth highest energy costs in the country, so we need to be able to save on energy costs because it is good for our businesses, it is good for our residents to not have to pay those high costs. I hope we can find some way to move forward on this bill and move forward on these bipartisan amendments, because this is a place where we can come to some agreement, we can work together, and we can get this done. The people of this country are expecting us to do that.

I thank Senator WYDEN for his leadership, and Senator MURKOWSKI. Hopefully we are going to stay here, we will hopefully keep having people come to the floor to talk about their amendments and what we can do, once we can get on this bill, to make a difference.

The bottom line here is that in addition to all the other good things it would do with the amendments that are being offered with the underlying bill, this will help create jobs, and it will do it in a way that doesn't cost a lot of money in terms of subsidizing those jobs. It is the private sector working in conjunction with public policy in a way that will encourage that job creation.

I continue to be hopeful we can come to some agreement and move this legislation in a way that I know the people of this country are expecting.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, we are going to stay and continue to work with colleagues on both sides of the aisle to try to find a path forward on the bill.

I want to announce from Senator REID, as a courtesy to all Senators—because we know their schedules are busy—there will be no recorded votes today, so that Senators can have that information.

For all of us who are working on a path to move forward on this bipartisan energy efficiency bill, we will continue those efforts through the afternoon.

Madam President, 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.

The PRESIDING OFFICER. The Senator from Delaware.

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

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

ACCESS TO JUSTICE

Mr. COONS. Madam President, I am confident the Presiding Officer is familiar with the phrase, ''Justice too long delayed is justice denied.'' Dr. Martin Luther King, Jr., wrote that from his jail cell in Birmingham. ''Justice too long delayed is justice denied.''

I rise to talk about justice and the budgetary choices Congress is making that impact the ability of the American people to access the justice promised them by our Constitution.

Our Federal courts translate laws into justice and effective courts require fair judges, well-trained lawyers, and efficient clerks. As the Presiding Officer well knows, the fewer judges and clerks we have and the reduced resources in time-saving technology, the fewer cases can be handled at a time, and the longer cases will take to process. ''Justice too long delayed is justice denied.''

Of course, staffing the courts costs money, but when we compare it to the rest of the Federal Government, this whole branch is a relative bargain. For every $100 spent by our Federal Government, just 19 cents goes to the entire Federal court system. We actually spend more every month on the ongoing conduct of operations in Afghanistan than we do an entire year on the whole Federal court system. It is, relatively speaking, a bargain.

With caseloads growing and budgets shrinking, though, the Federal courts have been cutting back where they could for years now, methodically looking for ways to cut costs, reduce overhead, lower personnel, and generally be more efficient. They are both metaphorically and literally looking under every cushion for coins, looking for ways to cut costs, reduce overhead, lower their personnel costs, whatever they can do to keep up.

Then came the sequester. Of course, when it was first conceived, the sequester was designed to be so reckless, so dangerous that it would drive Congress back to the negotiating table—House and Senate, Republicans and Democrats—to confront our Nation's annual deficits and craft a bipartisan agreement. But, sadly, it failed. Congress as a whole failed, and the across-the-board spending cuts engineered in the sequester went into effect.

It has been almost 7 months since they came into effect and, in that time, I have heard from hundreds of Delawareans, as I am sure all the Members have heard from their constituents, directly impacted by the sequester. I have spoken with dumbfounded employees at Dover Air Force Base—more than 1,000 hard-working Delawareans, many of them veterans who can't believe that they individually are paying the price because Congress, House and Senate, Republicans and Democrats, can't craft a responsible deal.

Kevin from Magnolia asked me: Why are my family and I being punished with a 20-percent pay cut this quarter? Bryan from Houston—both towns in Delaware—said he was tired of being the one to suffer the consequences because, in his view, Congress can't get the budgetary job done.

My heart goes out to Kevin and Bryan and every Delawarean who has

called my office, written to me, and talked to me about the sequester. I agree with them. It needs to be replaced responsibly and urgently. As a member of the Budget Committee, I have worked with my colleagues to craft a budget that would replace sequester in a way that is in keeping with our core values and the priority of investing in America's future.

Not many people, though, are talking about how the sequester is impacting our courts. We hear about how sequester is affecting defense. We hear about how it is affecting research, and infrastructure, but our courts have often gone without consideration. There is no natural constituency, bluntly, that feels slighted; the number of furloughed employees is relatively small and there is no real lobby in Washington for the health of our courts.

But the sequester's impact on the Federal courts affects all of us—every single American. The sequester is slowing the pace, increasing the cost, and eroding the quality of the delivery of justice in this country.

At the end of our last session, I chaired a hearing of the Senate Judiciary Subcommittee on Bankruptcy and the Courts that looked at how the sequester is impacting the public defender service in our Nation's courts. These courts have been forced to cut past the fat and well into muscle and soon into bone.

The Judiciary has looked at a variety of measures to address this new budgetary reality and very few of them come without significant pain to the businesses, individuals, and communities that rely on our courts. One proposal—to simply not schedule civil jury trials in September—would effectively impose a 30-day uncertainty tax on everyone. A judge in Nebraska has threatened to dismiss low-priority immigration status crimes because of a lack of adequate capacity. In New York, deep furlough cuts to the public defender's office caused the delay of the criminal trial for Osama bin Laden's son-in-law and former Al Qaeda spokesman Sulaiman Abu Ghaith.

In my home State of Delaware, sequester has meant lengthy employee furloughs at the clerk's office of the bankruptcy court, reduced investments in IT, and postponed essential upgrades. Simply put, the financial state of our Federal courts erodes our fundamental constitutional rights. Individuals depend on the courts to be there when they need them, to seek relief from discrimination, to resolve commercial disputes, to allow parties to stop fighting and get to work growing the economy or to guarantee fairness and efficiency in criminal proceedings.

The reality is our Federal courts were already stretched thin before this sequester.

Chief Justice Roberts leads the Judiciary Conference of the United States. The Judicial Conference was created by Congress to administer the Federal court system and work with Congress to ensure appropriations keep up with the needs of our courts. The Judicial Conference is and always has been nonpartison.

Earlier this year, the Judiciary Conference sent Chairman LEAHY and me a letter recommending that in order for the courts to fulfill their missions, we must add Federal judges to the bench. In the last two decades, since the last comprehensive judgeship bill—23 years, to be precise—article III district courts have seen their caseloads grow nearly 40 percent. Yet the number of judges has grown by four. Today, judges in the Eastern District of California, long recognized as one of the most overburdened in the Nation, face over 1,000 waiting case filings per judge. In the District of Columbia, case filings were over 1,500 per judge. The Judicial Conference generally believes that additional judgeships are needed when there are more than 500 per judge. So even before the sequester, our courts weren't keeping up with their caseloads.

Heeding the recommendations we received last month, Chairman LEAHY and I introduced the Federal Judgeship Act of 2013, which will create 91 new Federal judgeships, 2 Federal circuits, and 32 judicial districts across 21 States. This bill would provide much needed relief to our overburdened courts, ensuring they are better prepared to administer justice quickly and efficiently.

Again, this proposal, this bill, is in direct response to the analytical work of the nonpartisan Judicial Conference. This change is long overdue. Congress has not comprehensively addressed judicial staffing levels since 1990—23 years ago—and the trial court weighted filings per judgeship have risen from 386 back then to 520 today. Those national figures actually mask even more dramatic circumstances faced by the most burdened districts in Texas, Delaware, and California.

Yesterday, I chaired a hearing of the Senate Judiciary Committee Subcommittee on Bankruptcy and the Courts to consider this act and, during this hearing, District Court Judge Sue Robinson of Delaware testified on the need for more judgeships. She explained that "despite all the additional technologies we have, and an excellent staff, there is nothing more I can do at this point with respect to getting my cases resolved timely." At that hearing, I appreciated and was encouraged by the statement of my colleague from Alabama that, in fact, the District of Delaware deserves another judge due to its incredible caseload. I would argue, though, and the evidence suggests, that the need is not confined to my State but to districts all across the country. We need to take on the whole problem, not just a small piece of it. Nobody wants to be in a courtroom, but when you need to be in court it is because something significant has happened in your life and you don't want a judge rushing to move on to the next thing because of a crushing caseload. You don't want clerks so awash in paperwork that yours gets lost.

In conclusion, we need to help our judges deliver justice by replacing the sequester with a responsible, balanced approach that restores the funding taken from our courts and allows us to add the judgeships we need to keep pace with demand.

Dr. King was right: Justice too long delayed is indeed justice denied. By delaying the delivery of justice, the sequester is denying justice to too many Americans. We don't need more delays; we need more judges, and we need to act together to get it done now.

Thank you, and with that I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1860 to the Energy Savings and Industrial Competitive Act of 2013.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Madam President, reserving the right to object, I certainly support a vote on this amendment and many other amendments—all amendments, my amendment—and, therefore, I propose an alternative unanimous consent request.

I ask unanimous consent that the pending amendment be set aside and the following amendments be made pending: Gillibrand No. 1860, Franken No. 1855, Inhofe No. 1851, Bennet No. 1847, Udall No. 1845, Klobuchar No. 1856, Sessions No. 1879, Enzi No. 1863, and Vitter No. 1866; and that on Tuesday, September 17, at a time to be determined jointly by the majority and minority leaders, my amendment No. 1866 and a side-by-side amendment on the same subject by the majority leader be made pending and receive 60 minutes of debate evenly divided and controlled by the majority bill manager and myself; that no points of order be in order in relation to these two amendments; that upon expiration of the time for debate, without any intervening motions or debate, the Senate then proceed to vote on these two amendments, subject to a 60-vote threshold for passage; and that subsequent to each amendment vote, a motion to reconsider each vote be made and laid upon the table.

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

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request?

Mr. VITTER. Madam President, reserving the right to object, let me offer another alternative because, again, I want this amendment to be voted on, I want all the amendments I mentioned

to be voted on. I want my amendment or issue to be voted on.

So in that spirit, I ask unanimous consent that I be allowed to withdraw my Vitter amendment No. 1866; that on Wednesday, September 25, 2013, at 3 p.m., the Senate discharge the relevant committees from consideration of my related bill, the No Exemption for Washington from ObamaCare Act, proceed immediately to consideration of my bill; that without any intervening motions or debate, the Senate proceed with 60 minutes of debate on the bill, evenly divided and controlled by the majority leader and myself; that the bill not be subject to any amendments or motions to commit; then, after debate has expired, the bill be engrossed for a third reading, read a third time, and the Senate immediately vote on final passage, subject to a 60-vote threshold; and that the motion to reconsider be made and laid upon the table.

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

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request?

Mr. VITTER. Madam President, in that case, I must object, and I regret that we cannot choose these paths forward which would ensure a vote on these amendments that we are discussing.

Thank you.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

Mrs. GILLIBRAND. Madam President, I have an amendment that will help anyone in America who has had to rebuild after a natural disaster and I truly hope we can break this impasse and it can soon be considered.

My amendment would remove burdens and streamline the process that recipients of disaster aid face when upgrading to more energy-efficient technology.

In the wake of Superstorm Sandy, we saw all too well that old technology can fail all too easily. Yet because of administrative burdens, recipients of much needed emergency funds will replace appliances and infrastructure with the same antiquated counterparts that were damaged. In many cases this means replacing a 10-year-old hot water heater with another 10-year-old unit or replacing a 20-year-old electric transformer with similarly antiquated systems without any regard for modern safety and efficiency standards.

At a minimum we should provide the option of allowing these homeowners, businesses, and utilities the ability to use emergency disaster funding to upgrade to more energy-efficient appliances, machinery or electrical infrastructure.

Not only will the use of energy-efficient technology save money, it will reduce pollution, it will create jobs, and it will help ensure that our infrastructure is more resilient to the increase in extreme weather events we have seen facing this country.

My amendment allows emergency funding recipients to voluntarily upgrade damaged equipment and structures with energy-efficient technology.

It is a budget-neutral alternative to current law. It does not direct FEMA to spend at higher levels. Remember, every $1 spent in upgrading to more energy-efficient technology provides upward of $5 in savings.

We should be streamlining the process and removing the roadblocks individuals and businesses face when choosing to replace items destroyed in natural disasters with more energy-efficient technology.

Thank you. I do hope we can consider this amendment soon.

The PRESIDING OFFICER (Mr. COONS). The Senator from Oregon.

Mr. WYDEN. Mr. President, just to respond to the distinguished Senator from New York, I want her to know I am very hopeful we will get her amendment formally in front of the Senate. I want the Senator from New York to know and colleagues to know that I think Senator GILLIBRAND has brought a first-rate idea to this already bipartisan bill.

Here is what Senator GILLIBRAND is talking about, because I know energy is sometimes a little bit of a complicated area. What Senator GILLIBRAND is essentially saying is that she wants to give folks who have been clobbered by a disaster more choice in how they rebuild after a disaster.

In effect, what the Senator from New York is saying is let's give those folks who have been hard hit by disasters a chance to trade up for those energy-efficient products that are going to save them energy and save them money.

This is the kind of idea, colleagues, that sometimes seems too logical for Washington, DC. But it sure makes a lot of sense to me.

I commend the Senator from New York for offering this particular idea. As she has indicated, no mandates. This is not the Federal leviathan sweeping in and forcing people to do X, Y, and Z after a disaster. This is about choice. It is being done without any extra money provided by the government. I think it is just a first-rate idea. Frankly, this is what Senator SHAHEEN and Senator PORTMAN and I thought would be part of this debate. It has been so long since anybody got serious about this issue on the floor we were convinced people would start bringing good ideas to the floor—the fact that they have been welling up all this time, when we have not had energy efficiency on the floor.

So we have been here for a day and a half. I sure wish we were voting on my colleague's amendment and other amendments relating to energy efficiency. I think it is an excellent idea. I hope colleagues will support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, let me just echo, I hope Senator GILLIBRAND gets a vote. I hope all these amendments mentioned get a vote. Of course, I hope my proposal gets a vote. The distinguished majority leader several days ago announced that the floor was open for amendments—no limitations, except one, which we all agreed to put the Syria debate on hold, as the President asked, and everyone agreed to that. The majority leader said this would be an open amendment process; the floor was open for any and all amendments.

Great. Let's have it. Let's have votes on all of these amendments, certainly including those by Senators GILLIBRAND, FRANKEN, BLUMENTHAL, INHOFE, BENNET, UDALL, KLOBUCHAR, SESSIONS, ENZI, and my amendment. Again, the vote I am asking for—quite frankly, demanding—does not have to be in the context of this bill. As I have made clear with my second UC request, I will put it aside and withdraw it from this bill, but it is time sensitive. It does have to occur in a fair up-or-down way before October 1 because the illegal OPM rule—that is a bailout, an exemption for Washington—takes effect then. It is very time sensitive. I did not create that rule certainly and I did not create that timeline and, therefore, I did not create that urgency. But it is there because of that, in my opinion, illegal OPM action.

I will also happily accept that vote outside the context of this bill, and I have suggested multiple paths forward where we can vote. Let's vote. But everybody needs to get reasonable votes, not just those who are approved by the majority leader. I look forward to that resolution. I have put multiple paths forward and look forward to that being resolved in the near future.

Thank you.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I would like to speak to a couple amendments I have filed to the bill that is under consideration by the Senate today. I wish to talk about amendment No. 1876. Just to kind of give you the background context, most of us know that when we were debating the health care bill a few years ago, the labor unions were enthusiastic supporters of ObamaCare. It perhaps should come as no surprise that they are having some buyer's remorse. I think they are realizing they were sold a bill of goods, and similar to a lot of people around this country whom I talk to, they would like to have a do-over.

In fact, if we look at what has happened since the legislation has become law and what has happened to premiums—they continue going up. In fact, there was a Kaiser study just this last month that had family premiums going up $3,000, on average, since President Obama took office. Of course, that was after the promise that health care premiums were going to go down by $2,500.

We have seen employers either cut jobs or slash hours. In fact, 250 employers have cut jobs, and there is hardly a day that goes by where there is not a headline in a major newspaper about some employer who is having to reduce their workforce or not hire people they otherwise would hire simply because of the additional cost, the requirements, the mandates, all the uncertainty created by ObamaCare.

Of course, what that means is the people who are getting hired are getting hired for part-time jobs. If we look at the number of jobs created this year, about 77 percent of those are part-time jobs. What is happening? A lot of employers—those that are under 50 employees—if they go over 50, obviously, they are covered by the mandate that says they have to provide government-approved health care. So they are keeping the number under 50 employees. Then the other requirement is to qualify as a full-time employee, you have to work 30 hours a week. So employers are also reducing the hours of their employees. So we have, I think, more now 29-hour-a-week jobs in this country than we have ever had before. The numbers since the beginning of the year with regard to jobs created—part-time time jobs—do bear that out. More and more employers are finding their way to reduce the hours of employees and hire people for jobs that are part-time jobs as opposed to full-time jobs.

What does that mean? That means the take-home pay of middle-class Americans is going down, and in order to make ends meet, they are now having to get that second job. It is creating all kinds of distortions in the labor force. So it is no surprise, I would think, that the labor unions would like to have this issue revisited.

I wish to share with you a couple statements that have been made. The International Brotherhood of Teamsters, the UFCW, and UNITE-HERE sent a letter to House minority leader NANCY PELOSI and Senate majority leader HARRY REID in July stating:

> On behalf of the millions of working men and women we represent and the families they support, we can no longer stand silent in the face of elements of the [health care law] that will destroy the very health and wellbeing of our members along with millions of other hardworking Americans.

The United Union of Roofers, Waterproofers, and Allied Workers—this from a letter several months ago in April—

> I am therefore calling for repeal or complete reform of the Affordable Care Act to protect our employers, our industry, and our most important asset: our members and their families.

If we look at the letter that was sent on July 11 by the three unions I mentioned earlier, it goes on to say it will create nightmare scenarios, it will shatter benefits, and, actually, that it will destroy the backbone of the middle class, which is the 40-hour workweek—so very strong language by some of those who were the most enthusiastic and strongest advocates and supporters of ObamaCare when it was being discussed and debated in the Senate.

Last night, at their annual convention, the AFL–CIO passed a resolution calling for major changes to ObamaCare.

The unions are trying to get a special deal, and they want to work with the administration in a way that completely ignores the text of ObamaCare.

The law says anyone who has an offer from their employer of government-approved health care coverage is not eligible—not eligible—to go into the exchanges and receive refundable health care premium tax credits.

The law also states that union-provided insurance, known as Taft-Hartley multiemployer health plans, is—is—government-approved health care coverage.

Consequently, union employees enrolled in these Taft-Hartley plans are not eligible for the exchanges and the refundable premium tax credits that are available in the exchange.

Obviously, the unions are not happy about that. In fact, on August 27, 2013, the trade publication Inside Health Policy reported:

> The Office of Management and Budget previously showed on its regulatory review website that on Aug. 24 it received a Department of Labor Proposed rule on ''Health Insurance Premium Assistance Trust Supporting the Purchase of Certain Individual Health Insurance Policies.'' The rule, which OMB said is Patient Protection and Affordable Care Act-related (PPACA), also appears to deal with the exclusion from a definition of an employee welfare benefit plan, but this week the description disappeared.

The unions are clearly seeking a way around the law and want a special fix that would apply to them and to them only.

If they have their way, what essentially happens is that union members will receive government subsidies for their insurance plans from three different sources, in three different ways—a benefit position that no other organization or individual is in.

First, they get the tax deduction that an employer receives for contributing to a union health plan.

Second, they will get the nontaxable income that the employee receives when his or her employer purchases a union health plan. Third, finally, a new premium assistance tax credit for union members who purchase the union health plan.

A recent analysis from the American Action Forum shows that if the administration gives labor unions what they want, it would cost taxpayers $187 billion over the next 10 years. The new health care law is clear that taxpayer-funded premium assistance credits are intended for low- to middle-income Americans without access to affordable insurance through an employer or who purchase health insurance on the exchanges.

The fact is that Taft-Hartley union health plans are not exchange-based plans, they are employer-sponsored health plans. Providing union members with a premium assistance tax credit on top of the favorable tax treatment already afforded to them for their employer-sponsored coverage amounts to double-dipping for union workers and is grossly unfair for every nonunion worker in America who would receive no such special benefit.

The law states that union employees should not receive both Taft-Hartley coverage and premium tax credits, but the administration has made it abundantly clear that they are willing to ignore this law in other areas. That is why I have introduced as a bill and an amendment to the pending legislation the Union Bailout Prevention Act that would seek to close off any possible loophole the administration might create or could use to give unions a special fix.

I do not blame at all the unions or other Americans around this country for not liking what they got. I think a lot of people had higher hopes, and those, obviously, who supported this and enthusiastically supported the health care law are now realizing this is not what they were promised. As a consequence, a lot of them would like to see a do-over. They want to see changes. They want to see reforms. Some want to see repeal. That obviously would be my preference in all of this. But it is not fair to carve out groups of people at the exclusion or detriment of other Americans who would be unfairly impacted by that carve-out.

That is essentially what they are requesting here. They are trying to get special treatment that would allow them to claim not one, not two, but three special tax provisions or tax treatments as a result of the new Affordable Care Act when, in fact, under Taft-Hartley plans they already receive favorable tax treatment and they are in government-approved plans. That is a government-approved plan and therefore not eligible for the exchanges, as are many other Americans who do not have access to some sort of employer-provided health care plan.

So if this carve-out were something the administration would approve, it would create a special treatment, a special provision that would cost taxpayers billions of dollars and be completely unfair to countless Americans who would love to see the provisions of this law either repealed or delayed for them as well.

The better solution, I would argue, is let's delay this for everybody. I would like to see it repealed. I think we could have done a much better job. We did not need a 2,700-page bill and 20,000 pages of regulations to deal with some of the challenges and problems we have in our health care system today, but that is what we have. We have a government takeover of our health care system. We have 20,000 pages of regulations—which, by the way, is significantly taller than I am. It is about 7

feet tall when you stack those regulations. Somebody has to interpret all of that. Somebody has to make sense out of it. Obviously, as people start to interpret and make sense out of it, they are not liking what they are finding. That should not come as any surprise because when you get a massive expansion of the government, which is essentially what this was, a takeover of literally one-sixth of the American economy, you are going to have a lot of associated unintended consequences.

I think it would make a lot of sense—there are so many better ways of going about this—if we were to repeal this and start over, but at a minimum, if one group is going to get special treatment, then all Americans ought to get that same treatment. I would argue that the best way to do that is to delay this for everybody across this country, not to create special carve-outs, special treatment that would apply to just a small number of Americans when there are literally millions of Americans who are impacted by this new law.

I would also like to address briefly, if I might—this is another amendment I filed to this bill. It is amendment No. 1887. It has to do with the Department of Energy loan program that has already cost taxpayers millions in bad investments. It is the Advanced Technology Vehicle Manufacturing Loan Program. It was intended to provide loans for manufacturing facilities that produce fuel-efficient vehicles. However, after making only five loans over the past several years, this program was mothballed in 2011.

Remarkably, Secretary Moniz is considering reviving this program and is reportedly seeking new applications for the ATVM Program. I have introduced this amendment because the Obama administration has not proven itself to be a very good venture capitalist. If you look at the record of the five recipients of ATVM loans, one is bankrupt and another has suspended their payments on a $192 million loan. The Government Accountability Office has also questioned whether the Department of Energy has the expertise to properly assess loan applications. The GAO has also concluded that the Department of Energy lacks the engineering expertise needed for effective technical oversight.

Not only is this program poorly managed, it is no longer needed. Credit markets in the auto industry have largely recovered from the recession, and industry participants have shown little interest in the ATVM Program in recent years. Additionally, stricter fuel economy standards, which automakers supported, promote vehicle technologies that are subsidized by the loan program.

The ATVM Program has $16.6 billion in outstanding lending authority. According to GAO, that is a credit subsidy risk of over $4 billion. I have offered this amendment to prohibit any new loans from being made under the ATVM Program and to protect taxpayers from this outstanding exposure. Given the Energy Department's poor track record and the fact that these subsidies are no longer necessary, I would urge my colleagues to support my amendment to stop the administration from making additional risky loans and losing even more taxpayer dollars.

I hope we will get a chance to vote on these amendments. I know the manager of the bill, the Senator from Oregon, is working with others to try to come up with a path forward in terms of processing amendments. But this is certainly one that would save the government and the taxpayers some money. If you look at the record, I think most Americans would agree this is not the way they want to see their money used.

I yield the floor.

Ms. COLLINS. Mr. President, I rise today in support of the Energy Savings and Industrial Competitiveness Act, S. 1392. I am pleased to be a cosponsor of this legislation, which would build on previous energy efficiency legislation and proposes cost-effective mechanisms to support the adoption of off-the-shelf efficiency technologies for buildings, manufacturers, and the federal government.

As honorary Vice-Chair of the Alliance to Save Energy, I have been a long-time proponent of efforts to improve energy efficiency. Encouraging the adoption of energy efficiency measures is one of the easiest yet most effective mechanisms for reducing energy consumption, lessening pollution, and ultimately saving families, businesses, and the federal government money.

Legislation to improve our Nation's energy policy is long-overdue. I would like to congratulate the bill sponsors, Senators SHAHEEN and PORTMAN, for crafting this bipartisan, commonsense bill and for their efforts in working with the leadership of the Senate Energy and Natural Resources Committee, Chairman WYDEN and Ranking Member MURKOWSKI, to bring this bill to the Senate floor. The provisions in S. 1392 will kick-start the use of energy efficiency technologies that are commercially available now and can be deployed by residential, commercial, and industrial energy users. It will also improve the energy efficiency of the federal government, which is the largest user of energy in the country. Given the challenging fiscal environment, it is notable that all authorizations included in S. 1392 are fully offset.

Specifically, S. 1392 would strengthen voluntary building codes for new homes and commercial buildings, train workers in energy-efficient commercial building design and operation, help streamline manufacturing energy efficiency, create a pilot program for highly efficient supply chains, and require the federal government to adopt energy saving practices for computers.

I am also pleased to be the lead cosponsor of two amendments that complement the goals of S. 1392. First, I have joined my colleague, the Senator from Colorado, Mr. UDALL, in sponsoring an amendment which would provide a streamlined, coordinating structure for schools to help them better navigate available federal energy efficiency programs and financing options. This would be particularly helpful for rural schools in states such as Maine and would help these institutions save money on their rising energy costs. Decisions about how best to meet the energy needs of their schools, however, would still appropriately be made by the states, school boards, and local officials.

The second amendment I am pleased to be cosponsoring along with my colleagues from Delaware, Senator COONS, and Rhode Island, Senator REED, would reauthorize and extend the core Weatherization Assistance Program and State Energy Program activities at the Department of Energy through 2018, develop a competitive grant program for non-profits to carry out weatherization projects, and require minimum professional standards for weatherization contractors and workers. I am a long-time supporter of weatherization, which plays an important role in permanently reducing home energy costs for low-income families and seniors in all states, lessening our dependence on foreign oil, and training a skilled workforce. Weatherizing homes and reducing energy costs is particularly important for a State such as Maine, which has the oldest housing stock in the Nation and a high dependence on home heating oil.

Earlier this week, the American Council for an Energy-Efficient Economy, ACEEE, released new analysis demonstrating that S. 1392 would save consumers and businesses over $65 billion on their energy bills by 2030 and would help support thousands of new jobs by cutting government and industrial energy waste and assisting homeowners in financing energy efficiency improvements.

S. 1392 has the support of a broad coalition of stakeholders, including energy efficiency, business, and environmental organizations, small and large businesses, utilities, and public interest groups. I am pleased to be a cosponsor of S. 1392 and urge its swift passage.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The PRESIDING OFFICER. The Senator from Ohio.

ENERGY EFFICIENCY

Mr. PORTMAN. Mr. President, I know the Presiding Officer has some

thoughts on this efficiency bill, and we are going to hear from him later. I appreciate that. I thank Senator THUNE and others who have come to the floor to not offer their amendments officially because we have this issue we need to resolve on the health care front but to talk about good amendments to the legislation and ways to improve it. I know Senator GILLIBRAND was earlier talking about her amendment, which is a commonsense approach to ensure that as you do retrofits after natural disasters, you can use more energy-efficient appliances and so on.

There are some commonsense ways for us to move the efficiency agenda forward with an ''all of the above'' energy strategy. We have had a good debate today on that topic. I think we have actually gotten a number of amendments that have been proposed—I can count seven of them that are bipartisan that have been discussed here on the Senate floor that are going to help us as we proceed on this bill.

I am hopeful that we will have votes on Monday and Tuesday and that we can move forward with resolving the outstanding issues on the health care front to be able to move to the bill. I do hope my colleague from Louisiana does get a vote on his health care bill. I think it is important. I think it is important that the Senate be heard. But let's also be sure that we actually move forward with this underlying legislation. This is an unfortunately rare example of where Republicans and Democrats have come together here in the Senate to put forward legislation that has been worked out carefully, thoughtfully over time, that addresses one of the concerns we have as a country, which is that the energy used in our manufacturing facilities and by us as individuals and families and certainly by our Federal Government makes our economy less competitive and increases our costs.

There are ways to make our economy stronger, certainly improve the environment, and also make us less dependent on foreign energy by moving forward with energy efficiency as one leg of really a combination of things we need to do in an ''all of the above'' energy strategy.

Some of that, of course, should be producing more energy. I think this is a great opportunity for America, particularly in States such as Ohio, which I represent, where we have a tremendous opportunity to produce more natural gas—so called wet gas that is very valuable right now—and also oil. That will help to have not only lower energy costs but more stable energy costs going forward to bring back manufacturing. That can actually lead to a rebirth of some of the great industries in States like mine, Ohio, but also around our country to help get this economy back on track as we face high unemployment and low economic growth. But along with producing more, we need to use less and use what we have more efficiently. This is a conservative approach because we want to be sure that what we have is used most effectively and efficiently.

We have seen a lot of gridlock on Capital Hill recently on other issues. Again, this is one where we do have Republicans and Democrats who have worked together with the Senator from New Hampshire, who spent 2½ years working on this. That is one reason we have over 200 businesses supporting us. We have over 260 organizations, ranging from the Chamber of Commerce, which agreed today to ''key vote'' this legislation, to the National Association of Manufacturers on the one hand and the Sierra Club, the Natural Resources Defense Council, and other groups on the other hand. So it is an interesting combination of folks who believe energy efficiency is low-hanging fruit. It is a way for us to use less energy and therefore have a more productive economy, have a better environment, and make us less dependent on foreign oil.

This is an opportunity for us to do something else, in my view, which is to not just pass good energy legislation for the first time really in several years here on the floor but also to provide a model of how we can maybe work on some issues that are even bigger than energy efficiency, such as dealing with the debt and deficit and broader economic growth issues such as tax reform. So I am hopeful we can move forward with this debate.

I appreciate people being patient today as they came to the floor and waited for their turn to be able to speak about their amendments. I also appreciate those who are trying to work out some sort of unanimous consent agreement with my colleague from Louisiana so we can move forward on the actual votes.

I know we are going to hear from our colleague who is currently presiding tonight and others this evening about energy efficiency, but I would like to end by saying that there is a way for us to make progress on these issues. We have shown it with this legislation.

Let's get through these procedural hurdles, and let's be sure we can in this instance break the gridlock and get something done that helps my State of Ohio, helps the American people, and helps us move forward in terms of better economic growth, a cleaner environment, and also a better national security situation, where we are not dependent on these foreign sources of oil, sometimes from very dangerous and volatile parts of the world. As we have seen in the last several weeks, that is problematic. There is a better way. There is a better way forward. This energy efficiency bill is one of the steps we can take moving forward.

With that, I appreciate the Presiding Officer's work on this issue and look forward to hearing his comments later.

I yield the floor.

I see my colleague from Ohio is on the floor.

The PRESIDING OFFICER. The senior Senator from Ohio.

TPP TRADE AGREEMENT

Mr. BROWN. I appreciate my colleague's words and his work with Senator SHAHEEN on a very important energy bill.

I rise today to speak about how our Nation's efforts to combat tobacco products—the No. 1 preventable cause of death—are being threatened by a pending trade bill.

Next week the Obama administration will continue negotiations on the Trans-Pacific Partnership called TPP. The TPP is a proposed trade agreement that currently includes the United States and about a dozen other countries. It would create a free-trade zone among the member countries. Sounds good. Maybe it will create jobs, although trade agreements in the past have always been overpromised.

There are real opportunities for workers and businesses in this trade deal if done right, but, like any agreement of this size, there are many challenges, many issues that will require a close examination by Congress and the American people.

This sort of one-size-fits-all type deal with a broad set of countries—from rich countries, such as the United States and Australia, to poorer developing countries, such as Malaysia, to communist countries, such as Vietnam—it is a challenging undertaking to integrate these economies in a way that works for us.

Congress will have time to examine the details of the TPP as it moves along, but today I would like to talk about one specific part of this agreement that hasn't gotten the attention it deserves. In fact, the text of the TPP has not been widely available—except more to interest groups than it has to the American public. I wish to talk about the U.S. proposal on tobacco products and how tobacco companies could challenge anti-tobacco efforts in the United States and abroad under this Trans-Pacific Partnership.

We know Big Tobacco will stop at nothing to replace the thousands of customers they lose each year to lung disease.

I remember many years ago—and I will talk a little more about this in committee later—we did a number of tobacco hearings when I was in the House of Representatives. One thing that was clear that we talked about in those days was that I believe the number—350,000, 400,000 Americans died from tobacco use every year.

When tobacco executives came and talked to us, one thing was very clear: They understood that 350,000 of their customers were dying every year, so they had to find 350,000 new customers every year. Where did they go? They didn't go to people of the age of the Presiding Officer, me, or the Members of the Senate; they went to the people of the age of the pages sitting on the steps next to the chair of the Presiding Officer. They went after the 14-year-olds, 15-year-olds, and 16-year-olds because that is how they were going to

replenish their customer base. Any business has a business plan to attract new customers, but when your business actually kills people, as tobacco does—350,000 to 400,000 a year, and the estimates right now are slightly in excess of that—that business has to figure out creative and in this case immoral ways of getting young people to start smoking cigarettes.

More than 440,000 Americans die yearly from tobacco-related illnesses, making it the leading cause of death in this country. This now includes 50,000 deaths—something we weren't so sure of 20 years ago—attributable to secondhand smoke.

In Ohio each year 20,000 people die from smoking and 2,100 adults die from exposure to secondhand smoke. Smoking kills more people in Ohio than alcohol, AIDS, car cashes, illegal drugs, murders, and suicides combined. This means that 20 percent of deaths in Ohio are attributable to smoking.

Each year 17,000 Ohioans start smoking. By the time they leave high school, many are addicted. Ninety percent of adult smokers started before their 18th birthday. Of course they did. Not many people start smoking when they are 25, 35, or 40.

Tragically, around 293,000 Ohio children under the age of 18 who are alive today will ultimately die prematurely because of their smoking addiction. And with the rise in electronic cigarette use among American teens, it is not a stretch that deaths of young people who use tobacco products may, in fact, increase. Last week the Centers for Disease Control and Prevention reported that the percentage of middle school and high school Americans who use e-cigarettes doubled from 2011 to 2012, from 4.7 percent to 10 percent. I have no doubt that we will find these devices to have their own negative health effects and that they will be serving as gateway devices to conventional tobacco products. You have to figure that is the hope of the tobacco companies.

We know that tobacco-related deaths represent the No. 1 preventable cause of death in the world. Thankfully, we are making progress. We passed and President Obama signed into law the Family Smoking Prevention and Tobacco Control Act 4 years ago, which empowers the FDA to regulate the manufacturing and the sale of tobacco products. The Family Smoking Prevention and Tobacco Control Act will finally take action to curb tobacco use and increase regulation of these deadly products.

This law though, don't forget, was decades in the making. Two decades ago—I mentioned this hearing—in my first or second year in Congress, I sat on the House Energy and Commerce Committee. Chairman HENRY WAXMAN of California, a Democrat, first brought the leaders from the seven big tobacco companies to testify about whether tobacco is addictive and whether its marketing targeted children. These seven tobacco executives raised their right hands—a famous picture, front page amongst newspapers in the country—and they pledged to tell the whole truth and nothing but the truth to this committee. Then they lied. Under oath, they said nicotine is not addictive. They knew nicotine was addictive. Their own tests showed nicotine was addictive. But they lied to the American people. Their testimony strained the imagination.

By enacting stronger regulations of the tobacco industry, we helped decrease the rates of respiratory and cardiovascular disease and cancer. We reduced the risks associated with tobacco use. For example, smoking rates in the United States are down from 25 percent of the population in 1990 to 19 percent today—from 25 percent to 19 percent. That is a huge public health victory. It is not good enough, but it is a huge public health victory. Other countries with strong anti-tobacco laws, such as England, Canada, and Australia, are seeing similar successes. Currently, of the world's 1.3 billion smokers, 83 percent live in low- or middle-income countries.

It is proven that anti-tobacco laws actually help curb this epidemic. America has a moral imperative to stand for global public health. Besides the 1 billion people in the world predicted by the World Health Organization to die this century from smoking, there are secondary costs, including agriculture for food being diverted for tobacco fields and money spent by often malnourished people on tobacco rather than the staples they need.

It is no accident that tobacco's predatory marketing strategies involve appealing to citizens who can least afford to waste tight family funds on a preventable addiction to tobacco. In Ohio health care costs directly caused by smoking are more than $4 billion—$1.3 billion of that paid by Medicaid, by taxpayers. Our overburdened Medicaid Program simply can't continue to bear the brunt of these costs.

We are all affected by tobacco use. Consider this: In Ohio the costs to taxpayers of government-related tobacco expenses add up to a virtual ''tobacco tax'' of each Ohioan of about $600 per household. How does that work? People who smoke end up spending more time in the hospital. They end up with more diseases and illnesses that are expensive to treat. That comes out to about $600 per household, whether you smoke or not, paying for that cost. We can't afford those costs in human life and society if tobacco companies have the ability to challenge public health efforts under trade laws.

As we have made headway against this plague in America, Big Tobacco has turned to trade deals. Amazingly enough, we wouldn't have predicted this 30 years ago. Big Tobacco typically has lost fights in the Congress. Big Tobacco used to be like the NRA. They used to be like Wall Street. Then, they rarely lost any big fight in the Congress. But they have in the last 20 years because increasing numbers of Americans have understood how Big Tobacco plays, how hard, the way they lobby, the underhanded way they market, how they have marketed to children. We have stopped a lot of that. What does Big Tobacco do? Now they have turned to trade deals as the most fertile avenues for defeating international public health efforts. Understand this: The tobacco industry has deliberately made big trade laws its new potent and legal weapon.

Last year the U.S. Trade Representative—the key part of this—proposed a safe harbor provision that would have significantly limited efforts by Big Tobacco to challenge anti-tobacco efforts under trade rules created by the Trans-Pacific Partnership. They created a safe harbor provision.

The right thing to do was the administration was standing up to Big Tobacco against the wishes and lobbying efforts of Big Tobacco. However, last month the administration changed course, arguing that the United States can best balance the priorities of public health advocates and business by not excluding any one product, including tobacco, from rules of the trade agreement. Rather than giving tobacco safe harbor, they said: We are not going to do it for anybody—the safe harbor to protect public health.

In my view, this desire to strike a balance on a public health issue like tobacco is questionable, particularly when there is clear evidence that tobacco causes cancer, heart disease, and lung disease. As we have said, tobacco use is the world's leading preventable cause of death.

My concerns are shared by leading public health advocates, such as the American Cancer Society Cancer Action Network, the American Academy of Pediatrics, and the Campaign for Tobacco-Free Kids, as well as longtime anti-tobacco voices such as New York mayor Michael Bloomberg.

Some will say the current U.S. tobacco proposal recognizes the unique nature of tobacco products, but neither the current nor the original U.S. proposal would prevent the most serious threat posed to global public health—the tobacco industry's ever-growing use of something called investor-state disputes or country-to-country dispute cases arising over tobacco product measures.

In other words, since NAFTA—and I was talking to the Presiding Officer from Delaware about this a minute ago—the North American Free Trade Agreement, companies have been empowered to be able to go to a trade court and challenge public health law. If there is a strong environmental law, as there was in Canada about additives in gasoline—a company that made those additives in Richmond, VA, sued the Canadian Government, saying that their public health law banning this substance in gasoline,—their public health law—hurt their business and

was, therefore, an unfair trade practice. That is an example of what investor-state lawsuits allow in provisions of these trade agreements. We are afraid tobacco companies would do the same.

For example, Australia's Tobacco Plain Packaging Act of 2011 is already under challenge under both the Australia-Hong Kong bilateral investment treaty and in a separate World Trade Organization dispute settlement proceeding. These cases are pending despite the fact that Australian courts—locally controlled laws, determined laws, locally controlled courts all in Australia—that Australian courts already held in favor of the plain packaging law.

What we are allowing is when a country has a strong public health law, if we in the United States write a strong public health law in tobacco, on clean air, on safe drinking water, the courts of the United States said this is constitutional and should stay in effect—what this trade agreement would do is allow companies in other countries to sue the U.S. Government to undermine and weaken our public health laws.

There are similar cases launched against Uruguay over its proposed graphic warnings proposal on cigarette packages and advertisements. Uruguay has passed strong warning signs, warning labels on packages of cigarettes, but they have been challenged by tobacco companies in other countries. Why should a tobacco company be able to tell the people of Uruguay that their law shouldn't stand in a trade court? I mean, what is sovereignty all about?

The bottom line is that the tobacco industry will use every weapon in its arsenal. They did it in the House of Representatives, the Senate, HHS, and the FDA. They have done it wherever they can. It will use every weapon in its arsenal, fortunately unsuccessfully recently—much more successfully two decades ago—they will use every weapon in their arsenal to protect their packaging and advertising, which is seen by millions around the world each day. It is used to attract new customers, replacing those who inevitably lose.

Unfortunately, these investor-state challenges are being used by companies around the world more frequently.

The U.N. Conference on Trade and Development notes that the 62 cases initiated in 2012 are the highest number of cases ever filed in 1 year. Allowing private enforcement of investment rights outside of domestic legal systems can undermine and pose serious threats to public health, the environment, and consumer efforts taken by our trading partners, as well as our own agencies.

Americans are willing to support international trade agreements when there is a clear public good, but public confidence in the international institutions and agreements is quickly diminished when we so clearly elevate corporate interests ahead of public health, ahead of the environment, ahead of protection for workers, and ahead of public safety. In the case of tobacco, of all things, such an upside-down approach will lead to greater global public health risk, disease, and premature death. Americans don't expect our trade negotiations to result in a situation that makes tobacco regulation in the United States and around the world more vulnerable to challenges.

I hope the Obama administration will put forward a new proposal and will give favorable consideration to proposals of other trade partners that reflect not only the American but the global consensus on tobacco priorities as they relate to protecting public health and the common good.

Let me close with repeating something I think is particularly important. I remember my first understanding of this in the mid-1990s when we were told that 350,000 to 400,000 people died from tobacco use every year. We then examined and listened to the tobacco companies talk and originally deny their knowledge and their efforts to sell to children 12 and 14 and 16 years old with very sophisticated, high-powered marketing techniques—with mailings—television and radio initially, but mailings and other ways—handing out cigarettes and billboards near playgrounds and high schools. You can fully understand the way tobacco marketing works when you realize they lose 400,000 customers a year and they have to find 400,000 new customers a year. And they will do anything to find those new customers. They will aim at children—they will aim at 16- and 17-year-olds, they will aim at the poorest people in the world.

If you are an Indian public health official or a Chinese public health official or a public health official in Bangladesh, you have lots of problems stemming from cholera and typhoid, malaria, AIDS, and tuberculosis, and so you probably don't have the ability to fight back against Big Tobacco. We in this country have put a premium on public health efforts against Big Tobacco. In those countries their efforts have to be against these terrible infectious diseases of tuberculosis and malaria and AIDS and cholera and typhoid and all those things, so they simply can't fight back on tobacco.

That is why it is up to us, in our efforts in these trade agreements, to stand for something—to stand for public health and fairness and to stand up against Big Tobacco and to do the right thing.

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

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

ENERGY SAVINGS

Mr. COONS. Mr. President, I rise today to speak to the Energy Savings and Industrial Competitiveness Act of 2013, S. 1392 or more commonly referred to here by the names of its lead cosponsors, Shaheen-Portman.

This is a bill that allows us to turn back to the issue so many Americans have been asking us to focus on: jobs, competitiveness, manufacturing, the steps we can take to put our country back on the right path for our future.

This bill is essentially about energy efficiency and all the different ways energy efficiency, used wisely, can strengthen America. An America that uses less energy is an America that is taking less from the Earth, an America less reliant on other nations for the fuel that powers our lives and livelihoods, an America whose people won't need to mortgage their future in order to cool their homes.

An America that uses less energy is an America that will never again wait in long gas lines; that in the summers won't have to sweat through brownouts and in the winters won't have to make the tragic choice between feeding their families and keeping them warm.

There have been some tough economic times for our Nation in recent years. And while I haven't been in Washington all that long, I get the sense the climate here around the budget and our fiscal issues has almost never been as toxic and difficult to navigate as it is right now. Of course, the reality is broadly, across the whole Federal budget, we do need to tighten our belts and we are going to have to prioritize investments that are the most important to America's future. But energy efficiency is entirely about America's future. It is exactly the sort of area where we can reach a bipartisan agreement on an important path forward together.

Energy efficiency is entirely about America's future. There is no winning in the fight for energy efficiency. There is only progress. There is doing better, conserving energy, and saving money. The pennies we invest today in energy efficiency will save our governments, our businesses, and our families dollars down the road.

So how do we do it? How do we build our more energy-efficient future when cost efficiency is ruling the day here in this Chamber and in this Congress? It starts with this wise, balanced, and bipartisan bill we are considering today, the Energy Savings and Industrial Competitiveness Act.

I am proud to be a cosponsor of this valuable bill, and I applaud the tireless work of my friends, Senators SHAHEEN of New Hampshire and PORTMAN of Ohio, in crafting the bill, focusing this bill, and then ultimately getting it to the floor. I am also grateful to the leadership of Senator WYDEN, the chairman of the energy committee, and Senator MURKOWSKI, his ranking Republican, in ably advancing it through the committee where it passed by a

vote of 19 to 3 and in getting it to the floor today.

I am grateful to Senators WYDEN and MURKOWSKI for the bipartisan energy they have crafted on the committee and for the positive tone they have set. I have greatly enjoyed my years of service on the Energy and Natural Resources Committee and appreciate their work that has allowed Senators SHAHEEN and PORTMAN and many of the other cosponsors of this bill to see it on the floor here today.

We are at a critical moment. If America is going to lead, we have to work together to set a long-term strategy that moves us toward an efficient, clean energy-competitive economy. This bill helps us do that.

It looks as though we are going to have a few more days to talk about the full scope of this bill because, unfortunately, there have been other amendments offered—amendments that aren't directly germane to this bill. And as has sadly, so often been the case in the months gone by, we have had a grinding halt to the opportunity to move forward on this broad bipartisan bill that enjoys support from Republicans and Democrats, that has an opportunity to be passed through the other Chamber as well as this, and that could do great work for America.

It is my hope that next week when we return, this Chamber will take up, consider, and pass this bill; that we will consider dozens of amendments germane to this bill, relevant to this bill that will bring other good ideas about energy efficiency to the floor, and that we will strengthen it and pass it.

This bill has been scored as having a very real prospect of creating 136,000 jobs in the next dozen years, by 2025. Imagine getting back to considering bills that actually help create jobs. There is a list of more than 250 corporations, nonprofits, and associations from all different sectors of the American society and economy that have endorsed this bill. It has a broad range of provisions that deal with energy efficiency codes and voluntarily improving them, skills and training, improving manufacturing, improving the energy efficiency of the U.S. Government, the single biggest purchaser and user of energy in our country—indeed, probably in the world. It achieves huge targets, great objectives, saving nearly 3 billion megawatt hours in energy by 2030, and saving consumers more than $13 billion a year by 2030. These are great and robust goals, and I am truly hopeful we will turn to this bill in earnest next week and take up and consider some of the range of amendments that have been offered.

I wish to now briefly review three of the amendments I have introduced for consideration as part of Shaheen-Portman.

I know one of the best things about how the Senators and the committee leaders have crafted this bill is that it is open to consideration of a broad range of ideas. All three of these amendments are directly related to energy efficiency. Not all three of them may end up being part of this bill, and I understand, but I am grateful for a few moments of my colleagues' attention to bring them up and discuss their benefit, value, and relevance.

The first is 1842. It allows for the reauthorization of valuable energy programs that have been at the heart of the Federal Government's energy efficiency strategy for a long time; the Weatherization Assistance Program and the State Energy Program. Both are programs in place for decades and that work daily in each and every one of our States, helping to reduce energy usage and reduce energy costs.

In States such as your own, Mr. President, the State of Massachusetts, where the winters can be cold and long and energy expensive, programs at the State level and weatherization assistance programs can make a real difference in the lives of consumers. These programs link national, State, and local interests in a critical way. They create highly effective public and private partnerships that have delivered real results. In fact, studies have shown that the Weatherization Assistance Program returns more than $2.50 in household savings for every $1 invested. The program serves over 7 million families in its existence, including more than 1 million in the last 4 years. The results are equally strong for the State Energy Program, where every Federal dollar invested has an energy cost savings of more than $7 a year and nearly $11 in non-Federal dollars is leveraged for every Federal dollar spent.

These are highly effective programs, but both of their authorizations have expired, so we need to reauthorize these programs so we can help Americans save energy and save other energy costs.

Earlier this year I partnered with Senators COLLINS of Maine and REED of Rhode Island to introduce the Weatherization Enhancement and Local Energy Efficiency and Investment in Accountability Act. That is a mouthful, but it has a wide base of support, including from the Alliance to Save Energy, the Community Action Foundation, the National Association of State Energy Officials, Habitat For Humanity, building suppliers such as Masco Corporation, business groups such as the Business Council For Sustainable Energy, environmental groups such as the NRDC, and many more.

I have introduced that legislation as an amendment. To summarize what it does, it reauthorizes these two critical energy programs for 5 more years, the State Energy Program and the Weatherization Assistance Program. But it doesn't just reauthorize them, it modernizes them. It enhances them with new ideas and ultimately works to ensure their long-term viability.

We call for a complementary, competitive innovation program as well as call for setting baseline standards. This amendment actually reduces the funding levels to where they were 6 years ago, in order to attract the bipartisan support and to be more fiscally responsible. This amendment says that the new minimum efficiency standards the Department of Energy is working on must be in place by October of 2015, and it creates a complementary competitive grant program to allow NGOs to compete for their piece of the funding. Overall, we want to bring in new partners, new approaches, new technologies, and new ideas to ensure that more homes can be weatherized, more families have their heating bills reduced, and more energy saved with limited Federal funding. I urge the support of my colleagues for this a first amendment, No. 1842, about the Weatherization Assistance Program.

Let me now turn to something that I think is just common sense, where I hope the Federal Government, one of the largest users of energy in the world, will take advantage of a contracting tool to achieve energy savings and cost savings in ways that both the private sector and local government have as well. I am talking about Energy Savings Performance Contracts, and I had personal experience with them when I was in the private sector with a manufacturing company in Delaware and when I was a county executive. We used this tool, this technique, in both of those contexts to finance very expensive capital investments in chillers and boilers and motors in elevators and lights and in energy efficiency retrofits throughout our buildings. But they were not paid for upfront by either the manufacturing company I worked for or the county which I ran as county executive; they were financed off of dedicated future energy savings. So these capital improvements were installed at the cost of a private company, not the government, not the manufacturer upfront, and then paid for over a long time by the energy cost savings that the increased efficiency achieved.

That may seem complicated, but it is well known, well demonstrated and used widely across this country and is something the Federal Government should make better use of. As I mentioned, by contract, the company is paid for its upfront capital investments in these higher efficiency systems through future savings that result from decreased utility costs. If State, local, and Federal facilities are currently taking advantage of these, if they are well known and well demonstrated, why isn't the Federal Government making broader use of them? Partly because of contracting and budgeting challenges, and it is partly because there is not enough push, enough energy behind the use of these ESPCs.

They also have a secondary benefit of creating lots of private sector jobs, jobs that cannot be outsourced, jobs that require local workers. Because what we are truly talking about are

sheet metal workers and electricians, folks who are installing things and taking things out, laborers and mechanics. These are great jobs and at no cost to the taxpayer.

Estimates are that there are more than $20 billion available to the Federal Government through the use of performance contracts, savings that we know we can achieve and at no cost to the taxpayer.

In December of 2011, President Obama announced a Federal commitment to enter into Energy Savings Performance Contracts equal to $2 billion over 2 years. But what happens when that window ends? Now that we are in 2013 and about to hit the end of that window, there will be no authority to continue to encourage the use of ESPCs in Federal facilities. In the current fiscal climate, performance contracts offer the Federal Government the best method for upgrading aging facilities and reducing energy costs.

Earlier this summer I introduced the Energy Savings Through Public-Private Partnership Act to push the Federal Government in the right direction by encouraging increased utilization of these contracts. I introduced that as an amendment to the Shaheen-Portman act. As I mentioned, it creates a new goal for the Federal Government, to be specific, a goal to enter into $1 billion a year in energy savings contracts over the next 5 years—$5 billion in savings at no cost to the taxpayer.

It encourages more performance contracting by requiring that Federal facilities managers ''shall consider'' implementing identified energy and water conservation measures. It increases energy savings transparency by requiring the online publication of energy and water conservation measures, and it requires government energy managers to publicly explain why they chose not to use NSPC if they do not. It ensures greater accountability by requiring the administration to report to Congress on the status of the annual performance contracting goal each year.

In previous hearings, I have asked the Secretary of Energy and others involved in the Federal performance system why this is not more actively used. The explanations have more to do with the complications of bureaucracy adrift in inaction than why it cannot be done. Positive responses from the President and from departments and from facility managers strongly suggest that this amendment, this bipartisan amendment, could be considered as a part of S. 1492.

Let me last turn to one I have worked hardest on and am most excited about, amendment No. 1841, the Master Limited Partnership Parity Act. This one has the potential to change the long-term playing field for energy financing in the United States. Access to low-cost financing will determine our Nation's energy future. It will determine how and when and which energy sources emerge as central players in the American energy marketplace in the long term, and I think it is up to us to ensure our vast national supply of clean renewable power as well as energy efficiency are vital parts of that overall equation.

What am I talking about? What is a master limited partnership? It is a business structure that is taxed as a partnership but whose ownership interests are traded like corporate stocks on a market. It is a tax-advantaged capital formation vehicle. They have been around more than 30 years. There are more than 100 of them with a market cap over $40 billion, and they have been overwhelmingly used by oil and gas and pipeline interests. Oddly, by statute, MLPs are only available to investors in energy portfolios for oil, natural gas, coal extraction, and pipeline projects—nonrenewable energy. As I mentioned, these projects get access to capital at a lower cost and are more liquid than traditional financing approaches to energy projects, making them highly attractive to private sector investment.

Investors in renewable energy and energy efficiency projects, however, have been explicitly prevented from forming MLPs, starving a growing portion of America's domestic energy sector of the capital it needs to grow. I introduced the bipartisan Master Limited Partnership Parity Act to include renewable energy and energy efficiency projects among all those other areas of energy for which MLPs could be formed, and I am grateful for the tireless partnership of my lead cosponsor, Senator JERRY MORAN of Kansas and for the courage and energy Senator LISA MURKOWSKI of Alaska has brought to advocating for this bill as a cosponsor and for the early support of Senator DEBBIE STABENOW of Michigan. The four of us have now over two Congresses worked tirelessly on this bill.

It has a corollary in the House that also has a strong bipartisan group of cosponsors. I recently testified about this bill, as has Senator MORAN, both at the Senate Energy Committee and Finance Committee, and I have been grateful for the interest of Chairman RON WYDEN and an array of other Senators from both parties.

As I mentioned, this MLP Parity Act has the opportunity, the possibility of being the ''all of the above'' energy strategy that is so often talked about and to be the capital-financing piece of this, a strategy that does not pick winners and losers but allows the markets to decide where to invest in the long term. It has generated a great deal of interest and support. It has hundreds of supporters coming from the private sector, from think tanks, from nonprofits, and from advocacy groups.

It could not be simpler. It is a very short bill, just a few hundred words. Instead of barring renewable projects and energy efficiency projects from being able to organize as Master Limited Partnerships, it embraces them. It would bring new low-cost capital into the energy market and help get more renewable energy and energy efficiency projects to get off the ground, increase domestic energy production, and increase our Nation's energy security.

I urge support for this amendment, which is a separate piece of legislation being offered as an amendment to this bill. All three of these amendments are good ideas. As we proceed next week, I may or may not call them up as amendments to this bill to be considered on the floor, but the last, the Master Limited Partnership Parity Act in particular, is a public policy idea worthy of consideration by this body at some point in the months and years ahead.

Let me in closing simply say I am grateful we have had the opportunity to return to a vigorous debate about a bipartisan bill that has the very real prospect of saving energy, of creating jobs, of investing in manufacturing and in skills and of growing the economy of the United States in a way that reduces our energy use, makes us less reliant on foreign energy sources, makes less of an impact on our environment, and gives us more hope for the future—a brighter and more optimistic future.

I can think of no better signal this Senate and this Congress can send to the people of the United States but that we take up, consider, and pass many of the bipartisan amendments that have been discussed here today and then finally pass the Shaheen-Portman bill and send it to the House for consideration, passage, and ultimately signature into law.

The people of my home State ask me all the time when will we get back to listening to each other, working together, and passing real bipartisan bills that can help create jobs. This bill will accomplish those goals.

It is my prayer, my hope we will do that vital work next week when we return.

I yield the floor.

MCC COMPACT FOR EL SALVADOR

Mr. LEAHY. Mr. President, earlier today the Board of Directors of the Millennium Challenge Corporation voted to approve a second MCC compact for El Salvador. This was expected, and it begins the last phase of discussions between the United States and El Salvador on the compact which, if finally agreed to and funded, could result in investments totaling $277 million from the United States and $85 million from El Salvador.

The compact has three main components, described by the MCC as partnering with the private sector to enhance the country's investment climate; strengthening the country's future workforce by teaching the skills demanded by the labor market; and reducing transportation and logistics costs by expanding a highway in the coastal region and improving the border crossing into Honduras. I agree that these investments would have a positive impact on the lives of the Salvadoran people.

However, I am also aware that some Salvadoran civil society organizations have concerns about the potential impact of MCC-financed development on the environment and the livelihoods of coastal communities. If the compact is funded these organizations should be consulted on the design of the details of the compact in a transparent and inclusive process particularly relating to environmental and regulatory issues, and on the ongoing monitoring of compliance.

When the law to establish the MCC was written a decade ago it was not intended to be just another foreign aid program. I remember, because I was involved in writing the law. Rather, it was designed to reward countries whose governments are taking effective steps to address key issues of governance, particularly combating corruption, strengthening the rule of law, and supporting equitable economic growth.

I supported the first compact for El Salvador, although during the design phase I raised concerns about the high level of violent crime and corruption in that country and encouraged the MCC and the government of El Salvador to consider using a portion of the funds to strengthen the judiciary and the rule of law. Regrettably, that was not done.

While El Salvador can point to some success compared to its neighbors Honduras and Guatemala, it remains a country of weak democratic institutions where the independence of the judiciary has been attacked, corruption is widespread, and transnational criminal organizations have flourished. Money laundering is a multi-billion dollar scourge in El Salvador and other Central American countries, and impunity is the norm. The national police is discredited, infiltrated by organized crime and distrusted by the public.

I have urged the MCC, the Department of State, and the government of El Salvador during the preliminary discussions and prior to a decision to release the funds for a second compact in which the Congress will have a say, to address a number of issues which I and others here and in El Salvador believe is necessary for the rule of law and economic growth in that country.

First is to significantly strengthen the capacity of the Attorney General's office and the police to combat money laundering, which is a growing problem and is driving legitimate businesses out of business. President Funes recently announced the creation of a special police unit for this purpose and I commend him for doing so, but it remains to be seen whether such a unit receives the necessary resources to be effective, and is not corrupted by the very criminals it is responsible for investigating and bringing to justice.

Second is to respect the independence of the Constitutional Oversight Court of the Supreme Court, or the Sala de lo constitucional as it is known in Spanish, which is the chamber of the Supreme Court that rules on constitutional issues. For the first time since the Peace Accords El Salvador has an independent judicial body of magistrates who are widely recognized for being honest, who do not show fear or favor, and who have consistently ruled in an independent manner. Because their rulings have at times gone against the interests of the FMLN governing party and at other times against the interests of the opposition ARENA party, there have been efforts to replace them with individuals who can be manipulated.

Third is the concern I have raised about some public officials in positions of authority who have promoted individuals within the police and security forces who have no business being in public office because of their involvement in illegal activities.

An MCC compact is widely regarded as providing a kind of stamp of approval by the United States, indicating that the government of the compact country has demonstrated a commitment to integrity, to good governance and respect for the rule of law, and to addressing the needs of its people. This should be doubly so for a second compact. If organized crime is operating with impunity, if corruption is pervasive including within the police, and if there are people in public office who abuse their authority to the detriment of democratic institutions, that is not consistent with the intent or purpose of the MCC.

The first round of El Salvador's next presidential election is scheduled for February 2014, and I have no doubt that the Funes Government wants that stamp of approval as the election approaches. I appreciate that MCC CEO Yohannes, U.S. Ambassador Aponte, and other State Department officials have echoed some of the concerns I have raised. Today's decision by the MCC Board is an important step, but it is not the final step. I urge the government of El Salvador to act decisively to address those concerns.

CAPRONI NOMINATION

Mr. WYDEN. Mr. President, on Monday the Senate confirmed two of the President's Federal judicial nominees. One of these nominees, Ms. Valerie Caproni, served for 8 years as the general counsel of the Federal Bureau of Investigation, and I interacted with her in that capacity on a number of occasions as a member of the Select Committee on Intelligence. I will say frankly that I was troubled by some of the aggressive positions that Ms. Caproni took regarding domestic surveillance while she was the FBI's general counsel, and I understand why a number of my colleagues had serious concerns about her nomination.

After giving the matter serious thought I decided to vote yes on Ms. Caproni's nomination based on the letter that she sent to Senator DURBIN in July of this year, in which she stated that she would recuse herself from any cases that would require her to determine the legality of any surveillance programs about which she provided legal advice, in addition to any cases for which she had personal or supervisory involvement. This broad recusal commitment is somewhat unusual, but I believe it is appropriate given Ms. Caproni's long record of advocating for particular surveillance authorities as FBI general counsel. As the Senate has seen in recent years, Federal judges play a critical role in interpreting the government's surveillance authorities, so when considering nominees for judicial positions that are likely to consider surveillance cases it is important to ensure that these nominees will not be overly deferential to the government's interpretation of what its own surveillance authorities should be. I thank Senator DURBIN for his work on this nomination, and I look forward to continuing to work with him and our other colleagues on this critically important issue.

AMERICAN LEGION POST 145

Ms. COLLINS. Mr. President, today I wish to pay tribute to America's veterans of World War II. Seven decades ago, our country was faced with a war that we did not seek but that we had to win. Those who answered the call to serve left the safety and security of home to free the oppressed in distant lands, and they made great sacrifices with pride and honor. These veterans exemplify the courage and devotion to duty that have been the hallmarks of the U.S. Armed Forces throughout our Nation's history.

Members of the American Legion Cyr-Plourde Post 145 in Frenchville, ME, were among the World War II veterans fighting for the freedom of others. They included Army TSGT Maurice Sirois, Army SSG Alfred Turgeon, Army SGT Clovis Daigle, Navy PO3 Thomas Clavette, Army CPL Gerard Michaud, Marine Cpl Robert Michaud, Army CPL Maurice Raymond, Army PFC Oniel Dumais and Army PFC Donat Michaud. They confronted many challenges with courage, strength and selfless determination, and they preserved the values upon which the United States was forged. After the war ended, their dedication to our great Nation did not. Their involvement in their communities throughout their lives after the war and support for other veterans is admirable. For their service and sacrifice, they have the heartfelt thanks of a grateful nation.

AMERICAN LEGION POST 147

Ms. COLLINS. Mr. President, in the decades since World War II, our Nation has changed in numerous ways. One constant in American history is our unquestionable willingness to stand in defense of our own freedom and the freedom of those around the world. The veterans of our Nation's Armed Forces

have made many grave sacrifices to preserve the values of the United States for which our forefathers fought so earnestly and paid so dearly.

I rise today to recognize and thank the World War II veterans and members of the American Legion Thomas O. Cyr Post 147 in Madawaska, ME: SSG Joseph Cyr, Army SSG Armand Martin, Navy PO1 Nivard Hebert, Marine LCpl Elmer Hunting, Army and Air Force PFC Adrian Cyr, Army PFC Louis Dufour, Army CPL Roland Michaud, Army Private Clarence Cyr and Army Private Alphe Pelletier. During World War II, these men fought courageously against tyranny and oppression in distant lands. These veterans fought with selflessness, honor, and dedication through harrowing conditions and then returned home, often without their comrades. For this, our Nation owes them an unfathomable debt. But through involvement in their communities and the American Legion, these men have continued to give even more of themselves to our Nation. Their work has led to memorials, remembrance services, and the sponsorship of countless community events that remind us of the fabric of this great Nation and the great State of Maine. May God bless them and our great Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO CATHERINE HILL

• Mr. CARDIN. Mr. President, today I would like to pay tribute to Catherine ''Kay'' S. Hill of Dayton, MD. Kay Hill is retiring after a 38-year career with the National Security Agency, NSA, where she led the Agency's efforts to forge partnerships with the State and local governments and the surrounding community. Ms. Hill has put a human face on an agency long known for its secrecy and is legendary in Maryland for her leadership and vision.

In 1975 Ms. Hill was recruited by the NSA to establish a commuter transportation office. She oversaw the NSA motor fleet services operation and quickly recognized the need to expand ridesharing beyond the gates. In 1976 she began working with State and local governments to develop a statewide vanpool program that grew to be the largest program in the State. In 1980 NSA was the only Federal agency to receive a Presidential Award in recognition of its successful and groundbreaking Ridesharing Program, which has since been duplicated by other Federal agencies.

As a result of her success in forging collaborative partnerships in those early days, Ms. Hill became one of the few public faces of NSA, and Agency leadership began to place more emphasis on working with the broader community. In 1999 NSA management established the office of State and Local Government Relations and Community Partnership and appointed Ms. Hill as its first Director. She has continued her work to partner with the community in a number of areas to address problems of mutual interest like education and workforce development, road improvements, transportation, and other infrastructure issues.

Kay Hill is an outstanding Federal employee, dedicated to public service. I am grateful and pleased that because of her advocacy, the NSA enjoys a reputation in the surrounding community as a good neighbor, business partner, and model employer. I wish her all the best as she begins the next phase in her life—one that I hope is both relaxing and productive.•

TRIBUTE TO AIRMAN DUNCAN KIRKLAND

• Mr. ISAKSON. Mr. President, I wish to honor in the RECORD Amn Duncan Kirkland of Waycross, GA. Airman Kirkland is a true American hero and was recently awarded as ''USS *George H.W. Bush* Avenger of the Day'' for his outstanding performance on August 16, 2013.

Airman Kirkland's quick action to prevent the rotor wash from Trident Helicopter 612 from blowing a shipmate down a slippery section of catapult track and into the rotor arc of Spartan Helicopter 711, embodied the spirit of President George H.W. Bush. Airman Kirkland grabbed his shipmate by the float coat, anchoring him to the deck until the helicopters could be shut down. His keen situational awareness and response was critical in preventing the possible injury or death of a shipmate. Airman Kirkland's motivation and continued drive for success have set the standard high for others to emulate.

I send my great thanks to Airman Kirkland for his work daily on behalf of our proud Nation, and I thank and congratulate his family and friends for supporting his service to the United States of America.•

BIDDEFORD FREE CLINIC

• Mr. KING. Mr. President, I wish to commend the Biddeford Free Clinic for its 20 years of service to the people of York County, ME. Biddeford Free Clinic relies on a team of dedicated volunteers and community partners to provide free medical care and nonnarcotic prescription medication to the uninsured population.

When Dr. Francis Kleeman, along with his wife Alphine and several other volunteers, started the Biddeford Free Clinic, it was the first free medical clinic in the northeast. Over the past 20 years they have treated over 12,000 patients, had over 75,000 referrals, and over 15,000 medical visits. Every year they provide free medical care to 700 people in the York County community and they are still the only free clinic in Maine with a licensed pharmacy.

Given the exorbitant rise in the cost of health care in recent years having a great organization in Southern Maine providing medical care is a tremendous service to the community. While the Affordable Care Act will significantly increase the number of Mainers with health insurance, there will always be a great need for the services the Biddeford Free Clinic provides to the uninsured.

Maine has always been a leader in providing the best health care and the Biddeford Free Clinic has been an integral part of that for the past 20 years. It is my great honor to recognize this significant milestone they have reached, and I look forward to seeing the great accomplishments they will achieve in the future.•

TRIBUTE TO LEO FLOYD ARGYLE

• Mr. LEE. Mr. President, I would like to take this opportunity to honor one of Utah's finest, Leo Floyd Argyle, a veteran of World War II and exemplary citizen. Leo turned 91 this year, and will soon be travelling to Washington, D.C. to visit the memorials and honor his brothers in arms.

Leo Floyd Argyle, of Bountiful, UT was born at the beginning of the roaring twenties in Woods Cross, UT. His father passed 13 short years later, leaving his mother and three siblings at the height of America's Great Depression. Leo dutifully continued his schoolwork and graduated from Davis High School in 1939. The value of hard work was instilled in this generation of Americans, and Leo is a perfect example of that. He worked topping beets and weeding onions after high school and eventually worked his way into the telecommunications business—at first digging trenches for phone lines.

Leo was digging a phone cable trench in 1942 when he received notice to report to Fort Douglas. He had 1 week to get his affairs in order prior to reporting for duty. He served in the 573rd Signal Air Warning Battalion, and was part of some of our most extraordinary military efforts in Great Britain, Normandy, the Ardennes, the Rhineland, and throughout Central Europe. He related part of his noble service as follows:

> An experience I remember from World War II was that after having 12 months of radio radar training, we boarded the Queen Mary in New York. The Queen carried more than 800,000 troops over the course of the War. We landed in Scotland five days later. Hitler had put out a $250,000 reward for the submarine that could sink her, but she was too fast. At this time I realized how important the training I had received was and the part I was to play during the war. Our first radar location was in Dover, England. This was to track incoming aircraft and later the V1 rockets aimed at England. After a considerable amount of time we proceeded through Normandy and Northern France, which had been liberated by American Troops. There we found the US 3rd Army. From there we were sent all over Europe. I was in France on VE Day and then we were getting ready to be shipped to Japan when the United States dropped the atom bombs on Japan, which led

to their subsequent surrender. I was sent home December 28, 1945.

Simply put, Leo is a part of that generation who, when called to fight against the forces of despotism and evil, answered courageously.

Leo Argyle is not only a proper example of duty to country, but also an example of a good father and husband. He has been married to his sweetheart, Marline Brey Argyle since March 9, 1951, and they have lovingly reared their three children, Mike, Lisa, and Jennie. They have eight grandchildren, and 10 great-grandchildren. His son Mike recently recounted the lessons that his father teaches through example:

One of the things I remember most about my dad was that he has always been a hard worker. He worked for the phone company for 41 years, even though they changed the name of the phone company over the years. His love for vacations at Bear Lake has helped keep the family close. We spent most weekends and dad's vacation there each summer. He taught me to drive a tractor and an old Jeep. He taught me the value of work and to be employed. He taught me to plow the orchard. It seems that he is always busy, as he enjoys work even now. He has been retired for many years but continues to work every day, at his home, orchard, and cabin. He loves to sing, and he enjoys going to see his friends at the senior center every day. He also makes many visits to people in the hospital. He has been an example of stability and goodness to me all my life.

As we face harrowing challenges in our complex world today, might I suggest that we look to the example of citizens like Leo Argyle. As we look to the example set by our forebears, especially in the steady hand of hard work and the honorable performance of one's duty, we will find that principles are constant, that goodness and virtue are real, and that our prosperity as a Nation depends on our adherence to those principles. May we ever strive to emulate the firm resolve with which our grandfathers held the flame of liberty and the standard of justice and honor.●

NEW HAVEN MANUFACTURERS ASSOCIATION

● Mr. MURPHY. Mr. President, today I wish to commemorate the 100th anniversary of the New Haven Manufacturers Association.

Established in 1913 as the Employer's Association of New Haven County, the New Haven Manufacturers Association has served the manufacturing community of Southern Connecticut and beyond for the past century. Since its inception, the New Haven Manufacturers Association has endeavored tirelessly to encourage the growth and success of the manufacturing sector in Connecticut's economy. It has advocated policies critical to the manufacturing community, provided opportunities for manufacturers to network and share ideas, and educated members on business best practices. It has also actively worked to stimulate students' interest in manufacturing careers to secure the next generation of workers and ensure manufacturing's continued strong presence in the State.

Connecticut has had a long, storied manufacturing history, dating to the days of Eli Whitney. The New Haven Manufacturers Association has played an important role in that history. In recognition of that role, I am proud to honor the 100-year anniversary of the New Haven Manufacturers Association, its commitment to serving its member companies, and its promotion of Connecticut's manufacturing sector.●

ALL-OHIO STATE FAIR YOUTH CHOIR

● Mr. PORTMAN. Mr. President, today I wish to honor the 50th anniversary of the All-Ohio State Fair Youth Choir and the leadership of its founder, Glenville D. Thomas. In 1963, Mr. Thomas founded the choir to provide high school singers in Ohio with the opportunity to enjoy a musical experience similar to that of the All-Ohio State Fair Band.

In 1975, the All-Ohio State Fair Youth Choir became the first marching choir during its debut at the Tournament of Roses Parade. In 1975, the group was also the first-ever choir to sing in the Macy's Thanksgiving Day Parade, which included a pre-show performance atop the World Trade Center. Mr. Thomas and the choir also performed at the New York World's Fair, appeared on several national and local TV and radio programs, and sang for President Nixon at the White House.

This year, the 2013 Ohio State Fair featured a butter choir sculpture—in addition to an iconic butter cow—that honored the thousands of youth who have been members of the choir throughout the last five decades. I was pleased to be able to visit with some of the members of the All-Ohio State Fair Youth Choir, hear some of their great singing, and congratulate them at the fair.

The All-Ohio State Fair Youth Choir is an asset to the Ohio State Fair and I congratulate all who were involved in making its first 50 years a success.●

COPPER CANNON CAMP

● Mrs. SHAHEEN. Mr. President, I rise today to recognize the fiftieth anniversary of Copper Cannon Camp in Bethlehem, NH.

Each year, millions of American children pack their bags and prepare to spend their summers in the great outdoors, hiking, playing sports, and enjoying time with friends. While many people are fortunate enough to have the resources to send their children to camp, some family budgets do not permit this opportunity for their children.

As a young boy, Copper Cannon Camp's founder, Hamilton Ford, received assistance to attend summer camp. That experience changed Mr. Ford's life and inspired him to share his experiences with children who could not otherwise attend camp. The Camp's mission is to provide underprivileged New Hampshire youth with an opportunity to experience the joys of attending summer camp at no cost to their families. Since 1963, Mr. Ford's dream has been a reality, and the camp now welcomes approximately 600 campers each year.

Now in its 50th year, Copper Cannon Camp has provided a traditional summer camp experience to more than 21,000 youths from New Hampshire. For many of these children, their week at Copper Cannon Camp has changed their lives.

The camp has earned a place in the hearts of countless individuals and families from New Hampshire, and its mission remains as relevant and important today as it was 50 years ago. That generous mission reflects the compassion and dedication demonstrated by the Camp's board, staff, and community members.

There is much to celebrate in the first 50 years of Copper Cannon Camp, and with exciting expansion plans underway, we can look forward with great anticipation to the Camp's next 50 years. I congratulate everyone involved in Copper Cannon Camp's success and wish them many wonderful summers ahead.●

REMEMBERING WILLIAM HENRY JOHNSON

● Mr. TESTER. Mr. President, today I wish to honor William Henry Johnson, a veteran of the United States Navy.

William was born in Butte, MT, in 1944. He graduated from Butte High School and enrolled in college for a few years before joining the Navy.

William was stationed on the USS Canberra, stationed out of San Diego. The Canberra, with William serving aboard, deployed to the South China Sea to provide support for the Vietnam War. During his deployment, William was injured in an accident on the ship. He was airlifted to the Naval Hospital at Subic Bay in the Philippines and then to the Naval Hospital in Bremerton, WA.

William was honorably discharged and returned home to MT, where he married and had three children.

It was my honor to track down the National Defense Service Medal and the Vietnam Service Medal William did not receive when he returned home from Vietnam. These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. They are presented on behalf of a Nation that will never forget William Henry Johnson's service.●

TRIBUTE TO WILLIAM MARK FOSTER

● Mr. TESTER. Mr. President, today I wish to honor William Mark Foster, a veteran of the United States Air Force. Mark was born in Gross Pointe Woods, MI, in 1952.

At the age of 5, his family moved to Arizona where he graduated from high school and attended Scottsdale Community College. After a few years of working and going to school, Mark enlisted in the U.S. Air Force.

He underwent basic training at Lackland Air Force Base in San Antonio, TX, and achieved the rank of Airman First Class. Mark then trained to become a weapons mechanic at Lowry Air Force Base in Denver. At every step, he aimed to excel and his superiors rewarded him with greater responsibility. He even earned several awards for his marksmanship with small arms.

Mark was then stationed at Plattsburgh Air Force Base in upstate New York as part of the 380th Munitions Maintenance Squadron. He and his load crew were responsible for loading planes with nuclear missiles. They were so efficient that they received an Air Force Outstanding Unit Award.

He began the process to undergo officers' training, but after a number of hurdles got in the way, Mark mustered out in May of 1977 with the rank of Senior Airman.

He returned to Scottsdale to work with his father, but began spending much of his time with his mother and stepfather in Red Lodge, MT, until he decided to move here.

Mark has been an active member of his community for nearly three decades. He is also a founding sponsor of the Air Force Memorial in Arlington, VA.

It was my honor to present Mark with his Air Force Outstanding Unit Award, National Defense Service Medal, and Small Arms Expert Marksmanship Ribbon. These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. They are presented on behalf of a Nation that will never forget William Mark Foster's service.●

TRIBUTE TO KENT DAVID RUDOLPH

● Mr. TESTER. Mr. President, today I wish to honor Kent David Rudolph, a veteran of the United States Navy.

Kent was born in Chester, MT, in 1956. He graduated from Joplin High School in 1974 and enlisted in the Navy. He went through basic training in San Diego and studied to be a cryptological technician in Pensacola, FL.

Kent's first tour began in Guam, where he encoded and decoded communications. While in Guam, he also spent time in Japan and South Korea. He did an additional tour on the USS *Constellation*.

During the Iran Hostage Crisis, Kent was stationed in the Indian Ocean, where he and his unit followed a dispute within Yemen.

He separated from active duty in May of 1979 and returned home to Chester. He joined the reserves in 1991 and worked with the Navy's Construction Battalion. Kent retired from the Naval Reserve in 2009 with the rank of Petty Officer Second Class.

It was my honor to present Kent with his Navy Good Conduct Medal, Navy Expeditionary Medal, and Meritorious Unit Commendation Ribbon. These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service. They are presented on behalf of a Nation that will never forget Kent David Rudolph's service.●

TRANSMITTING PRINCIPLES FOR MODERNIZING THE MILITARY COMPENSATION AND RETIREMENT SYSTEMS—PM 18

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

Pursuant to section 674(c) of the National Defense Authorization Act for Fiscal Year 2013, Public Law 112–239, January 2, 2013, I hereby transmit principles for modernizing the military compensation and retirement systems requested by the Act.

BARACK OBAMA.

THE WHITE HOUSE, *September 12, 2013*.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 11:22 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 130. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

S. 157. An act to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 256. An act to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

S. 304. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

S. 459. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 12, 2013, she had presented to the President of the United States the following enrolled bills:

S. 130. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

S. 157. An act to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 256. An act to amend Public Law 93–435 with respect to the Northern Mariana Islands, providing parity with Guam, the Virgin Islands, and American Samoa.

S. 304. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

S. 459. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–2751. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the quarter ending June 30, 2013 (DCN OSS 2013–1283); to the Committee on Armed Services.

EC–2752. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to information requested in section 308(a) of the Intelligence Authorization Act of 2012; to the Committee on Armed Services.

EC–2753. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to force structure of the Army for Fiscal Years 2014 through 2018; to the Committee on Armed Services.

EC–2754. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Least Developed Countries that are Designated Countries'' ((RIN0750–AI00) (DFARS Case 2013–D019)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2013; to the Committee on Armed Services.

EC–2755. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the position of Director of Cost Assessment and Program Assessment, Department of the Defense, received in the Office of the President of the Senate on August 1, 2013; to the Committee on Armed Services.

EC–2756. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the position of Principal Deputy Under Secretary of Defense (Intelligence), Department of the Defense, received in the Office of the President of the Senate on August 1, 2013; to the Committee on Armed Services.

EC–2757. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, a report relative to a vacancy in the position of Secretary of the Air Force, received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2013; to the Committee on Armed Services.

EC–2758. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Release of Fundamental

Research Information'' ((RIN0750–AH91) (DFARS Case 2012–D054)) received during adjournment of the Senate in the Office of the President of the Senate on August 5, 2013; to the Committee on Armed Services.

EC–2759. A communication from the President of the United States, transmitting, pursuant to law, a report relative to an alternative plan for monthly basic pay increases for members of the uniformed services for 2014; to the Committee on Armed Services.

EC–2760. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Susan S. Lawrence, United States Army, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2761. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral James P. Wisecup, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–2762. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2763. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of twenty-one (21) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2764. A communication from the Secretary of Defense, transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general or brigadier general, as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2765. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General James D. Thurman, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2766. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Dana K. Chapman, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2767. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral William E. Landay III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–2768. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777a, for a period not to exceed 14 days before assuming the duties of the position for which the higher grade is authorized; to the Committee on Armed Services.

EC–2769. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Rhett A. Hernandez, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2770. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the obligation and expenditure of funds for the Cooperative Threat Reduction Program; to the Committee on Armed Services.

EC–2771. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2012 annual report on the Regional Defense Combating Terrorism Fellowship Program; to the Committee on Armed Services.

EC–2772. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to depot-level maintenance and repair workloads by the public and private sectors; to the Committee on Armed Services.

EC–2773. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Dispute Resolution Pilot Program for Public Assistance Appeals'' ((RIN1660–AA79) (Docket No. FEMA–2013–0015)) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2774. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR Part 65) (Docket No. FEMA–2013–0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2775. 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–2013–0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2776. 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–2013–0002)) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2777. 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–2013–0002)) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2778. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2779. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2780. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2781. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition and Revision to the List of Validated End-Users in the People's Republic of China'' (RIN0694–AF95) received during adjournment of the Senate in the Office of the President of the Senate on September 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2782. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–2783. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC–2784. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC–2785. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–2786. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2787. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–2788. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC–2789. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to various countries; to the Committee on Banking, Housing, and Urban Affairs.

EC–2790. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC–2791. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (3) reports relative to vacancies within the Department, received during adjournment of the Senate in the Office of the President of the Senate on August 22, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2792. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''HOME Investment Partnerships Program: Improving Performance and Accountability; Updating Property Standards'' (RIN2501–AC94) received during adjournment of the Senate in the Office of the President of the Senate on August 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2793. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Hearing Officer and Administrative Judge'' (RIN1992–AA36) received during adjournment of the Senate in the Office of the President of Senate on August 23, 2013; to the Committee on Energy and Natural Resources.

EC–2794. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Residential Clothes Dryers'' (RIN1904–AC63) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Energy and Natural Resources.

EC–2795. A communication from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Pennsylvania Regulatory Program'' (Docket No. PA–162–FOR) received during adjournment of the Senate in the Office of the President of the Senate on September 5, 2013; to the Committee on Energy and Natural Resources.

EC–2796. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Modeling, Data, and Analysis Reliability Standard'' (Docket No. RM12–19) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2013; to the Committee on Energy and Natural Resources.

EC–2797. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies'' (Docket No. RM11–24–000 and AD10–13–000) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2013; to the Committee on Energy and Natural Resources.

EC–2798. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Procedural Regulations Governing Transportation by Interstate Pipelines'' (Docket No. RM12–17–000) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Energy and Natural Resources.

EC–2799. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Page 700 of FERC Form No. 6'' (RIN1902–AE55) received in the Office of the President of the Senate on September 9, 2013; to the Committee on Energy and Natural Resources.

EC–2800. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board Fiscal Year 2012''; to the Committee on Energy and Natural Resources.

EC–2801. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Fiscal Year 2012 Methane Hydrate Program''; to the Committee on Energy and Natural Resources.

EC–2802. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Geothermal Heat Pump Research, Development and Demonstration''; to the Committee on Energy and Natural Resources.

EC–2803. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–2804. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC–2805. A communication from the Deputy Chief of the National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the detailed boundary for the Roaring Wild and Scenic River and Sandy Wild and Scenic River, Upper Portion, Oregon; to the Committee on Energy and Natural Resources.

EC–2806. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''United States Department of Transportation 2013 Report to Congress from the Intelligent Transportation Systems Program Advisory Committee''; to the Committee on Commerce, Science, and Transportation.

EC–2807. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Centerville, Midway, Lovelady, and Oakwood, Texas)'' (MB Docket No. 12–92, RM–11650, RM–11679) received in the Office of the President of the Senate on July 25, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2808. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (13); Amdt. No. 3541'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2809. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (85); Amdt. No. 3540'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2810. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–55 and V–169 in Eastern North Dakota'' ((RIN2120–AA66) (Docket No. FAA–2013–0484)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2811. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation (RNAV) Routes; Washington, DC'' ((RIN2120–AA66) (Docket No. FAA–2013–0081)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2812. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D Airspace; El Monte, CA'' ((RIN2120–AA66) (Docket No. FAA–2013–0505)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2813. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Port Townsend, WA'' ((RIN2120–AA66) (Docket No. FAA–2012–0926)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2814. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Live Oak, FL'' ((RIN2120–AA66) (Docket No. FAA–2013–0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2815. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Selmer, TN'' ((RIN2120–AA66) (Docket No. FAA–2013–0074)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2816. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Captiva, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–1335)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2817. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airway V–537, GA'' ((RIN2120–AA66) (Docket No. FAA–2012–0971)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2818. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Tuskegee, AL'' ((RIN2120–AA66) (Docket No. FAA–2013–0158)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2819. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0420)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2820. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0019)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2821. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; B–N Group Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0314)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2822. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1052)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2823. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0205)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2824. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1155)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2825. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1214)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2826. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0447)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2827. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Helicopter Models'' ((RIN2120–AA64) (Docket No. FAA–2013–0521)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2828. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Engine Alliance Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1329)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2829. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0983)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2830. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0458)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2831. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1221)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2832. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate Previously Held by Raytheon Aircraft Company) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0462)) received during adjournment of the Senate in the Office of the President of the Senate on July 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2833. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Kamchatka Flounder in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC750) received in the Office of the President of the Senate on July 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2834. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Western Pacific; Fishing in the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments'' (RIN0648–BA98) received in the Office of the President of the Senate on July 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2835. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2013'' (RIN0648–BD13) received in the Office of the President of the Senate on July 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2836. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC741) received in the Office of the President of the Senate on July 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2837. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC756) received in the Office of the President of the Senate on July 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2838. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Gulf of Mexico Aggregated Large Coastal Shark and Gulf of Mexico Hammerhead Shark Management Groups'' (RIN0648–XC748) received in the Office of the President of the Senate on July 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2839. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC740) received in the Office of the President of the Senate on July 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2840. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip

Limit Adjustment for the Common Pool Fishery'' (RIN0648–XC737) received in the Office of the President of the Senate on July 30, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2841. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; PILATUS Aircraft Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0383)) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2842. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC739) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2843. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Gray Triggerfish'' (RIN0648–XC728) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2844. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Highly Migratory Species; Atlantic Shark Management Measures; Amendment 5a'' (RIN0648–BB29) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2845. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Rate Regulation Reforms'' (RIN2140–AB12) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2846. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; 'Other Rockfish''' in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC753) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2847. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery and Northeast Multispecies Fishery; Framework Adjustment 24 and Framework Adjustment 49; Correction'' (RIN0648–BC81) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2848. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC752) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2849. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Rougheye Rockfish in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC761) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2850. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; National Standard 2-Scientific Information'' (RIN0648–AW62) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2851. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Time Limit for Completion of Voluntary Self-Disclosures and Revised Notice of the Institution of Administrative Enforcement Proceedings'' (RIN0694–AF59) received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2852. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2853. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Budget and Programs and Chief Financial Officer, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2854. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Joint Operations Exercise, Lake Michigan, IL'' ((RIN1625–AA00) (Docket No. USCG–2013–0611)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2855. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sherman Private Party Fireworks, Lake Michigan, Winnetka, IL'' ((RIN1625–AA00) (Docket No. USCG–2013–0615)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2856. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sister Bay Marina Fest Fireworks and Ski Show, Sister Bay, WI'' ((RIN1625–AA00) (Docket No. USCG–2013–0614)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2857. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Alpena Area HOG Rally Fireworks, Alpena, Michigan'' ((RIN1625–AA00) (Docket No. USCG–2013–0661)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2858. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Mile 662.8 to 663.9'' ((RIN1625–AA00) (Docket No. USCG–2013–0410)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2859. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Motion Picture Filming; Chicago River; Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2013–0612)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2860. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Evening on the Bay Fireworks; Sturgeon Bay, WI'' ((RIN1625–AA00) (Docket No. USCG–2013–0613)) received during adjournment of the Senate in the Office of the President of the Senate on August 15, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 559. A bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV–00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes (Rept. No. 113–104).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 815. A bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity (Rept. No. 113–105).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. Res. 223. An original resolution authorizing expenditures by the Committee on the Judiciary.

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 224. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Kenneth Allen Polite, Jr., of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, and Mr. INHOFE):

S. 1497. A bill to amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1498. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions relating to small businesses, and for other purposes; to the Committee on Finance.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 1499. A bill to designate the facility of the United States Postal Service located at 278 Main Street in Chadron, Nebraska, as the ''Sergeant Cory Mracek Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Ms. COLLINS, Mr. CRUZ, Mr. MORAN, and Ms. AYOTTE):

S. 1500. A bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families; to the Committee on Armed Services.

By Mr. MERKLEY:

S. 1501. A bill to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 1502. A bill to require the Secretary of Agriculture to protect against foodborne illnesses, provide enhanced notification of recalled meat, poultry, eggs, and related food products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN (for himself, Mr. KIRK, Mr. BENNET, Mr. CARDIN, Mr. WARNER, Mr. TESTER, Mrs. SHAHEEN, Mr. BAUCUS, Ms. LANDRIEU, Mr. COCHRAN, Mr. WHITEHOUSE, Mr. RUBIO, Mr. JOHNSON of South Dakota, Mr. BLUNT, Ms. CANTWELL, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mrs. HAGAN, and Mr. MARKEY):

S. 1503. A bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. BLUNT):

S. 1504. A bill to increase funds set aside for off-system bridges; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY:

S. Res. 223. An original resolution authorizing expenditures by the Committee on the Judiciary; from the Committee on the Judiciary; to the Committee on Rules and Administration.

By Mr. JOHNSON of South Dakota:

S. Res. 224. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

By Mr. CRUZ (for himself, Mr. VITTER, Mr. BLUNT, Mr. TOOMEY, Mr. PAUL, Mr. SCOTT, Mr. LEE, Mr. INHOFE, Ms. AYOTTE, Mr. PORTMAN, Mr. COBURN, Mr. RISCH, Mr. JOHNSON of Wisconsin, Mr. HELLER, Mr. ISAKSON, Mr. CRAPO, Mr. ROBERTS, Mr. BURR, Mr. GRAHAM, Mr. BARRASSO, Mr. ENZI, Mr. GRASSLEY, and Mr. COCHRAN):

S. Res. 225. A resolution to express the sense of the Senate that Congress should establish a joint select committee to investigate and report on the attack on the United States diplomatic facility and American personnel in Benghazi, Libya, on September 11, 2012; to the Committee on Rules and Administration.

By Mr. BROWN (for himself, Mr. PORTMAN, Mr. DURBIN, Mr. KIRK, Ms. LANDRIEU, and Mr. SESSIONS):

S. Res. 226. A resolution celebrating the 100th anniversary of the birth of James Cleveland ''Jesse'' Owens and honoring him for his accomplishments and steadfast commitment to promoting the civil rights of all people; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 119

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Illinois (Mr. DURBIN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 344

At the request of Mr. WICKER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 344, a bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes.

S. 375

At the request of Mr. TESTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 429

At the request of Mr. NELSON, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 463

At the request of Mr. PRYOR, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''.

S. 468

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 468, a bill to protect the health care and pension benefits of our nation's miners.

S. 534

At the request of Mr. TESTER, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 534, a bill to reform the National Association of Registered Agents and Brokers, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 641

At the request of Mr. WYDEN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 647

At the request of Mr. NELSON, the name of the Senator from Louisiana

(Mr. VITTER) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. WICKER) 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. 669

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 908

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 908, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 948

At the request of Mr. SCHUMER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 987

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor 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. 1141

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1141, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1143

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1158

At the request of Mr. WARNER, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Washington (Mrs. MURRAY), the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1204

At the request of Mr. COBURN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1307

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1307, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 1322

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1322, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1349

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1417

At the request of Mrs. HAGAN, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1438

At the request of Mr. PRYOR, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1438, a bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act.

S. 1442

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1442, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1487

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1487, a bill to limit the availability of tax credits and reductions in cost-sharing under the Patient Protection and Affordable Care Act to individuals who receive health insurance coverage pursuant to the provisions of a Taft-Hartley plan.

S. 1488

At the request of Mr. COATS, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from Wyoming (Mr. BARRASSO), the Senator from Arizona (Mr. MCCAIN), the Senator from Idaho (Mr. RISCH), the Senator from Kansas (Mr. ROBERTS), the Senator from Texas (Mr. CORNYN), the Senator from New Jersey (Mr. CHIESA), the Senator from Alabama (Mr. SESSIONS), the Senator from Nebraska (Mrs. FISCHER), the Senator from Kentucky (Mr. PAUL), the Senator from Mississippi (Mr. WICKER), the Senator from Idaho (Mr. CRAPO), the Senator from Ohio (Mr. PORTMAN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from South Dakota (Mr. THUNE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Kansas (Mr. MORAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1488, a bill to delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

S. 1489

At the request of Mr. ALEXANDER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1489, a bill to amend the Internal Revenue Code of 1986 to require the Secretary of the Treasury to notify the taxpayer each time the taxpayer's information is accessed by the Internal Revenue Service.

S. 1490

At the request of Mr. FLAKE, the names of the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Indiana (Mr. COATS) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1490, a bill to delay the application of the Patient Protection and Affordable Care Act.

S. CON. RES. 13

At the request of Mr. CASEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution commending the Boys & Girls Clubs of America for its role in improving outcomes for millions of young people and thousands of communities.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 1852

At the request of Mr. WHITEHOUSE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 1852 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1856

At the request of Ms. KLOBUCHAR, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 1856 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1857

At the request of Mr. RUBIO, the names of the Senator from Idaho (Mr. RISCH), the Senator from Wyoming (Mr. BARRASSO), the Senator from Wyoming (Mr. ENZI), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Louisiana (Mr. VITTER), the Senator from South Carolina (Mr. SCOTT) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of amendment No. 1857 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1867

At the request of Mr. COBURN, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Arizona (Mr. FLAKE), the Senator from North Carolina (Mr. BURR), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of amendment No. 1867 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1871

At the request of Mr. MCCONNELL, the names of the Senator from Arizona (Mr. FLAKE), the Senator from Tennessee (Mr. CORKER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Utah (Mr. HATCH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 1871 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1876

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of amendment No. 1876 intended to be proposed to S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Ms. COLLINS, Mr. CRUZ, Mr. MORAN, and Ms. AYOTTE):

S. 1500. A bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families; to the Committee on Armed Services.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1500

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Honoring the Fort Hood Heroes Act''.

SEC. 2. DECLARATIONS OF POLICY.

Congress makes the following declarations of policy:

(1) The November 5, 2009, attack at Fort Hood, Texas constituted an act of terrorism, not merely workplace violence.

(2) The United States Government has a fundamental duty to our military service members to safeguard them against avoidable harm in the course of their service, and the attack on Fort Hood could and should have been prevented.

(3) Nidal Hasan, the perpetrator of the attack, had become radicalized while serving in the United States Army and was principally motivated to carry out the attack by an ideology of violent Islamist extremism.

(4) Through his actions that day, Nidal Hasan proved himself to be not just a terrorist, but also a traitor and an enemy of the United States.

SEC. 3. AWARDS REQUIRED.

(a) PURPLE HEART.—The Secretary of the military department concerned shall award the Purple Heart to the members of the Armed Forces who were killed or wounded in the attack that occurred at Fort Hood, Texas, on November 5, 2009.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—The Secretary of Defense shall award the Secretary of Defense Medal for the Defense of Freedom to civilian employees of the Department of Defense and civilian contractors who were killed or wounded in the attack that occurred at Fort Hood, Texas, on November 5, 2009.

SEC. 4. BENEFITS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN THE NOVEMBER 5, 2009, ATTACK AT FORT HOOD, TEXAS.

(a) TREATMENT.—For purposes of all applicable Federal laws, regulations, and policies, a member of the Armed Forces or civilian employee of the Department of Defense who was killed or wounded in the attack that occurred at Fort Hood, Texas, on November 5, 2009, shall be deemed, effective as of such date, as follows:

(1) In the case of a member, to have been killed or wounded in a combat zone as the result of an act of an enemy of the United States.

(2) In the case of a civilian employee of the Department of Defense—

(A) to have been killed or wounded by hostile action while serving with the Armed Forces in a contingency operation; and

(B) to have been killed or wounded in a terrorist attack.

(b) EXCEPTION.—Subsection (a) shall not apply to a member of the Armed Forces whose death or wound as described in that subsection is the result of the willful misconduct of the member.

(c) COVERAGE OF PSYCHOLOGICAL INJURIES.—Subsection (a) applies to members of the Armed Forces and civilian employees of the Department of Defense suffering from Post-Traumatic Stress Disorder (PTSD) or other psychological injuries as a result of the attack that occurred at Fort Hood, Texas, on November 5, 2009.

By Mr. DURBIN (for himself, Mr. KIRK, Mr. BENNET, Mr. CARDIN, Mr. WARNER, Mr. TESTER, Mrs. SHAHEEN, Mr. BAUCUS, Ms. LANDRIEU, Mr. COCHRAN, Mr. WHITEHOUSE, Mr. RUBIO, Mr. JOHNSON of South Dakota, Mr. BLUNT, Ms. CANTWELL, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. SANDERS, Mr. FRANKEN, Mrs. HAGAN, and Mr. MARKEY):

S. 1503. A bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, every day almost 50 million children pass through the doors of public schools across the country.

For these young people, school is a place to learn, make friends, and be exposed to new things.

For a small number of children, however, lunch time, a classmate's birthday party, or a piece of candy from a friend can risk exposure to foods that can cause a severe and life-threatening allergic reaction.

Although food allergies are common—with one out of every 25 children

having a food allergy—you may not personally know a child that suffers from severe food allergies.

But I am sure you have heard the sad stories about students trying a new food at lunch or accidentally eating something containing peanuts or soy.

Most of us wouldn't even notice the peanuts or soy, but for these kids the consequences can be fatal.

Their throats constrict, making them fight for every breath. And if they don't get a life-saving shot of epinephrine within minutes they can die.

Last year, I met with the mother of 7-year-old Amarria Johnson from Virginia.

One day at recess a friend gave Amarria a peanut, which triggered a severe allergic reaction.

By the time emergency crews arrived they could not resuscitate her.

This was the first time Amarria had a severe allergic reaction, so she did not have an epinephrine shot prescribed for her at the school to use in an emergency.

Almost 4 years ago in my home state, a 13-year-old named Katelyn Carlson passed away from a severe allergic reaction after she ate Chinese food during a party in her 7th grade class.

Our hearts ache when we hear tragic stories like this, but in most cases they could have been prevented.

A year after Katelyn passed away, Illinois Governor Quinn signed a law that I hope will prevent another child from dying from an anaphylactic reaction because the school does not have epinephrine on hand.

Today I introduced, along with Senator KIRK, a bill that encourages every state to follow Illinois' example.

The School Access to Emergency Epinephrine Act encourages states to require all schools to maintain a supply of epinephrine on the premises and to allow trained school personnel to administer epinephrine if a child is having a serious anaphylactic reaction.

Schools can help by being prepared and allowed to treat a child in the few minutes they have to save their life.

Considering that children spend about 28 percent of their time at school, schools can and should play a role in responding to students that have a severe and potentially fatal allergic reaction.

Currently students with severe allergies are allowed to self-administer epinephrine if they are having a serious allergic reaction.

But what if the child forgets their epinephrine at home?

What about the many children who don't even know they have an allergy?

About 25 percent of epinephrine administrations in schools involve young people with no previous allergy.

Dying from a severe allergic reaction is preventable.

Unfortunately most of our schools are not prepared for the likely event that a student has a severe allergic reaction.

A 2001 study on a small group of young people found that 28 percent of school-aged children who died due to allergic reaction, died at school, and epinephrine was either not administered or was administered too late.

We can do better.

States should require schools to keep epinephrine on hand, and school personnel need to be trained to identify a severe allergic reaction and know how to respond.

I will work with Senator KIRK and my colleagues in Congress to pass this bill, which I hope will help protect kids when they try a new food during lunch time or are given a cookie from a classmate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1503

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''School Access to Emergency Epinephrine Act''.

SEC. 2. ADDITIONAL PREFERENCE TO CERTAIN STATES THAT ALLOW TRAINED SCHOOL PERSONNEL TO ADMINISTER EPINEPHRINE.

Section 399L(d) of part P of title III of the Public Health Service Act (42 U.S.C. 280g(d)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(F) SCHOOL PERSONNEL ADMINISTRATION OF EPINEPHRINE.—In determining the preference (if any) to be given to a State under this subsection, the Secretary shall give additional preference to a State that provides to the Secretary the certification described in subparagraph (G) and that requires that each public elementary school and secondary school in the State—

''(i) permits trained personnel of the school to administer epinephrine to any student of the school reasonably believed to be having an anaphylactic reaction;

''(ii) maintains a supply of epinephrine in a secure location that is easily accessible to trained personnel of the school for the purpose of administration to any student of the school reasonably believed to be having an anaphylactic reaction; and

''(iii) has in place a plan for having on the premises of the school during all operating hours of the school one or more individuals who are trained personnel of the school.

''(G) CIVIL LIABILITY PROTECTION LAW.—The certification required in subparagraph (F) shall be a certification made by the State attorney general that the State has reviewed any applicable civil liability protection law to determine the application of such law with regard to elementary and secondary school trained personnel who may administer epinephrine to a student reasonably believed to be having an anaphylactic reaction and has concluded that such law provides adequate civil liability protection applicable to such trained personnel. For purposes of the previous sentence, the term 'civil liability protection law' means a State law offering legal protection to individuals who give aid on a voluntary basis in an emergency to an individual who is ill, in peril, or otherwise incapacitated.''; and

(2) in paragraph (3), by adding at the end the following:

''(E) The term 'trained personnel' means, with respect to an elementary or secondary school an individual—

''(i) who has been designated by the principal (or other appropriate administrative staff) of the school to administer epinephrine on a voluntary basis outside their scope of employment;

''(ii) who has received training in the administration of epinephrine; and

''(iii) whose training in the administration of epinephrine meets appropriate medical standards and has been documented by appropriate administrative staff of the school.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 223—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. LEAHY submitted the following resolution; from the Committee on the Judiciary; which was referred to the Committee on Rules and Administration:

S. RES. 223

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under Rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of Rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from October 1, 2013, through September 30, 2014 and October 1, 2014, through February 28, 2015, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period October 1, 2013, through September 30, 2014, under this resolution shall not exceed $9,267,893, of which amount (1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

(b) For the period October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed $3,861,622, of which amount (1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1)

for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October, 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations''.

SENATE RESOLUTION 224—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. JOHNSON of South Dakota submitted the following resolution; from the Committee on Banking, Housing, and Urban Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 224

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under Rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of Rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from October 1, 2013, through September 30, 2014 and October 1, 2014, through February 28, 2015, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period October 1, 2013, through September 30, 2014, under this resolution shall not exceed $5,293,156, of which amount (1) not to exceed $14,348 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $861 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

(b) For the period October 1, 2014, through February 28, 2015, expenses of the committee under this resolution shall not exceed $2,205,482, of which amount (1) not to exceed $5,978 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed $359 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(j))).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2015.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from October, 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations''.

SENATE RESOLUTION 225—TO EXPRESS THE SENSE OF THE SENATE THAT CONGRESS SHOULD ESTABLISH A JOINT SELECT COMMITTEE TO INVESTIGATE AND REPORT ON THE ATTACK ON THE UNITED STATES DIPLOMATIC FACILITY AND AMERICAN PERSONNEL IN BENGHAZI, LIBYA, ON SEPTEMBER 11, 2012

Mr. CRUZ (for himself, Mr. VITTER, Mr. BLUNT, Mr. TOOMEY, Mr. PAUL, Mr. SCOTT, Mr. LEE, Mr. INHOFE, Ms. AYOTTE, Mr. PORTMAN, Mr. COBURN, Mr. RISCH, Mr. JOHNSON of Wisconsin, Mr. HELLER, Mr. ISAKSON, Mr. CRAPO, Mr. ROBERTS, Mr. BURR, Mr. GRAHAM, Mr. BARRASSO, Mr. ENZI, Mr. GRASSLEY, and Mr. COCHRAN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 225

Whereas the September 11, 2012, terrorist attack on the United States diplomatic facility in Benghazi, Libya, resulted in the brutal deaths of four Americans: Ambassador Christopher Stevens, Foreign Service Officer Sean Smith, and former Navy SEALS Glen Doherty and Tyrone Woods;

Whereas the Nation commemorates and mourns the loss of these American heroes;

Whereas Ambassador Christopher Stevens is the first United States ambassador to be murdered since Ambassador Adolph Dubs was kidnapped and killed in Afghanistan in 1979;

Whereas President Barack Obama declared in his first address to the Nation about the attack on September 12, 2012, ''make no mistake, we will work with the Libyan government to bring to justice the killers who attacked our people,'' yet there has been no action of reprisal and no justice rendered;

Whereas failure to hold accountable the perpetrators of this vicious attack will leave terrorists around the world with the impression that they can kill Americans and escape the consequences—increasing the likelihood of future attacks;

Whereas progress in the investigation into the attacks on the United States diplomatic facility has been disappointing, and no suspects are in United States custody;

Whereas whistleblowers, including former Deputy Chief of Mission Gregory Hicks, have reported unwarranted repercussions and fear of retaliation;

Whereas the Department of State's lack of adequate cooperation has prevented congressional committees from properly investigating and receiving direct testimony on behalf of Benghazi survivors;

Whereas the American people deserve to have a complete account from their government of the events in Benghazi before, during, and after the September 11, 2012, attack because, as Gregory Hicks said, ''the American people need to have the story. And Ambassador Chris Stevens, Sean Smith, Ty Woods and Glen Doherty's names are names that should be remembered by every American for the sacrifice that they made.''; and

Whereas the White House declared on September 10, 2013, ''We remain committed to bringing the perpetrators of the Benghazi attacks to justice and to ensuring the safety of our brave personnel serving overseas'': Now therefore be it

Resolved, That it is the sense of the Senate that Congress should establish a joint select committee to investigate and report on the attack on the United States diplomatic facility and American personnel in Benghazi, Libya on September 11, 2012.

SENATE RESOLUTION 226—CELEBRATING THE 100TH ANNIVERSARY OF THE BIRTH OF JAMES CLEVELAND ''JESSE'' OWENS AND HONORING HIM FOR HIS ACCOMPLISHMENTS AND STEADFAST COMMITMENT TO PROMOTING THE CIVIL RIGHTS OF ALL PEOPLE

Mr. BROWN (for himself, Mr. PORTMAN, Mr. DURBIN, Mr. KIRK, Ms. LANDRIEU, and Mr. SESSIONS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 226

Whereas James Cleveland ''Jesse'' Owens was born on September 12, 1913 in Oakville, Alabama;

Whereas Jesse Owens, the youngest of 10 children of sharecroppers and the grandson of a slave, moved with his family at the age of 9 to Cleveland, Ohio as part of the Great Migration;

Whereas, as a student at Fairmount Junior High School, Jesse Owens broke junior high school world records for the high jump and the broad jump;

Whereas Jesse Owens attended East Technical High School in Cleveland, Ohio where, as a member of the track team, he placed first in 75 of the 79 races he entered during his senior year, set the world record in the 220-yard dash, and tied the world record in the 100-yard dash;

Whereas Jesse Owens, the ''Buckeye Bullet'', matriculated at the Ohio State University in 1933 after attracting national attention as a high school athlete;

Whereas, while attending classes, training, and breaking a number of track and field records, Jesse Owens worked various jobs, including as an elevator operator at the Ohio State Capitol, a waiter, a gas station attendant, and a library employee;

Whereas, due to his race, Jesse Owens was barred from living on campus at the Ohio State University, denied service at restaurants near the University, and forced to stay in segregated hotels;

Whereas, on May 25, 1935, in a 45-minute period during the Big Ten Track and Field Championships in Ann Arbor, Michigan, Jesse Owens, competing with an injured back, tied the world record in the 100-yard dash and set new world records in the long jump, the 220-yard dash, and the 220-yard low hurdles;

Whereas, as of the 2012 Summer Olympics, only two men had surpassed the long jump record Jesse Owens set in 1935;

Whereas, at the 1936 Summer Olympics, Jesse Owens won 4 gold medals, tied the world record in the 100-meter dash, and set new Olympic records in the 200-meter race, the long jump, and the 400-meter relay;

Whereas Jesse Owens' resilience and heroic performance at the 1936 Summer Olympics exposed the struggle against racial bigotry and publicly defied Adolf Hitler's intention of proving that ethnicity was a predetermining factor for achievement;

Whereas the record-breaking performance by Jesse Owens at the 1936 Summer Olympics was never recognized by President Franklin D. Roosevelt or President Harry S. Truman, but was later recognized in 1955 by President Dwight D. Eisenhower, who referred to Jesse Owens as an ''Ambassador of Sport'';

Whereas, following his Olympic career, Jesse Owens resumed his commitment to public service by spending much of his time working with community groups such as the Boys Clubs of America, chronicling his personal story to magnify the importance of equality and civil rights;

Whereas, during the 1950s, Jesse Owens worked with the Department of State to promote democracy abroad as an Ambassador of Goodwill during the Cold War and advocated for socioeconomic equality, individuality, freedom, and love of country;

Whereas Jesse Owens was awarded the Presidential Medal of Freedom by President Gerald R. Ford in 1976 and the Living Legend Award by President Jimmy Carter in 1979, and was posthumously awarded the Congressional Gold Medal by President George H.W. Bush in 1990; and

Whereas the integrity, courage, and strength of character that Jesse Owens demonstrated remain an example for all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) honors and celebrates the 100th anniversary of the birth of James Cleveland ''Jesse'' Owens; and

(2) supports and encourages the people of the United States to recognize the contributions of Jesse Owens to the Olympic Games, collegiate athletics, international race relations, and democracy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1887. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table.

SA 1888. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1889. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1890. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1891. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1892. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1893. Mr. HELLER (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1894. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1895. Mr. WARNER (for himself, Mr. MANCHIN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1896. Mr. FLAKE (for himself, Mr. COBURN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1897. Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1898. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1899. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1900. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1901. Mr. BLUNT (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1902. Mr. BLUNT (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1903. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1904. Mr. UDALL of New Mexico (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1905. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1906. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1907. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1908. Mr. HOEVEN (for himself, Ms. LANDRIEU, Mr. MCCONNELL, Ms. HEITKAMP, Mr. THUNE, Mr. BEGICH, Mr. CORNYN, Mr. PRYOR, Mr. BLUNT, Mr. RISCH, Mr. BARRASSO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1909. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1910. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1911. Mr. UDALL of Colorado (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1912. Mr. UDALL of Colorado (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1913. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1914. Mr. DONNELLY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1915. Mr. SANDERS (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1916. Mr. HOEVEN (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1917. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1918. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1919. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1920. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1921. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1922. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1923. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1924. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1925. Mr. LEVIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1926. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

SA 1927. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 1392, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1887. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

(a) IN GENERAL.—Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is repealed.

(b) EFFECT OF REPEAL.—The repeal under subsection (a) shall not affect any incentive, loan, or other assistance provided under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) on or before January 1, 2013.

SA 1888. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4_____. PROHIBITION ON COLLECTION AND DISBURSEMENT OF AGRICULTURAL PRODUCER PERSONAL INFORMATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall not establish any searchable online database of the personal information of any owner, operator, or employee of a livestock or farming operation.

(b) INCLUSIONS.—For purposes of subsection (a), personal information includes—

(1) names of the owners, operators, or employees or of family members of the owners, operators, or employees;

(2) telephone numbers;

(3) email addresses;

(4) physical or mailing addresses;

(5) number of livestock;

(6) Global Positioning System coordinates; or

(7) other personal information regarding the owners, operators, or employees.

(c) FOIA.—

(1) IN GENERAL.—Personal information described in subsection (b) shall be exempt from disclosure under section 552 of title 5, United States Code.

(2) APPLICABILITY.—For purposes of paragraph (1), this section shall be considered a statute described in section 552(b)(3)(B) of title 5, United States Code.

SA 1889. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. STUDY OF REGULATIONS THAT LIMIT GREENHOUSE GAS EMISSIONS FROM EXISTING POWER PLANTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the effect that regulations limiting greenhouse gas emissions from existing power plants would have on jobs and energy prices.

(b) DETERMINATION.—If, based on the study conducted under subsection (a), the Secretary of Energy determines that the regulations described in that subsection would directly or indirectly destroy jobs or raise energy prices, the Administrator of the Environmental Protection Agency shall not finalize the regulations.

SA 1890. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. STUDY OF EFFECT OF TIER 3 MOTOR VEHICLE EMISSION AND FUEL STANDARD.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the effect that the Tier 3 motor vehicle emission and fuel standard would have on the price of gasoline.

(b) DETERMINATION.—If, based on the study conducted under subsection (a), the Secretary of Energy determines that the Tier 3 motor vehicle emission and fuel standard would result in an increase in the price of gasoline, the Administrator of the Environmental Protection Agency shall not finalize the standard.

SA 1891. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. CONGRESSIONAL APPROVAL OF EPA REGULATIONS WITH HIGH COMPLIANCE COSTS.

Notwithstanding any other provision of law, if the cost of compliance with a regulation of the Administrator of the Environmental Protection Agency exceeds $1,000,000,000, the regulation shall not take effect unless Congress enacts a law that approves the regulation.

SA 1892. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following

SEC. 4_____. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

(a) IN GENERAL.—In developing an onshore and offshore oil and gas leasing program for the Department of the Interior, subject to paragraph (2), the Secretary of the Interior (referred to in this section as the ''Secretary'') shall determine a domestic strategic production goal for the development of oil and natural gas from Federal onshore and offshore areas, which goal shall be—

(1) the best estimate of the practicable increase in domestic production of oil and natural gas from the outer Continental Shelf and Federal onshore areas; and

(2) focused on—

(A) meeting domestic demand for oil and natural gas;

(B) reducing the dependence of the United States on foreign energy; and

(C) the production increases achieved by the leasing program at the end of each of the 15- and 30-year periods beginning on the effective date of the program.

(b) PROGRAM GOAL.—For purposes of the onshore and offshore oil and gas leasing program of the Department of the Interior, the production goal determined under subsection (a) shall be an increase by January 1, 2032, of the greater of—

(1)(A) not less than 3,000,000 barrels in the quantity of oil produced per day; and

(B) not less than 10,000,000,000 cubic feet in the quantity of natural gas produced per day; or

(2) not less than the projected 30-year percentage increase in the production of oil and natural gas from non-Federal areas, as determined by the Energy Information Administration.

(c) REPORT.—Beginning on the date that is 1 year after the effective date of the onshore and offshore oil and gas leasing program and annually thereafter, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the progress of the program in meeting the production goal under subsection (a) that includes an identification of projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal.

SA 1893. Mr. HELLER (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. ENERGY CONSUMERS RELIEF.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COVERED ENERGY-RELATED RULE.—The term ''covered energy-related rule'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for that regulation by States or other governmental entities; and

(B) is estimated by the Administrator or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) DIRECT COSTS.—The term ''direct costs'' has the meaning given the term in chapter 8 of the document of the Environmental Protection Agency entitled ''Guidelines for Preparing Economic Analyses'' and dated December 17, 2010.

(4) INDIRECT COSTS.—The term ''indirect costs'' has the meaning given the term in chapter 8 of the document of the Environmental Protection Agency entitled ''Guidelines for Preparing Economic Analyses'' and dated December 17, 2010.

(5) RULE.—The term ''rule'' has the meaning given the term in section 551 of title 5, United States Code.

(b) PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.—Notwithstanding any other provision of law, the Administrator shall not promulgate as final any covered energy-related rule if the Secretary determines under subsection (c)(4) that the rule will result in significant adverse effects to the economy.

(c) REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.—

(1) IN GENERAL.—Before promulgating as final any covered energy-related rule, the Administrator shall carry out the activities described in paragraphs (3) and (4).

(2) REPORT TO CONGRESS.—For each covered energy-related rule, the Administrator shall submit to Congress a report (and transmit a copy to the Secretary) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D) an estimate of—

(i) the total benefits of the rule; and

(ii) when those benefits are expected to be realized;

(E) a description of the modeling, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under subparagraph (D);

(F) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(G) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(3) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the covered energy-related rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the electricity generation portfolio of the United States or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(4) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary determines, under paragraph (3), that the rule will result in an increase, impact, or effect described in that subsection, then the Secretary, in consultation with the Administrator, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will result in significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating those costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of that determination in the Federal Register.

SA 1894. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4___. SENSE OF SENATE ON IMPLEMENTATION OF ENERGY SAVINGS PROJECTS.

(a) FINDING.—The Senate finds that performance-based contracts for energy savings help Federal agencies meet energy efficiency, renewable energy, water conservation, and emission reductions goals.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the 2011 Presidential Memorandum regarding the Implementation of Energy Savings Projects is an important energy initiative of the Federal Government; and

(2) Federal agencies are encouraged to meet the goals described in the Memorandum through the continued implementation of energy savings projects.

SA 1895. Mr. WARNER (for himself, Mr. MANCHIN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle B—State Energy Race to the Top Initiative

SEC. 511. SHORT TITLE.

This subtitle may be cited as the ''State Energy Race to the Top Initiative Act of 2013''.

SEC. 512. PURPOSE.

The purpose of this subtitle is to assist energy policy innovation in the States to promote the goal of doubling electric and thermal energy productivity by January 1, 2030.

SEC. 513. DEFINITIONS.

In this subtitle:

(1) ENERGY PRODUCTIVITY.—The term ''energy productivity'' means, in the case of a State or Indian tribe, the gross State or tribal product per British thermal unit of energy consumed in the State or tribal land of the Indian tribe, respectively.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) STATE.—The term ''State'' has the meaning given the term in section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202).

SEC. 514. PHASE 1: INITIAL ALLOCATION OF GRANTS TO STATES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue an invitation to States to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this section.

(b) GRANTS.—

(1) IN GENERAL.—Subject to section 517, the Secretary shall use funds made available under section 518(b)(1) to provide an initial allocation of grants to not more than 25 States.

(2) AMOUNT.—The amount of a grant provided to a State under this section shall be not less than $1,000,000 nor more than $3,500,000.

(c) SUBMISSION OF PLANS.—To receive a grant under this section, not later than 90 days after the date of issuance of the invitation under subsection (a), a State (in consultation with energy utilities, regulatory bodies, and others) shall submit to the Secretary an application to receive the grant by submitting a revised State energy conservation plan under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

(d) DECISION BY SECRETARY.—

(1) BASIS.—The Secretary shall base the decision of the Secretary on an application submitted under this section on—

(A) plans for improvement in electric and thermal energy productivity consistent with this subtitle; and

(B) other factors determined appropriate by the Secretary, including geographic diversity.

(2) RANKING.—The Secretary shall—

(A) rank revised plans submitted under this section in order of the greatest to least likely contribution to improving energy productivity in the State; and

(B) provide grants under this section in accordance with the ranking and the scale and scope of a plan.

(e) PLAN REQUIREMENTS.—A plan submitted under subsection (c) shall provide—

(1) a description of the manner in which—

(A) energy savings will be monitored and verified and energy productivity improvements will be calculated using inflation-adjusted dollars;

(B) a statewide baseline of energy use and potential resources for calendar year 2010 will be established to measure improvements;

(C) the plan will promote achievement of energy savings and demand reduction goals;

(D) public and private sector investments in energy efficiency will be leveraged with available Federal funding; and

(E) the plan will not cause cost-shifting among utility customer classes or negatively impact low-income populations; and

(2) an assurance that—

(A) the State energy office required to submit the plan, the energy utilities in the State participating in the plan, and the State public service commission are cooperating and coordinating programs and activities under this subtitle;

(B) the State is cooperating with local units of government, Indian tribes, and energy utilities to expand programs as appropriate; and

(C) grants provided under this subtitle will be used to supplement and not supplant Federal, State, or ratepayer-funded programs or activities in existence on the date of enactment of this subtitle.

(f) USES.—A State may use grants provided under this section to promote—

(1) the expansion of policies and programs that will advance industrial energy efficiency, waste heat recovery, combined heat and power, and waste heat-to-power utilization;

(2) the expansion of policies and programs that will advance energy efficiency construction and retrofits for public and private commercial buildings (including schools, hospitals, and residential buildings, including multifamily buildings) such as through expanded energy service performance contracts, equivalent utility energy service contracts, zero net-energy buildings, and improved building energy efficiency codes;

(3) the establishment or expansion of incentives in the electric utility sector to enhance demand response and energy efficiency, including consideration of additional incentives to promote the purposes of section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)), such as appropriate, cost-effective policies regarding rate structures, grid improvements, behavior change, combined heat and power and waste heat-to-power incentives, financing of energy efficiency programs, data use incentives, district heating, and regular energy audits; and

(4) leadership by example, in which State activities involving both facilities and vehicle fleets can be a model for other action to promote energy efficiency and can be expanded with Federal grants provided under this subtitle.

SEC. 515. PHASE 2: SUBSEQUENT ALLOCATION OF GRANTS TO STATES.

(a) REPORTS.—Not later than 18 months after the receipt of grants under section 514, each State (in consultation with other parties described in subsection (b)(3)(F) that received grants under section 514 may submit to the Secretary a report that describes—

(1) the performance of the programs and activities carried out with the grants; and

(2) in consultation with other parties described in subsection (b)(3)(F), the manner in which additional funds would be used to carry out programs and activities to promote the purposes of this subtitle.

(b) GRANTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the receipt of the reports required under subsection (a), subject to section 517, the Secretary shall use amounts made available under section 518(b)(2) to provide grants to not more than 6 States to carry out the programs and activities described in subsection (a)(2).

(2) AMOUNT.—The amount of a grant provided to a State under this section shall be not more than $30,000,000.

(3) BASIS.—The Secretary shall base the decision of the Secretary to provide grants under this section on—

(A) the performance of the State in the programs and activities carried out with grants provided under section 514;

(B) the potential of the programs and activities described in subsection (a)(2) to achieve the purposes of this subtitle;

(C) the desirability of maintaining a total project portfolio that is geographically and functionally diverse;

(D) the amount of non-Federal funds that are leveraged as a result of the grants to ensure that Federal dollars are leveraged effectively;

(E) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(F) demonstrated effort by the State to involve diverse groups, including—

(i) investor-owned, cooperative, and public power utilities;

(ii) local governments; and

(iii) nonprofit organizations.

SEC. 516. ALLOCATION OF GRANTS TO INDIAN TRIBES.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall invite Indian tribes to submit plans to participate in an electric and thermal energy productivity challenge in accordance with this section.

(b) SUBMISSION OF PLANS.—To receive a grant under this section, not later than 90 days after the date of issuance of the invitation under subsection (a), an Indian tribe shall submit to the Secretary a plan to increase electric and thermal energy productivity by the Indian tribe.

(c) DECISION BY SECRETARY.—

(1) IN GENERAL.—Not later than 90 days after the submission of plans under subsection (b), the Secretary shall make a final decision on the allocation of grants under this section.

(2) BASIS.—The Secretary shall base the decision of the Secretary under paragraph (1) on—

(A) plans for improvement in electric and thermal energy productivity consistent with this subtitle;

(B) plans for continuation of the improvements after the receipt of grants under this subtitle; and

(C) other factors determined appropriate by the Secretary, including—

(i) geographic diversity; and

(ii) size differences among Indian tribes.

(3) LIMITATION.—An individual Indian tribe shall not receive more than 20 percent of the total amount available to carry out this section.

SEC. 517. ADMINISTRATION.

(a) INDEPENDENT EVALUATION.—To evaluate program performance and effectiveness under this subtitle, the Secretary shall consult with the National Research Council regarding requirements for data and evaluation for recipients of grants under this subtitle.

(b) COORDINATION WITH STATE ENERGY CONSERVATION PROGRAMS.—

(1) IN GENERAL.—Grants to States under this subtitle shall be provided through additional funding to carry out State energy conservation programs under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(2) RELATIONSHIP TO STATE ENERGY CONSERVATION PROGRAMS.—

(A) IN GENERAL.—A grant provided to a State under this subtitle shall be used to supplement (and not supplant) funds provided to the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(B) MINIMUM FUNDING.—A grant shall not be provided to a State for a fiscal year under this subtitle if the amount of funding provided to all State grantees under the base formula for the fiscal year under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is less than $50,000,000.

(c) VOLUNTARY PARTICIPATION.—The participation of a State in a challenge established under this subtitle shall be voluntary.

SEC. 518. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this subtitle $200,000,000 for the period of fiscal years 2014 through 2017.

(b) ALLOCATION.—Of the total amount of funds made available under subsection (a)—

(1) 30 percent shall be used to provide an initial allocation of grants to States under section 514;

(2) 61 percent shall be used to provide a subsequent allocation of grants to States under section 515;

(3) 4 percent shall be used to make grants to Indian tribes under section 516; and

(4) 5 percent shall be available to the Secretary for the cost of administration and technical support to carry out this subtitle.

SEC. 519. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) (as amended by section 501) is amended by striking paragraphs (5) and (6) and inserting the following:

''(5) $80,000,000 for fiscal year 2014;

''(6) $50,000,000 for each of fiscal years 2015 through 2017; and

''(7) $200,000,000 for fiscal year 2018.''.

SA 1896. Mr. FLAKE (for himself, Mr. COBURN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DELAY IN APPLICATION OF PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) ONE-YEAR DELAY IN PPACA PROVISIONS SCHEDULED TO TAKE EFFECT ON OR AFTER JANUARY 1, 2014.—Notwithstanding any other provision of law, any provision of (including any amendment made by) the Patient Protection and Affordable Care Act (Public Law 111–148) or of title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2011 (Public Law 111–152) that is otherwise scheduled to take effect on or after January 1, 2014, shall not take effect until the date that is one year after the date on which such provision would otherwise have been scheduled to take effect.

(b) ONE-YEAR SUSPENSION OF CERTAIN TAX INCREASES ALREADY IN EFFECT.—Notwithstanding any other provision of law, in the case of any tax which is imposed or increased by any provision of (including any amendment made by) the Patient Protection and Affordable Care Act (Public Law 111–148) or of title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2011 (Public Law 111–152), if such tax or increase takes effect before January 1, 2014, such tax or increase shall not apply during the 1-year period beginning on such date.

SA 1897. Mr. COBURN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, strike lines 15 and 16 insert the following:

fiscal year only—

(1) to the extent and in the amount provided in advance in appropriations Acts; and

(2) if the Secretary of Energy complies with the requirements for covered agencies under section 609(d) of title 5, United States Code.

SA 1898. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, strike lines 15 and 16 insert the following:

fiscal year only—

(1) to the extent and in the amount provided in advance in appropriations Acts; and

(2) if the Secretary of Energy ensures that no employee shall be compensated by the Department while performing duties related to a labor organization or collective bargaining that are otherwise authorized under section 7131 of title 5, United States Code.

SA 1899. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

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

(1) in paragraph (1), by adding at the end the following:

''(D) PROHIBITION.—The Secretary shall not sell or transfer any eligible commodity to a bioenergy producer under this section unless the resale price of the eligible commodity at the time of the sale and transfer is within 1 cent per pound of the loan rate for the eligible commodity under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).''; and

(2) in paragraph (4), by adding at the end the following:

''(D) OFFSET OF COSTS.—The Secretary shall offset all costs associated with the storage, transfer, and resale of eligible commodities under this section through a penalty on forfeited eligible commodities described in section 156(f)(3) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(f)(3)).''.

(b) FORFEITURE PENALTY.—Section 156(f) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(f)) is amended by adding at the end the following:

''(3) FORFEITURE PENALTY.—

''(A) IN GENERAL.—To carry out paragraph (1), the Secretary shall assess a penalty on the forfeiture of sugar pledged as collateral under this section.

''(B) REQUIREMENTS.—The Secretary shall set, and subsequently periodically adjust, the penalty at levels necessary to offset all costs to the Federal Government for storing, transferring, and reselling forfeited sugar, including potential resale losses to bioenergy producers under section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective beginning with the 2014 crop year.

SA 1900. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

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

(b) CONFORMING AMENDMENTS.—

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

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

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

(C) by striking clause (iii).

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

SA 1901. Mr. BLUNT (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 56, between lines 9 and 10, insert the following:

SEC. 5___. GAS ACCESSIBILITY AND STABILIZATION.

(a) EXPANSION OF WAIVER AUTHORITY.—Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) in clause (ii)(II), by inserting ''a problem with distribution or delivery equipment that is necessary for the transportation or delivery of fuel or fuel additives,'' after ''equipment failure,'';

(2) in clause (iii)(II), by inserting ''(except that the Administrator may extend the effectiveness of a waiver for more than 20 days if the Administrator determines that the conditions under clause (ii) supporting a waiver determination will exist for more than 20 days)'' before the semicolon at the end;

(3) by redesignating the second clause (v) (relating to the authority of the Administrator to approve certain State implementation plans) as clause (vi); and

(4) by adding at the end the following:

''(vii) PRESUMPTIVE APPROVAL.—Notwithstanding any other provision of this subparagraph, if the Administrator does not approve or deny a request for a waiver under this subparagraph within 3 days after receipt of the request, the request shall be considered to be approved as received by the Administrator and the applicable fuel standards shall be waived for the period of time requested.''.

(b) FUEL SYSTEM REQUIREMENTS HARMONIZATION STUDY.—Section 1509 of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1083) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting ''biofuels,'' after ''oxygenated fuel,''; and

(B) in paragraph (2)(G), by striking ''Tier II'' and inserting ''Tier III''; and

(2) in subsection (b)(1), by striking ''2008'' and inserting ''2014''.

SA 1902. Mr. BLUNT (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. SOCIAL COST OF CARBON.

(a) FINDINGS.—Congress finds that—

(1) on May 31, 2013, the White House released monetized estimates of the effects associated with carbon emissions to be used in Federal agency evaluations of the costs and benefits of carrying out regulations;

(2) the estimate described in paragraph (1) is often referred to as ''the social cost of carbon'' and is crucial to the environmental agenda of the Obama Administration, because the higher the social cost of carbon is determined to be, the more costly regulations can be justified;

(3) the estimate described in paragraph (1) was developed behind closed doors, without opportunity for public comment or participation, by an interagency working group;

(4) although Office of Management and Budget guidance requires the use of a 3 and 7 percent discount rate when predicting future costs and benefits, the interagency working group referred to in paragraph (3) ignored that guidance and used substantially lower discount rates, thereby leading to higher estimates;

(5) depending on the discount rate used by the interagency working group, the increase in the estimate ranges from 34 to 120 percent;

(6) Office of Management and Budget guidance requires that economically significant proposed and final regulations be analyzed from the domestic perspective while analysis from the international perspective is optional;

(7) the interagency working group referred to in paragraph (3) determined that the social cost of carbon should incorporate the full global damages of carbon, thereby greatly increasing the estimates without providing a United States-specific analysis;

(8) the estimate developed by the interagency working group is a de facto carbon tax that is buried in the cost-benefit analyses of energy related rulemakings;

(9) the cost-benefit analysis referred to in paragraph (8) will play a role in the decision of the Obama Administration relating to the Keystone pipeline and the development of emissions regulations for coal fired power plants; and

(10) the actions of the interagency working group unnecessarily and unwisely results in increased energy costs to consumers and households, thereby reducing economic growth and opportunity.

(b) SOCIAL COST OF CARBON IN COST-BENEFIT ANALYSES.—Notwithstanding any other provision of law, in any rulemaking or other action, an agency head shall not monetize any direct or indirect effects associated with carbon emissions to be used in a cost-benefit analysis of the agency, including the social cost of carbon estimate (as described in the document entitled ''Technical Support Document: Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866'', dated May 2013, or any preceding, succeeding, or substantially related document).

SA 1903. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 401. REGIONAL HAZE PROGRAM.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall not reject or disapprove in whole or in part a State regional haze implementation plan addressing any regional haze regulation of the Environmental Protection Agency (including the regulations described in section 51.308 of title 40, Code of Federal Regulations (or successor regulations)) if—

(1) the State has submitted to the Administrator a State implementation plan for regional haze that—

(A) considers the factors identified in section 169A of the Clean Air Act (42 U.S.C. 7491); and

(B) applies the relevant laws (including regulations);

(2) the Administrator fails to demonstrate using the best available science that a Federal implementation plan action governing a specific source, when compared to the State plan, results in at least a 1.0 deciview improvement in any class I area (as classified under section 162 of the Clean Air Act (42 U.S.C. 7472)); and

(3) implementation of the Federal implementation plan, when compared to the State plan, will result in an economic cost to the State or to the private sector of greater than $100,000,000 in any fiscal year or $300,000,000 in the aggregate.

SA 1904. Mr. UDALL of New Mexico (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 5_____. SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a utility;

(B) a municipality;

(C) a water district; and

(D) any other authority that provides water, wastewater, or water reuse services.

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

(4) SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.—The term ''smart water resource management pilot program'' or ''pilot

program'' means the pilot program established under subsection (b).

(b) SMART WATER RESOURCE MANAGEMENT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator and the Secretary shall establish and carry out a smart water resource management pilot program in accordance with this section.

(2) PURPOSE.—The purpose of the smart water resource management pilot program is to award grants to eligible entities to demonstrate novel and innovative technology-based solutions that will—

(A) increase the energy and water efficiency of water, wastewater, and water reuse systems;

(B) improve water, wastewater, and water reuse systems to help communities across the United States make significant progress in conserving water, saving energy, and reducing costs; and

(C) support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Administrator and the Secretary shall jointly make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Administrator and the Secretary shall consider—

(i) energy and cost savings;

(ii) the novelty of the technology to be used;

(iii) the degree to which the project integrates next-generation sensors, software, analytics, and management tools;

(iv) the anticipated cost-effectiveness of the pilot project in terms of energy efficiency savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale; and

(vi) whether the project will be completed in 5 years or less.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Administrator and the Secretary an application at such time, in such manner, and containing such information as the Administrator and the Secretary determine to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project;

(V) the names of the project lead organization and any partners;

(VI) the number of users to be served by the project; and

(VII) any other information that the Administrator and the Secretary determine to be necessary to complete the review and selection of a grant recipient.

(4) ROLES AND RESPONSIBILITIES.—The Administrator and the Secretary shall enter into a memorandum of understanding that—

(A) outlines the respective duties of the Administrator and the Secretary in carrying out this section; and

(B) establishes an interagency working group that shall—

(i) discuss the implementation of this section and related energy and water policy issues;

(ii) develop the application, evaluation, and other administrative processes necessary to carry out this section; and

(iii) determine whether the Environmental Protection Agency or the Department of Energy shall serve as the lead agency for purposes of evaluation and other administrative activities under this section, including the provision of technical and policy assistance.

(5) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Administrator and the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Administrator and the Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and impact of the project; and

(ii) assesses the degree to which the project is meeting the goals of the pilot program.

(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Administrator and the Secretary shall provide technical and policy assistance.

(D) BEST PRACTICES.—The Administrator and the Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Administrator and the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—The Administrator and the Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

(c) FUNDING.—

(1) IN GENERAL.—The Administrator and the Secretary shall use not less than $7,500,000 of amounts made available to the Administrator and the Secretary to carry out this section.

(2) PRIORITIZATION.—In funding activities under this section, the Administrator and the Secretary shall prioritize funding in the following manner:

(A) Any unobligated amounts made available for the surface water protection program on sustainable infrastructure management and for water infrastructure grants management activities of the Environmental Protection Agency and the State Energy Program of the Department of Energy, respectively.

(B) Any unobligated amounts (other than those described in subparagraph (A)) made available to the Administrator and the Secretary, respectively.

SA 1905. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SECTION 4_____. WATER EFFICIENCY, CONSERVATION, AND ADAPTATION.

(a) FINDINGS.—Congress finds that—

(1)(A) human-induced climate change is affecting the natural water cycle, decreasing precipitation levels in the West, especially the Southwest, and making droughts and floods more frequent and more intense;

(B) declining precipitation levels will severely impact water supplies in Southwestern States; and

(C) a sharp increase in the number of days with very heavy precipitation throughout the Northeast and the Midwest will stress aging water infrastructure;

(2) changes in the water cycle caused by climate disruptions will adversely affect water infrastructure, energy production and use, human health, transportation, agriculture, and ecosystems, while also aggravating water disputes across the United States;

(3)(A) the Colorado River, which supplies water for more than 30,000,000 people, is experiencing the worst drought in more than 100 years of recordkeeping; and

(B) the primary reservoirs of the Colorado River Basin and Lakes Mead and Powell have lost nearly half of the storage waters of the reservoirs and Lakes, and clean hydropower generated from Hoover Dam risks reduction if the extended drought persists;

(4) States and local governments and water utilities can begin to address the challenges described in this subsection by providing incentives for water efficiency and conservation, while also planning and investing in infrastructure to adapt to the impacts of climate change, particularly those impacts already affecting the United States;

(5) residential water demand can be reduced by 25 to 40 percent using existing, cost-effective technologies that also can reduce the water bills of consumers by hundreds of dollars per year; and

(6) water and energy use are inseparable activities, and supplying and treating water consumes around 4 percent of the electricity of the United States, and electricity makes up 75 percent of the cost of processing and delivering municipal water.

(b) DEFINITION OF ADMINISTRATOR.—In this section, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(c) WATERSENSE.—

(1) IN GENERAL.—There is established within the Environmental Protection Agency a WaterSense program to identify and promote water efficient products, buildings, landscapes, facilities, processes, and services so as—

(A) to reduce water use;

(B) to reduce the strain on water, wastewater, and stormwater infrastructure;

(C) to conserve energy used to pump, heat, transport, and treat water; and

(D) to preserve water resources for future generations, through voluntary labeling of, or other forms of communications about, products, buildings, landscapes, facilities, processes, and services that meet the highest water efficiency and performance criteria.

(2) DUTIES.—The Administrator shall—

(A) establish—

(i) a WaterSense label to be used for certain items; and

(ii) the procedure by which an item may be certified to display the WaterSense label;

(B) promote WaterSense-labeled products, buildings, landscapes, facilities, processes, and services in the market place as the preferred technologies and services for—

(i) reducing water use; and

(ii) ensuring product and service performance;

(C) work to enhance public awareness of the WaterSense label through public outreach, education, and other means;

(D) preserve the integrity of the WaterSense label by—

(i) establishing and maintaining performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

(ii) overseeing WaterSense certifications made by third parties;

(iii) conducting reviews of the use of the WaterSense label in the marketplace and taking corrective action in any case in which misuse of the label is identified; and

(iv) carrying out such other measures as the Administrator determines to be appropriate;

(E) regularly review and, if appropriate, update WaterSense criteria for categories of products, buildings, landscapes, facilities, processes, and services, at least once every 4 years;

(F) to the maximum extent practicable, regularly estimate and make available to the public the production and relative market shares of, and the savings of water, energy, and capital costs of water, wastewater, and stormwater infrastructure attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services, at least annually;

(G) solicit comments from interested parties and the public prior to establishing or revising a WaterSense category, specification, installation criterion, or other criterion (or prior to effective dates for any such category, specification, installation criterion, or other criterion);

(H) provide reasonable notice to interested parties and the public of any changes (including effective dates), on the adoption of a new or revised category, specification, installation criterion, or other criterion, along with—

(i) an explanation of the changes; and

(ii) as appropriate, responses to comments submitted by interested parties and the public;

(I) provide appropriate lead time (as determined by the Administrator) prior to the applicable effective date for a new or significant revision to a category, specification, installation criterion, or other criterion, taking into account the timing requirements of the manufacturing, marketing, training, and distribution process for the specific product, building and landscape, or service category addressed;

(J) identify and, if appropriate, implement other voluntary approaches in commercial, institutional, residential, industrial, and municipal sectors to encourage recycling and reuse technologies to improve water efficiency or lower water use; and

(K) if appropriate, apply the WaterSense label to water-using products that are labeled by the Energy Star program implemented by the Administrator and the Secretary of Energy.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

(A) $7,500,000 for fiscal year 2013;

(B) $10,000,000 for fiscal year 2014;

(C) $20,000,000 for fiscal year 2015;

(D) $50,000,000 for fiscal year 2016; and

(E) for each subsequent fiscal year, the applicable amount for the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(d) STATE RESIDENTIAL WATER EFFICIENCY AND CONSERVATION INCENTIVES PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term ''eligible entity'' means a State government, local or county government, tribal government, wastewater or sewerage utility, municipal water authority, energy utility, water utility, or nonprofit organization that meets the requirements of paragraph (2).

(B) INCENTIVE PROGRAM.—The term ''incentive program'' means a program for administering financial incentives for consumer purchase and installation of water-efficient products, buildings (including new water-efficient homes), landscapes, processes, or services described in paragraph (2)(A).

(C) RESIDENTIAL WATER-EFFICIENT PRODUCT, BUILDING, LANDSCAPE, PROCESS, OR SERVICE.—

(i) IN GENERAL.—The term ''residential water-efficient product, building, landscape, process, or service'' means a product, building, landscape, process, or service for a residence or its landscape that is rated for water efficiency and performance—

(I) by the WaterSense program; or

(II) if a WaterSense specification does not exist, by the Energy Star program or an incentive program approved by the Administrator.

(ii) INCLUSIONS.—The term ''residential water-efficient product, building, landscape, process, or service'' includes—

(I) faucets;

(II) irrigation technologies and services;

(III) point-of-use water treatment devices;

(IV) reuse and recycling technologies;

(V) toilets;

(VI) clothes washers;

(VII) dishwashers;

(VIII) showerheads;

(IX) xeriscaping and other landscape conversions that replace irrigated turf; and

(X) new water efficient homes certified under the WaterSense program.

(D) WATERSENSE PROGRAM.—The term ''WaterSense program'' means the program established by subsection (c).

(2) ELIGIBLE ENTITIES.—An entity shall be eligible to receive an allocation under paragraph (3) if the entity—

(A) establishes (or has established) an incentive program to provide financial incentives to residential consumers for the purchase of residential water-efficient products, buildings, landscapes, processes, or services;

(B) submits an application for the allocation at such time, in such form, and containing such information as the Administrator may require; and

(C) provides assurances satisfactory to the Administrator that the entity will use the allocation to supplement, but not supplant, funds made available to carry out the incentive program.

(3) AMOUNT OF ALLOCATIONS.—For each fiscal year, the Administrator shall determine the amount to allocate to each eligible entity to carry out paragraph (4), taking into consideration—

(A) the population served by the eligible entity during the most recent calendar year for which data are available;

(B) the targeted population of the incentive program of the eligible entity, such as general households, low-income households, or first-time homeowners, and the probable effectiveness of the incentive program for that population;

(C) for existing programs, the effectiveness of the program in encouraging the adoption of water-efficient products, buildings, landscapes, facilities, processes, and services;

(D) any allocation to the eligible entity for a preceding fiscal year that remains unused and

(E) the per capita water demand of the population served by the eligible entity during the most recent calendar year for which data are available and the accessibility of water supplies to the eligible entity.

(4) USE OF ALLOCATED FUNDS.—Funds allocated to an eligible entity under paragraph (3) may be used to pay up to 50 percent of the cost of establishing and carrying out an incentive program.

(5) FIXTURE RECYCLING.—Eligible entities are encouraged to promote or implement fixture recycling programs to manage the disposal of older fixtures replaced due to the incentive program under this subsection.

(6) ISSUANCE OF INCENTIVES.—

(A) IN GENERAL.—Financial incentives may be provided to residential consumers that meet the requirements of the applicable incentive program.

(B) MANNER OF ISSUANCE.—An eligible entity may—

(i) issue all financial incentives directly to residential consumers; or

(ii) with approval of the Administrator, delegate all or part of financial incentive administration to other organizations, including local governments, municipal water authorities, water utilities, and nonprofit organizations.

(C) AMOUNT.—The amount of a financial incentive shall be determined by the eligible entity, taking into consideration—

(i) the amount of any Federal or State tax incentive available for the purchase of the residential water-efficient product or service;

(ii) the amount necessary to change consumer behavior to purchase water-efficient products and services; and

(iii) the consumer expenditures for onsite preparation, assembly, and original installation of the product.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section—

(A) $100,000,000 for fiscal year 2013;

(B) $150,000,000 for fiscal year 2014;

(C) $200,000,000 for fiscal year 2015;

(D) $150,000,000 for fiscal year 2016;

(E) $100,000,000 for fiscal year 2017; and

(F) for each subsequent fiscal year, the applicable amount for the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(e) BLUE BANK FOR WATER SYSTEM MITIGATION AND ADAPTATION.—

(1) DEFINITIONS.—In this subsection:

(A) ABRUPT CLIMATE CHANGE.—The term ''abrupt climate change'' means a large-scale change in the climate system that—

(i) takes place over a few decades or less;

(ii) persists (or is anticipated to persist) for at least a few decades; and

(iii) causes substantial disruptions in human and natural systems.

(B) OWNER OR OPERATOR.—

(i) IN GENERAL.—The term ''owner or operator'' means a person (including a regional, State, local, municipal, or private entity) that owns or operates a water system.

(ii) INCLUSION.—The term ''owner or operator'' includes a non-Federal entity that has operational responsibilities for a federally owned water system.

(C) WATER SYSTEM.—The term ''water system'' means—

(i) a community water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f));

(ii) a publicly owned treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)), including a municipal separate storm sewer system;

(iii) a decentralized wastewater treatment system for domestic sewage;

(iv) a groundwater storage and replenishment system; or

(v) a system for transport and delivery of water for irrigation or conservation.

(2) GRANTS.—Beginning in fiscal year 2010, the Administrator shall make grants to owners or operators of water systems to address any ongoing or forecasted (based on the best available research and data) climate-related impact on the water quality or quantity of a region of the United States, for the purposes of mitigating or adapting to the impacts of climate change.

(3) ELIGIBLE USES.—In carrying out this subsection, the Administrator shall make

grants to assist in the planning, design, construction, implementation, or maintenance of any program or project to increase the resilience of a water system to climate change by—

(A) conserving water or enhancing water use efficiency, including through the use of water metering to measure the effectiveness of a water efficiency program;

(B) modifying or relocating existing water system infrastructure made or projected to be made inoperable by climate change impacts;

(C) preserving or improving water quality, including through measures to manage, reduce, treat, or reuse municipal stormwater, wastewater, or drinking water;

(D) investigating, designing, or constructing groundwater remediation, recycled water, or desalination facilities or systems;

(E) enhancing water management by increasing watershed preservation and protection, such as through the use of natural or engineered green infrastructure in the management, conveyance, or treatment of water, wastewater, or stormwater;

(F) enhancing energy efficiency or the use and generation of renewable energy in the management, conveyance, or treatment of water, wastewater, or stormwater;

(G) supporting the adoption and use of advanced water treatment, water supply management (such as reservoir reoperation), or water demand management technologies, projects, or processes (such as water reuse and recycling or adaptive conservation pricing) that maintain or increase water supply or improve water quality;

(H) modifying or replacing existing systems or constructing new systems for existing communities or land currently in agricultural production to improve water availability, storage, or conveyance in a manner that—

(i) promotes more efficient use of available water supplies; and

(ii) does not further exacerbate stresses on ecosystems;

(I) supporting practices and projects, such as improved irrigation systems, water banking and other forms of water transactions, groundwater recharge, stormwater capture, and reuse or recycling of drainage water, to improve water quality or promote more efficient water use, including on land currently in agricultural production;

(J) conducting and completing studies or assessments to project how climate change may impact the future operations and sustainability of water systems; or

(K) developing and implementing mitigation measures to rapidly address impacts on water systems most susceptible to abrupt climate change, including those in the Colorado River Basin and coastal regions at risk from rising sea levels.

(4) APPLICATION.—To be eligible to receive a grant from the Administrator under paragraph (2), the owner or operator of a water system shall submit to the Administrator an application that—

(A) includes a proposal of the program, strategy, or infrastructure improvement to be planned, designed, constructed, implemented, or maintained by the water system;

(B) cites the best available research or data that demonstrates—

(i) the risk to the water resources or infrastructure of the water system as a result of ongoing or forecasted changes to the hydrological system brought about by factors arising from climate change, including rising sea levels and changes in precipitation levels; and

(ii) how the proposed program, strategy, or infrastructure improvement would perform under the anticipated climate conditions;

(C) explains how the proposed program, strategy, or infrastructure improvement is expected to enhance the resiliency of the water system, including source water protection for community water systems, to these risks or reduce the direct or indirect greenhouse gas emissions of the water system; and

(D) demonstrates that the program, strategy, or infrastructure improvement is—

(i) consistent with any approved State and tribal climate adaptation plan; and

(ii) not inconsistent with any approved natural resources plan.

(5) COMPETITIVE PROCESS.—

(A) IN GENERAL.—Each calendar year, the Administrator shall conduct a competitive process to select and fund applications under this subsection.

(B) PRIORITY REQUIREMENTS AND WEIGHTING.—In carrying out the process, the Administrator shall—

(i) prioritize funding of applications that are submitted by the owners or operators of water systems that are, based on the best available research and data, at the greatest and most immediate risk of facing significant climate-related negative impacts on water quality or quantity;

(ii) in selecting among the priority applications determined under clause (i), ensure that the final list of applications funded for each year includes a substantial number that, to the maximum extent practicable, includes each eligible use described in paragraph (3);

(iii) solicit applications from water systems that are—

(I) located in all regions of the United States; and

(II) facing varying risks as a result of climate change; and

(iv) provide for solicitation and consideration of public input in the development of criteria used in evaluating applications.

(6) COST SHARING.—

(A) FEDERAL SHARE.—The Federal share of the cost of any program, strategy, or infrastructure improvement that is the subject of a grant awarded by the Administrator to a water system under paragraph (2) shall not exceed 50 percent of the cost of the program, strategy, and infrastructure improvement.

(B) CALCULATION OF NON-FEDERAL SHARE.—In calculating the non-Federal share of the cost of a program, strategy, or infrastructure improvement proposed by a water system through an application submitted by the water system under paragraph (4), the Administrator shall—

(i) include the value of any in-kind services that are integral to the completion of the program, strategy, or infrastructure improvement, as determined by the Administrator; and

(ii) not include any other amount that the water system receives from a Federal agency.

(7) LABOR STANDARDS.—

(A) IN GENERAL.—All laborers and mechanics employed on infrastructure improvements funded directly by or assisted in whole or in part by this subsection shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code.

(B) AUTHORITY AND FUNCTIONS.—With respect to the labor standards in this paragraph, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(8) REGULATIONS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall promulgate final regulations to carry out this subsection.

(B) SPECIAL RULE FOR THE CONSTRUCTION OF TREATMENT WORKS.—In carrying out this paragraph, the Administrator shall incorporate all relevant and appropriate requirements of title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) applicable to the construction of treatment works that are carried out under this subsection.

(9) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter, the Administrator shall submit to the Congress a report on progress in implementing this subsection, including information on project applications received and funded annually.

(10) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary.

SA 1906. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HOLDING SALARIES OF MEMBERS OF CONGRESS IN ESCROW UPON FAILURE TO MEET DEBT OBLIGATIONS.

(a) HOLDING SALARIES IN ESCROW.—

(1) IN GENERAL.—If the Federal Government is unable to make payments or meet obligations because the public debt limit under section 3101 of title 31, United States Code, has been reached, during the period described in paragraph (2) the payroll administrator of each House of Congress shall deposit in an escrow account all payments otherwise required to be made during such period for the compensation of Members of Congress who serve in that House of Congress, and shall release such payments to such Members only upon the expiration of such period.

(2) PERIOD DESCRIBED.—The period described in this paragraph is the period beginning on the date on which the Federal Government is unable to make payments or meet obligations because the public debt limit under section 3101 of title 31, United States Code, has been reached, and ending on the earlier of—

(A) the date on which the Senate and the House of Representatives present a bill to the President under article I, section 7 of the Constitution of the United States, to increase the public debt limit under section 3101 of title 31, United States Code; or

(B) the last day of the One Hundred Thirteenth Congress.

(3) WITHHOLDING AND REMITTANCE OF AMOUNTS FROM PAYMENTS HELD IN ESCROW.—The payroll administrator of each House of Congress shall provide for the same withholding and remittance with respect to a payment deposited in an escrow account under paragraph (1) that would apply to the payment if the payment were not subject to paragraph (1).

(4) RELEASE OF AMOUNTS AT END OF CONGRESS.—In order to ensure that this section is carried out in a manner that shall not vary the compensation of Senators or Representatives in violation of the 27th Amendment to the Constitution of the United States, the payroll administrator of a House of Congress shall release for payments to Members of that House of Congress any amounts remaining in any escrow account

under this section on the last day of the One Hundred Thirteenth Congress.

(5) ROLE OF SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall provide the payroll administrators of the Houses of Congress with such assistance as may be necessary to enable the payroll administrators to carry out this section.

(b) TREATMENT OF DELEGATES AS MEMBERS.—In this section, the term ''Member'' includes a Delegate or Resident Commissioner to Congress.

(c) PAYROLL ADMINISTRATOR DEFINED.—In this section, the term ''payroll administrator'' of a House of Congress means—

(1) in the case of the Senate, the Secretary of the Senate, or an employee of the Office of the Secretary of the Senate who is designated by the Secretary to carry out this section; and

(2) in the case of the House of Representatives, the Chief Administrative Officer of the House of Representatives, or an employee of the Office of the Chief Administrative Officer who is designated by the Chief Administrative Officer to carry out this section.

SA 1907. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, after line 23, add the following

Subtitle E—Financing Energy Efficient Manufacturing Program

SEC. 241. PURPOSE.

The purpose of this subtitle is to encourage widespread deployment of energy efficiency and onsite renewable energy technologies in manufacturing and industrial facilities throughout the United States through the establishment of a Financing Energy Efficient Manufacturing Program that would—

(1) encourage the widespread availability of financial products and programs with attractive rates and terms that significantly reduce or eliminate upfront expenses to allow manufacturing and industrial businesses to invest in energy efficiency measures, onsite clean and renewable energy systems, smart grid systems, and alternative vehicle fleets by providing credit support, credit enhancement, secondary markets, and other support to originators of the financial products and sponsors of the financing programs; and

(2) help building owners to invest in measures and systems that reduce energy costs, in many cases creating a net cost savings that can be realized in the short-term, and may also allow manufacturing and industrial businesses owners to defer capital expenditures, save money to hire new workers, and increase the value, comfort, and sustainability of the property of the owners.

SEC. 242. DEFINITIONS.

In this subtitle:

(1) COVERED PROGRAM.—The term ''covered program'' means a program to finance energy efficiency retrofit, onsite clean and renewable energy, smart grid, and alternative vehicle fleet projects for industrial businesses.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

SEC. 243. FINANCING ENERGY EFFICIENT MANUFACTURING PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the ''Financing Energy Efficient Manufacturing Program'', under which the Secretary shall provide grants to States to establish or expand covered programs.

(b) APPLICATIONS.—

(1) IN GENERAL.—A State may apply to the Secretary for a grant under subsection (a) to establish or expand covered programs.

(2) EVALUATION.—The Secretary shall evaluate applications submitted by States under paragraph (1) on the basis of—

(A) the likelihood that the covered program would—

(i) be established or expanded; and

(ii) increase the total investment and energy savings of retrofit projects to be supported;

(B) in the case of industrial business efficiency financing initiatives conducted under subsection (c), evidence of multistate cooperation and coordination with lenders, financiers, and owners; and

(C) other factors that would advance the purposes of this subtitle, as determined by the Secretary.

(c) MULTISTATE FACILITATION.—The Secretary shall consult with States and relevant stakeholders with applicable expertise to establish a process to identify financing opportunities for manufacturing and industrial business with asset portfolios across multiple States.

(d) ADMINISTRATION.—A State receiving a grant under subsection (a) shall give a higher priority to covered programs that—

(1) leverage private and non-Federal sources of funding; and

(2) aim explicitly to expand the use of energy efficiency project financing using private sources of funding.

(e) DAVIS-BACON COMPLIANCE.—

(1) IN GENERAL.—All laborers and mechanics employed on projects funded directly by or assisted in whole or in part by this subtitle shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'').

(2) AUTHORITY.—With respect to the labor standards specified in this subsection, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(f) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of receipt of a grant under this subtitle, a State shall submit to the Secretary, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report that describes the performance of covered programs carried out using the grant funds.

(2) DATA.—

(A) IN GENERAL.—A State receiving a grant under this subtitle, in cooperation with the Secretary, shall—

(i) collect and share data resulting from covered programs carried out under this subtitle; and

(ii) include in the report submitted under paragraph (1) any data collected under clause (i).

(B) DEPARTMENT DATABASES.—The Secretary shall incorporate data described in subparagraph (A) into appropriate databases of the Department of Energy, with provisions for the protection of confidential business data.

SEC. 244. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this subtitle $250,000,000, to remain available until expended.

(b) STATE ENERGY OFFICES.—Funds provided to a State under this subtitle shall be provided to the office within the State that is responsible for developing the State energy plan for the State under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq).

SA 1908. Mr. HOEVEN (for himself, Ms. LANDRIEU, Mr. MCCONNELL, Ms. HEITKAMP, Mr. THUNE, Mr. BEGICH, Mr. CORNYN, Mr. PRYOR, Mr. BLUNT, Mr. RISCH, Mr. BARRASSO, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, between lines 16 and 17, insert the following:

SEC. 4_____. SENSE OF CONGRESS REGARDING THE KEYSTONE XL PIPELINE.

(a) FINDINGS.—Congress finds that—

(1) safe and responsible production, transportation, and use of oil and petroleum products provide the foundation of the energy economy of the United States, helping to secure and advance the economic prosperity, national security, and overall quality of life in the United States;

(2) the Keystone XL pipeline would provide short- and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes;

(3) the State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts;

(4) the Department of State and other Federal agencies have conducted extensive studies and analysis over a long period of time on the technical, environmental, social, and economic impact of the proposed Keystone XL pipeline;

(5) assessments by the Department of State found that the Keystone XL pipeline is ''not likely to impact the amount of crude oil produced from the oil sands'' and that ''approval or denial of the proposed Project is unlikely to have a substantial impact on the rate of development in the oil sands'';

(6) the Department of State found that the incremental life cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing 1,000 of 1 percent of the 6,702,000,000 metric tons of carbon dioxide emitted in the United States in 2011;

(7) after extensive evaluation of potential impact to land and water resources along the 875-mile proposed route of the Keystone XL pipeline, the Department of State found, ''The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).'';

(8) the Department of State found that ''[s]pills associated with the proposed Project that enter the environment are expected to be rare and relatively small'' and that ''there is no evidence of increased corrosion or other pipeline threat due to viscosity'' of diluted bitumen oil that will be transported by the Keystone XL pipeline;

(9) the National Research Council convened a special expert panel to review the risk of transporting diluted bitumen by pipeline and issued a report in June 2013 to the Department of Transportation in which the National Research Council found that existing literature indicates that transportation of diluted bitumen poses no increased risk of pipeline failure;

(10) plans to incorporate 57 project-specific special conditions relating to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have ''a degree of safety over any other typically constructed domestic oil pipeline''; and

(11) the Department of State found that oil destined to be shipped through the pipeline from the oil sands region of Canada and oil shale deposits in the United States would otherwise move by other modes of transportation if the Keystone XL pipeline is not built.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) construction of the Keystone XL pipeline will promote sound investment in the infrastructure of the United States;

(2) construction of the Keystone XL pipeline will promote energy security in North America and will generate an increase in private sector jobs that will benefit both the region surrounding the Keystone XL pipeline and the United States as a whole; and

(3) completion of the Keystone XL pipeline is in the national interest of the United States.

SA 1909. Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 404. REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

(a) IN GENERAL.—The Mineral Leasing Act is amended—

(1) by redesignating section 44 (30 U.S.C. 181 note) as section 45; and

(2) by inserting after section 43 (30 U.S.C. 226–3) the following:

''SEC. 44. REGULATION OF OIL OR NATURAL GAS DEVELOPMENT ON FEDERAL LAND IN STATES.

''(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior shall not issue or promulgate any guideline or regulation relating to oil or gas exploration or production on Federal land in a State if the State has otherwise met the requirements under this Act or any other applicable Federal law.

''(b) EXCEPTION.—The Secretary may issue or promulgate guidelines and regulations relating to oil or gas exploration or production on Federal land in a State if the Secretary of the Interior determines that as a result of the oil or gas exploration or production there is an imminent and substantial danger to the public health or environment.''.

(b) REGULATIONS.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

''SEC. 1459. REGULATIONS.

''(a) COMMENTS RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION.—Before issuing or promulgating any guideline or regulation relating to oil and gas exploration and production on Federal, State, tribal, or fee land pursuant to this Act, the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Act entitled 'An Act to regulate the leasing of certain Indian lands for mining purposes', approved May 11, 1938 (commonly known as the 'Indian Mineral Leasing Act of 1938') (25 U.S.C. 396a et seq.), the Mineral Leasing Act (30 U.S.C. 181 et seq.), or any other provision of law or Executive order, the head of a Federal department or agency shall seek comments from and consult with the head of each affected State, State agency, and Indian tribe at a location within the jurisdiction of the State or Indian tribe, as applicable.

''(b) STATEMENT OF ENERGY AND ECONOMIC IMPACT.—Each Federal department or agency described in subsection (a) shall develop a Statement of Energy and Economic Impact, which shall consist of a detailed statement and analysis supported by credible objective evidence relating to—

''(1) any adverse effects on energy supply, distribution, or use, including a shortfall in supply, price increases, and increased use of foreign supplies; and

''(2) any impact on the domestic economy if the action is taken, including the loss of jobs and decrease of revenue to each of the general and educational funds of the State or affected Indian tribe.

''(c) REGULATIONS.—

''(1) IN GENERAL.—A Federal department or agency shall not impose any new or modified regulation unless the head of the applicable Federal department or agency determines—

''(A) that the rule is necessary to prevent imminent substantial danger to the public health or the environment; and

''(B) by clear and convincing evidence, that the State or Indian tribe does not have an existing reasonable alternative to the proposed regulation.

''(2) DISCLOSURE.—Any Federal regulation promulgated on or after the date of enactment of this paragraph that requires disclosure of hydraulic fracturing chemicals shall refer to the database managed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission (as in effect on the date of enactment of this Act).

''(d) JUDICIAL REVIEW.—

''(1) IN GENERAL.—With respect to any regulation described in this section, a State or Indian tribe adversely affected by an action carried out under the regulation shall be entitled to review by a United States district court located in the State or the District of Columbia of compliance by the applicable Federal department or agency with the requirements of this section.

''(2) ACTION BY COURT.—

''(A) IN GENERAL.—A district court providing review under this subsection may enjoin or mandate any action by a relevant Federal department or agency until the district court determines that the department or agency has complied with the requirements of this section.

''(B) DAMAGES.—The court shall not order money damages.

''(3) SCOPE AND STANDARD OF REVIEW.—In reviewing a regulation under this subsection—

''(A) the court shall not consider any evidence outside of the record that was before the agency; and

''(B) the standard of review shall be de novo.''.

SA 1910. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. ELECTRIC GENERATING UNIT COMPLIANCE DELAY FOR CERTAIN EPA RULES.

(a) DEFINITION OF COAL REFUSE.—

(1) IN GENERAL.—In this section, the term ''coal refuse'' means any waste coal, rock, shale, slurry, culm, gob, boney, slate, clay and related materials, associated with or near a coal seam, that are—

(A) brought aboveground or otherwise removed from a coal mine in the process of mining coal; or

(B) separated from coal during cleaning or preparation operations.

(2) INCLUSIONS.—The term ''coal refuse'' includes underground development waste, coal processing waste, and excess spoil.

(b) COMPLIANCE DELAY.—An electric generating unit that uses coal refuse as the primary feedstock of the electric generating unit shall be exempt from the rule of the Environmental Protection Agency entitled ''National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial-Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units'' (77 Fed. Reg. 9304 (February 16, 2012)) until December 31, 2017.

SA 1911. Mr. UDALL of Colorado (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 47, strike line 17 and all that follows through page 48, line 2, and insert the following:

SEC. 4_____. CONSUMER ACCESS TO ELECTRIC ENERGY INFORMATION.

(a) IN GENERAL.—The Secretary shall encourage and support the adoption of policies that allow electricity consumers access to their own electricity data.

(b) ELIGIBILITY FOR STATE ENERGY PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''and'' after the semicolon at the end;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) programs—

''(A) to enhance consumer access to and understanding of energy usage and price information, including consumers' own residential and commercial electricity information; and

''(B) to allow for the development and adoption of innovative products and services to assist consumers in managing energy consumption and expenditures; and''.

(c) VOLUNTARY GUIDELINES FOR ELECTRIC CONSUMER ACCESS.—

(1) DEFINITIONS.—In this subsection:

(A) RETAIL ELECTRIC ENERGY INFORMATION.—The term ''retail electric energy information'' means—

(i) the electric energy consumption of an electric consumer over a defined time period;

(ii) the retail electric energy prices or rates applied to the electricity usage for the defined time period described in clause (i) for the electric consumer;

(iii) the estimated cost of service by the consumer, including (if smart meter usage information is available) the estimated cost of service since the last billing cycle of the consumer; and

(iv) in the case of nonresidential electric meters, any other electrical information that the meter is programmed to record (such as demand measured in kilowatts, voltage, frequency, current, and power factor).

(B) SMART METER.—The term ''smart meter'' means the device used by an electric utility that—

(i)(I) measures electric energy consumption by an electric consumer at the home or facility of the electric consumer in intervals of 1 hour or less; and

(II) is capable of sending electric energy usage information through a communications network to the electric utility; or

(ii) meets the guidelines issued under paragraph (2).

(2) VOLUNTARY GUIDELINES FOR ELECTRIC CONSUMER ACCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, subject to subparagraph (B), the Secretary shall issue voluntary guidelines that establish model standards for implementation of retail electric energy information access in States.

(B) CONSULTATION.—Before issuing the voluntary guidelines, the Secretary shall—

(i) consult with—

(I) State and local regulatory authorities, including the National Association of Regulatory Utility Commissioners;

(II) other appropriate Federal agencies, including the National Institute of Standards and Technology;

(III) consumer and privacy advocacy groups;

(IV) utilities;

(V) the National Association of State Energy Officials; and

(VI) other appropriate entities; and

(ii) provide notice and opportunity for comment.

(C) STATE AND LOCAL REGULATORY ACTION.—In issuing the voluntary guidelines, the Secretary shall, to the maximum extent practicable, be guided by actions taken by State and local regulatory authorities to ensure electric consumer access to retail electric energy information, including actions taken after consideration of the standard established under section 111(d)(17) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)(17)).

(D) CONTENTS.—

(i) IN GENERAL.—The voluntary guidelines shall provide guidance on issues necessary to carry out this subsection, including—

(I) the timeliness and specificity of retail electric energy information;

(II) appropriate nationally recognized open standards for data; and

(III) protection of data security and electric consumer privacy, including consumer consent requirements.

(ii) INCLUSIONS.—The voluntary guidelines shall include guidance that—

(I) retail electric energy information should be made available to electric consumers (and third party designees of the electric consumers) in the United States—

(aa) in an electronic machine readable form, without additional charge, in conformity with nationally recognized open standards developed by a nationally recognized standards organization;

(bb) as timely as is reasonably practicable;

(cc) at the level of specificity that the data is transmitted by the meter or as is reasonably practicable; and

(dd) in a manner that provides adequate protections for the security of the information and the privacy of the electric consumer;

(II) in the case of an electric consumer that is served by a smart meter that can also communicate energy usage information to a device or network of an electric consumer or a device or network of a third party authorized by the consumer, the feasibility should be considered of providing to the consumer or third party designee, at a minimum, access to usage information (not including price information) of the consumer directly from the smart meter;

(III) retail electric energy information should be provided by the electric utility of the consumer or such other entity as may be designated by the applicable electric retail regulatory authority;

(IV) retail electric energy information of the consumer should be made available to the consumer through the website of the electric utility or other electronic access authorized by the electric consumer, for a period of at least 13 months after the date on which the usage occurred;

(V) consumer access to data should not interfere with or compromise the integrity, security, or privacy of the operations of a utility and the electric consumer;

(VI) electric energy information relating to usage information generated by devices in or on the property of the consumer that is transmitted to the electric utility should be made available to the electric consumer or the third party designee of the electric consumer; and

(VII) the same privacy and security requirements applicable to the contracting utility should apply to third parties contracting with a utility to process the customer data of that utility.

(E) REVISIONS.—The Secretary shall periodically review and, as necessary, revise the voluntary guidelines to reflect changes in technology, privacy needs, and the market for electric energy and services.

(d) VERIFICATION AND IMPLEMENTATION.—

(1) IN GENERAL.—A State may submit to the Secretary a description of the data sharing policies of the State relating to consumer access to electric energy information for certification by the Secretary that the policies meet the voluntary guidelines issued under subsection (c)(2).

(2) ASSISTANCE.—Subject to the availability of funds under paragraph (3), the Secretary shall make Federal amounts available to any State that has data sharing policies described in paragraph (1) that the Secretary certifies meets the voluntary guidelines issued under subsection (c)(2) to assist the State in implementing section 362(d)(17) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)(17)).

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for fiscal year 2015, to remain available until expended.

SEC. 4_____. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

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

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for each of fiscal years 2013 and 2014;

''(5) $145,000,000 for fiscal year 2015; and

''(6) $100,000,000 for each of fiscal years 2016 through 2018.''.

SA 1912. Mr. UDALL of Colorado (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—School Buildings

SEC. 121. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) DEFINITION OF SCHOOL.—In this section, the term ''school'' means—

(1) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(2) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(3) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(4) a school operated by the Bureau of Indian Affairs;

(5) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(6) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(b) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1), for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities, to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy

efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource Web site with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

SA 1913. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, strike lines 18 through 23.

At the appropriate place, insert the following:

SEC. 4_____. ELIMINATION OF REGULATION OF PLUMBING SUPPLIES.

(a) PURPOSE.—Section 2 of the Energy Policy and Conservation Act (42 U.S.C. 6201) is amended—

(1) in paragraph (5), by inserting ''and'' after the semicolon at the end;

(2) in paragraph (7), by striking ''; and'' at the end and inserting a period;

(3) by striking paragraph (8); and

(4) by redesignating paragraphs (4), (5), and (7) as paragraphs (3), (4), and (5), respectively.

(b) DEFINITIONS.—Section 321 of the Energy Policy and Conservation Act (42 U.S.C. 6291) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''or, with respect to showerheads, faucets, water closets, and urinals, water''; and

(B) in the matter following paragraph (1), by striking ''incandescent reflector lamps, showerheads, faucets, water closets, and urinals'' and inserting ''and incandescent reflector lamps'';

(2) in paragraph (6)—

(A) in subparagraph (A), by striking '', or, in the case of showerheads, faucets, water closets, and urinals, water use,'';

(B) in subparagraph (B), by striking ''(15), (16), (17),''; and

(C) in the matter following subparagraph (B), by striking ''325(r)'' and inserting ''325(p)'';

(3) in paragraph (7), by striking '', and in the case of showerheads, faucets, water closets, and urinals, the aggregate retail cost of water and wastewater treatment services likely to be incurred annually,'' ; and

(4) by striking paragraph (31) and inserting the following:

''(31) ANSI.—The term 'ANSI' means the American National Standards Institute.''.

(c) COVERAGE.—Section 322(a) of the Energy Policy and Conservation Act (42 U.S.C. 6292(a)) is amended—

(1) by striking paragraphs (15) through (18); and

(2) by redesignating paragraphs (19) and (20) as paragraphs (15) and (16), respectively.

(d) TEST PROCEDURES.—Section 323 of the Energy Policy and Conservation Act (42 U.S.C. 6293) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking ''water use (in the case of showerheads, faucets, water closets, and urinals),'';

(B) in paragraph (4)—

(i) in the first sentence—

(I) by striking ''or, in the case of showerheads, faucets, water closets, or urinals, water use''; and

(II) by striking '', or in the case of showerheads, faucets, water closets, or urinals, representative average unit costs of water and wastewater treatment service resulting from the operation of such products during such cycle''; and

(ii) in the second sentence, by striking '', water, and wastewater treatment''; and

(C) by striking paragraphs (7) and (8);

(2) in subsection (c), by striking ''or, in the case of showerheads, faucets, water closets, and urinals, water use'' each place it appears in paragraphs (1) and (2); and

(3) in subsection (e)—

(A) in paragraph (1), by striking '', measured energy use, or measured water use'' and inserting ''or measured energy use''; and

(B) in paragraphs (2) and (3), by striking '', energy use, or water use'' each place it appears and inserting ''or energy use''.

(e) LABELING.—Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking subparagraphs (E) and (F); and

(ii) by redesignating subparagraphs (G) through (I) as subparagraphs (E) through (G), respectively;

(B) in subsections (a)(3), by striking ''(19)'' and inserting ''(15)'';

(2) in subsection (b)—

(A) in paragraph (1)(B), by striking ''paragraphs (15) through'' and inserting ''paragraph''; and

(B) in paragraphs (3) and (5), by striking ''(19)'' and inserting ''(15)''; and

(3) in subsection (c)—

(A) in paragraph (7), by striking ''(13), (14), (15), (16), (17), and (18)'' and inserting ''(13) and (14)''; and

(B) by striking paragraph (8).

(f) ENERGY CONSERVATION STANDARDS.—Section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295) is amended—

(1) by striking subsections (j) and (k);

(2) in subsection (l), by striking ''(19)'' each place it appears in paragraphs (1) and (2) and inserting ''(15)''; and

(3) in subsection (o)—

(A) in paragraph (1), by striking ''or, in the case of showerheads, faucets, water closets, or urinals, water use,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking '', or, in the case of showerheads, faucets, water closets, or urinals, water efficiency,''; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) in subclause (III), by striking '', or as applicable, water,''; and

(bb) in subclause (VI), by striking ''and water''; and

(II) in clause (iii), by striking '', and as applicable, water,''; and

(C) in paragraph (3)(B), by striking '', in the case of showerheads, faucets, water closets, or urinals, water, or''.

(g) REQUIREMENTS OF MANUFACTURERS.—Section 326 of the Energy Policy and Conservation Act (42 U.S.C. 6296) is amended—

(1) in subsection (b)(4), by striking ''or water use''; and

(2) in subsection (d)(1), by striking '', energy use, or, in the case of showerheads, faucets, water closets, and urinals, water use'' and inserting ''or energy use''.

(h) EFFECT ON OTHER LAW.—Section 327 of the Energy Policy and Conservation Act (42 U.S.C. 6297) is amended—

(1) by striking '', energy efficiency, or water use'' each place it appears in subsections (a)(1)(B) and (d)(1)(A), and inserting ''or energy efficiency'';

(2) by striking '', energy use, or water use'' each place it appears in subsection (b) and subsection (c), and inserting ''or energy use'';

(3) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''or water use''; and

(ii) in subparagraph (A), by striking '', water use,''; and

(B) by striking paragraph (2) and inserting the following:

''(2) DEFINITION OF STATE REGULATION.—In this section, the term 'State regulation' means a law, regulation, or other requirement of a State or the political subdivisions of a State.'';

(4) in subsection (b)—

(A) in paragraph (1)(A), by striking ''flow rate requirements for showerheads or faucets, or water use requirements for water closets or urinals,'';

(B) in paragraph (4), by striking '', or is a regulation (or portion thereof) regulating showerheads'' and all that follows through ''325(k) is applicable'';

(C) in paragraph (5), by inserting ''or'' after the semicolon at the end;

(D) in paragraph (6), by striking ''; or'' at the end and inserting a period; and

(E) by striking paragraph (7);

(5) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''subparagraphs (B) and (C) of section 325(j)(3), and subparagraphs (B) and (C) of section 325(k)(3)'';

(B) by striking paragraphs (4), (5), (6), and (7); and

(C) by redesignating paragraphs (8) and (9) as paragraphs (4) and (5), respectively; and

(6) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''or river basin commission'' each place it appears;

(ii) in subparagraphs (B) and (C), by striking ''or water'' each place it appears; and

(iii) in subparagraph (C), in the undesignated matter following clause (ii), by striking '', and, with respect to a State'' and all that follows through ''water supply development''; and

(B) in paragraph (5)(B)(i)—

(i) by striking ''or, if the State'' and all that follows through ''emergency condition,'';

(ii) in subclause (I), by striking ''or, in the case of a water emergency condition, water or wastewater treatment,''; and

(iii) in subclause (II0, by striking ''or, in the case of a water emergency condition, by the importation of water,''.

(i) CONSUMER EDUCATION.—Section 337 of the Energy Policy and Conservation Act (42 U.S.C. 6307) is amended by striking subsection (b).

SEC. 4_____. PROHIBITED ACTS.

(a) IN GENERAL.—Section 332 of the Energy Policy and Conservation Act (42 U.S.C. 6302) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 325(i)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(2)) is amended by striking ''Notwithstanding section 332(a)(5) and section 332(b), it'' and inserting ''It''.

(2) Sections 331, 333, 334, and 335 of the Energy Policy and Conservation Act (42 U.S.C. 6301, 6303, 6304, 6305) are repealed.

(3) Section 345(a)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6316(a)(4)) is amended by striking ''(other than in section 333(c))''.

(4) Section 346 of the Energy Policy and Conservation Act (42 U.S.C. 6317) is amended by striking subsection (f).

SEC. 4_____. VOLUNTARY COMPLIANCE.

Notwithstanding any other provision of law, any model building code or standard, appliance efficiency standard, or corporate average fuel economy standard established under Federal law shall not be binding on a State, local government, Indian tribe, or individual, as a matter of Federal law.

SA 1914. Mr. DONNELLY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4____. REGULATIONS PROMULGATED UNDER THE CLEAN AIR ACT REGULATING CARBON DIOXIDE EMISSIONS FROM INDUSTRIAL SOURCE CATEGORIES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMERCIALLY AVAILABLE.—

(A) IN GENERAL.—The term ''commercially available'' means any technology with proven test results for commercial use in an industrial source category application.

(B) EXCLUSION.—The term ''commercially available'' does not include a combination of technology from different industrial source applications if the technology has not been proven in combination at a single industrial source category application.

(3) INDUSTRIAL SOURCE CATEGORY.—The term ''industrial source category'' includes—

(A) an electric generating unit;

(B) a petroleum refinery;

(C) a petrochemical production facility;

(D) an industrial boiler;

(E) a cement kiln;

(F) a metal smelter;

(G) a chemical plant;

(H) a lime manufacturing facility;

(I) a pulp or paper mill;

(J) an ammonia manufacturing facility;

(K) a waste combustor;

(L) an aluminum production facility;

(M) a feroalloy production facility; and

(N) an electronics manufacturing facility.

(b) REGULATIONS.—If the Administrator promulgates a regulation under section 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) regulating carbon dioxide emissions from an industrial source category, the Administrator shall promulgate the regulation using emissions rates based on efficiencies achievable by the best demonstrated technology—

(1) subcategorized by fuel type; and

(2) that is commercially available.

SA 1915. Mr. SANDERS (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 47, strike line 17 and all that follows through page 48, line 2, and insert the following:

SEC. 4_____. STATE RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES LOAN PILOT PROGRAM.

(a) LOANS FOR RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

''SEC. 367. LOANS FOR RESIDENTIAL BUILDING ENERGY EFFICIENCY UPGRADES.

''(a) DEFINITIONS.—In this section:

''(1) CONSUMER-FRIENDLY.—The term 'consumer-friendly', with respect to a loan repayment approach, means a loan repayment approach that—

''(A) emphasizes convenience for customers;

''(B) is of low cost to consumers; and

''(C) emphasizes simplicity and ease of use for consumers in the billing process.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State or territory of the United States; and

''(B) an Indian tribal government.

''(3) ENERGY ADVISOR PROGRAM.—

''(A) IN GENERAL.—The term 'energy advisor program' means any program to provide to owners or residents of residential buildings advice, information, and support in the identification, prioritization, and implementation of energy efficiency and energy savings measures.

''(B) INCLUSIONS.—The term 'energy advisor program' includes a program that provides—

''(i) interpretation of energy audit reports;

''(ii) assistance in the prioritization of improvements;

''(iii) assistance in finding qualified contractors;

''(iv) assistance in contractor bid reviews;

''(v) education on energy conservation and energy efficiency;

''(vi) explanations of available incentives and tax credits;

''(vii) assistance in completion of rebate and incentive paperwork; and

''(viii) any other similar type of support.

''(4) ENERGY EFFICIENCY.—The term 'energy efficiency' means a decrease in homeowner or residential tenant consumption of energy (including electricity and thermal energy) that is achieved without reducing the quality of energy services through—

''(A) a measure or program that targets customer behavior;

''(B) equipment;

''(C) a device; or

''(D) other material.

''(5) ENERGY EFFICIENCY UPGRADE.—

''(A) IN GENERAL.—The term 'energy efficiency upgrade' means any project or activity—

''(i) the primary purpose of which is increasing energy efficiency; and

''(ii) that is carried out on a residential building.

''(B) INCLUSIONS.—The term 'energy efficiency upgrade' includes the installation or improvement of a renewable energy facility for heating or electricity generation serving a residential building carried out in conjunction with an energy efficiency project or activity.

''(6) RESIDENTIAL BUILDING.—

''(A) IN GENERAL.—The term 'residential building' means a building used for residential purposes.

''(B) INCLUSIONS.—The term 'residential building' includes—

''(i) a single-family residence;

''(ii) a multifamily residence composed not more than 4 units; and

''(iii) a mixed-use building that includes not more than 4 residential units.

''(b) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program under this part under which the Secretary shall make available to eligible entities loans for the purpose of establishing or expanding programs that provide to residential property owners or tenants financing for energy efficiency upgrades of residential buildings.

''(2) CONSULTATION.—In establishing the program under paragraph (1), the Secretary shall consult, as the Secretary determines to be appropriate, with stakeholders and the public.

''(3) NO REQUIREMENT TO PARTICIPATE.—No eligible entity shall be required to participate in any manner in the program established under paragraph (1).

''(4) DEADLINES.—The Secretary shall—

''(A) not later than 1 year after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013, implement the program established under paragraph (1) (including soliciting applications from eligible entities in accordance with subsection (c)); and

''(B) not later than 2 years after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013, disburse the initial loans provided under this section.

''(c) APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a loan under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(2) SELECTION DATE.—Not later than 21 months after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013, the Secretary shall select eligible entities to receive the initial loans provided under this section, in accordance with the requirements described in paragraph (3).

''(3) REQUIREMENTS.—In selecting eligible entities to receive loans under this section, the Secretary shall—

''(A) to the maximum extent practicable, ensure—

''(i) that both innovative and established approaches to the challenges of financing energy efficiency upgrades are supported;

''(ii) that energy efficiency upgrades are conducted and validated to comply with best practices for work quality, as determined by the Secretary;

''(iii) regional diversity among recipients, including participation by rural States and small States;

''(iv) significant participation by families with income levels at or below the median income level for the applicable geographical region, as determined by the Secretary; and

''(v) the incorporation by recipients of an energy advisor program;

''(B) evaluate applications based primarily on—

''(i) the projected reduction in energy use, as determined in accordance with such specific and commonly available methodology as the Secretary shall establish, by regulation;

''(ii) the creditworthiness of the eligible entity; and

''(iii) the incorporation of measures for making the loan repayment system for recipients of financing as consumer-friendly as practicable;

''(C) evaluate applications based secondarily on—

''(i) the extent to which the proposed financing program of the eligible entity incorporates best practices for such a program, as determined by the Secretary;

''(ii) whether the eligible entity has created a plan for evaluating the effectiveness of the proposed financing program and whether the plan includes—

''(I) a robust strategy for collecting, managing, and analyzing data, as well as making the data available to the public; and

''(II) experimental studies, which may include investigations of how human behavior impacts the effectiveness of efficiency improvements;

''(iii) the extent to which Federal funds are matched by funding from State, local, philanthropic, private sector, and other sources;

''(iv) the extent to which the proposed financing program will be coordinated and marketed with other existing or planned energy efficiency or energy conservation programs administered by—

''(I) utilities;

''(II) State, tribal, territorial, or local governments; or

''(III) community development financial institutions; and

''(v) such other factors as the Secretary determines to be appropriate; and

''(D) not provide an advantage or disadvantage to applications that include renewable energy in the program.

''(d) ADMINISTRATIVE PROVISIONS.—

''(1) TERM.—The Secretary shall establish terms for loans provided to eligible entities under this section—

''(A) in a manner that—

''(i) provides for a high degree of cost recovery; and

''(ii) ensures that, with respect to all loans provided to or by eligible entities under this section, the loans are competitive with, or superior to, other forms of financing for similar purposes; and

''(B) subject to the condition that the term of a loan provided to an eligible entity under this section shall not exceed 35 years.

''(2) INTEREST RATES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary, at the discretion of the Secretary, shall charge interest on a loan provided to an eligible entity under this section at a fixed rate equal, or approximately equal, to the interest rate charged on Treasury securities of comparable maturity.

''(B) LEVERAGED LOANS.—The interest rate and other terms of the loans provided to eligible entities under this section shall be established in a manner that ensures that the total amount of the loans is equal to not less than 20 times, and not more than 50 times, the amount appropriated for credit subsidy costs pursuant to subsection (h)(i).

''(3) NO PENALTY ON EARLY REPAYMENT.—The Secretary shall not assess any penalty for early repayment by an eligible entity of a loan provided under this section.

''(4) RETURN OF UNUSED PORTION.—As a condition of receipt of a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period after the date of receipt of the loan, as determined by the Secretary.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—An eligible entity shall use a loan provided under this section to establish or expand 1 or more financing programs—

''(A) the purpose of which is to enable residential building owners or tenants to conduct energy efficiency upgrades of residential buildings;

''(B) that may, at the sole discretion of the eligible entity, require an outlay of capital by owners or residents of residential buildings in accordance with the goals of the program under this section; and

''(C) that incorporate a consumer-friendly loan repayment approach.

''(2) STRUCTURE OF FINANCING PROGRAM.—A financing program of an eligible entity may—

''(A) consist—

''(i) primarily or entirely of a financing program administered by—

''(I) the applicable State; or

''(II) a local government, utility, or other entity; or

''(ii) of a combination of programs described in clause (i);

''(B) rely on financing provided by—

''(i) the eligible entity; or

''(ii) a third party, acting through the eligible entity; and

''(C) include a provision pursuant to which a recipient of assistance under the financing program shall agree to return to the eligible entity any portion of the assistance that is unused by the recipient within a reasonable period after the date of receipt of the assistance, as determined by the eligible entity.

''(3) FORM OF ASSISTANCE.—Assistance from an eligible entity under this subsection may be provided in any form, or in accordance with any program, authorized by Federal law (including regulations), including in the form of—

''(A) a revolving loan fund;

''(B) a credit enhancement structure designed to mitigate the effects of default; or

''(C) a program that—

''(i) adopts any other approach for providing financing for energy efficiency upgrades producing significant energy efficiency gains; and

''(ii) incorporates measures for making the loan repayment system for recipients of financing as consumer-friendly as practicable.

''(4) SCOPE OF ASSISTANCE.—Assistance provided by an eligible entity under this subsection may be used to pay for costs associated with carrying out an energy efficiency upgrade, including materials and labor.

''(5) ADDITIONAL ASSISTANCE.—In addition to the amount of the loan provided to an eligible entity by the Secretary under subsection (b), the eligible entity may provide to recipients such assistance under this subsection as the eligible entity considers to be appropriate from any other funds of the eligible entity, including funds provided to the eligible entity by the Secretary for administrative costs pursuant to this section.

''(6) LIMITATIONS.—

''(A) INTEREST RATES.—

''(i) INTEREST CHARGED BY ELIGIBLE ENTITIES.—The interest rate charged by an eligible entity on assistance provided under this subsection—

''(I) shall be fixed; and

''(II) shall not exceed the interest rate paid by the eligible entity to the Secretary under subsection (d)(2).

''(ii) INTEREST CHARGED BY ASSISTANCE RECIPIENTS.—A recipient of assistance provided by an eligible entity under this subsection for the purpose of capitalizing a residential energy efficiency financing program of the recipient may charge interest on any loan provided by the recipient at a fixed rate that is as low as practicable, but not more than 5 percent more than the applicable interest rate paid by the eligible entity to the Secretary under subsection (d)(2).

''(B) NO PENALTY ON EARLY REPAYMENT.—An eligible entity, or a recipient of assistance provided by an eligible entity, shall not assess any penalty for early repayment by any recipient of assistance provided under this subsection by the eligible entity or recipient, as applicable.

''(f) REPORTS.—

''(1) ELIGIBLE ENTITIES.—

''(A) IN GENERAL.—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including anonymized loan performance data.

''(B) REQUIREMENTS.—The Secretary, in consultation with eligible entities and other stakeholders (such as lending institutions and the real estate industry), shall establish such requirements for the reports under this paragraph as the Secretary determines to be appropriate—

''(i) to ensure that the reports are clear, consistent, and straightforward; and

''(ii) taking into account the reporting requirements for similar programs in which the eligible entities are participating, if any.

''(2) SECRETARY.—The Secretary shall submit to Congress and make available to the public—

''(A) not less frequently than once each year, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under paragraph (1)(A); and

''(B) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.

''(g) MAXIMUM AMOUNT.—The Secretary may provide to eligible entities a total of not more than $1,000,000,000 in loans under this section for the costs of activities described in subsection (e).

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section—

''(1) $20,000,000 for the cost of credit subsidies;

''(2) $37,500,000 for energy advisor programs;

''(3) $5,000,000 for administrative costs to the Secretary of carrying out this section; and

''(4) $37,500,000 for administrative costs to States in carrying out this section.''.

(b) REORGANIZATION.—

(1) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended—

(A) by redesignating sections 362, 363, 364, 365, and 366 as sections 364, 365, 366, 363, and 362, respectively, and moving the sections so as to appear in numerical order;

(B) in section 362 (as so redesignated)—

(i) in paragraph (3)(B)(i), by striking ''section 367, and'' and inserting ''section 367 (as in effect on the day before the date of enactment of the State Energy Efficiency Programs Improvement Act of 1990 (42 U.S.C. 6201 note; Public Law 101–440)); and''; and

(ii) in each of paragraphs (4) and (6), by striking ''section 365(e)(1)'' each place it appears and inserting ''section 363(e)(1)'';

(C) in section 363 (as so redesignated)—

(i) in subsection (b), by striking ''the provisions of sections 362 and 364 and subsection (a) of section 363'' and inserting ''sections 364, 365(a), and 366''; and

(ii) in subsection (g)(1)(A), in the second sentence, by striking ''section 362'' and inserting ''section 364''; and

(D) in section 365 (as so redesignated)—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''section 362,'' and inserting ''section 364;''; and

(II) in paragraph (2), by striking ''section 362(b) or (e)'' and inserting ''subsection (b) or (e) of section 364''; and

(ii) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''section 362(b) or (e)'' and inserting ''subsection (b) or (e) of section 364''.

(2) CONFORMING AMENDMENTS.—Section 391 of the Energy Policy and Conservation Act (42 U.S.C. 6371) is amended—

(A) in paragraph (2)(M), by striking ''section 365(e)(2)'' and inserting ''section 363(e)(2)''; and

(B) in paragraph (10), by striking ''section 362 of this Act'' and inserting ''section 364''.

(3) CLERICAL AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. 6201 note; Public Law 94–163) is amended by striking the items relating to part D of title III and inserting the following:

''PART D—STATE ENERGY CONSERVATION PROGRAMS

''Sec. 361. Findings and purpose.
''Sec. 362. Definitions.
''Sec. 363. General provisions.
''Sec. 364. State energy conservation plans.
''Sec. 365. Federal assistance to States.
''Sec. 366. State energy efficiency goals.
''Sec. 367. Loans for residential building energy efficiency upgrades.''.

SEC. 4_____. OFFSET.

Section 422(f) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17082(f)) is amended—

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

(2) by striking paragraph (4) and inserting the following:

''(4) $200,000,000 for fiscal year 2013;
''(5) $125,000,000 for fiscal year 2014;
''(6) $85,000,000 for fiscal year 2015;
''(7) $80,000,000 for fiscal year 2016;
''(8) $70,000,000 for fiscal year 2017; and
''(9) $70,000,000 for fiscal year 2018.''.

SA 1916. Mr. HOEVEN (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, after line 16, add the following:

SEC. 4____. GRID-ENABLED WATER HEATERS.

Part B of title III of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.) is amended—

(1) in section 325(e), by adding at the end the following:

''(6) ADDITIONAL STANDARDS FOR GRID-ENABLED WATER HEATERS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ACTIVATION KEY.—The term 'activation key' means a physical device or control directly on the water heater, a software code, or a digital communication means—

''(I) that must be activated to enable the product to operate continuously and at its designed specifications and capabilities; and

''(II) without which activation the product will provide not greater than 50 percent of the rated first hour delivery of hot water certified by the manufacturer.

''(ii) GRID-ENABLED WATER HEATER.—The term 'grid-enabled water heater' means an electric resistance water heater—

''(I) with a rated storage tank volume of more than 75 gallons;

''(II) manufactured on or after April 16, 2015;

''(III) that has—

''(aa) an energy factor of not less than 1.061 minus the product obtained by multiplying—

''(AA) the rated storage volume of the tank, expressed in gallons; and

''(BB) 0.00168; or

''(bb) an efficiency level equivalent to the energy factor under item (aa) and expressed as a uniform energy descriptor based on the revised test procedure for water heaters described in paragraph (5);

''(IV) equipped by the manufacturer with an activation key; and

''(V) that bears a permanent label applied by the manufacturer that—

''(aa) is made of material not adversely affected by water;

''(bb) is attached by means of non-water-soluble adhesive; and

''(cc) advises purchasers and end-users of the intended and appropriate use of the product with the following notice printed in 16.5 point Arial Narrow Bold font:

'' 'IMPORTANT INFORMATION: This water heater is intended only for use as part of an electric thermal storage or demand response program. It will not provide adequate hot water unless enrolled in such a program and activated by your utility company or another program operator. Confirm the availability of a program in your local area before purchasing or installing this product.'.

''(B) REQUIREMENT.—The manufacturer or private labeler shall provide the activation key only to utilities or other companies operating electric thermal storage or demand response programs that use grid-enabled water heaters.

''(C) REPORTS.—

''(i) MANUFACTURERS.—The Secretary shall require each manufacturer of grid-enabled water heaters to report to the Secretary annually the number of grid-enabled water heaters that the manufacturer ships each year.

''(ii) OPERATORS.—The Secretary shall require utilities and other demand response and thermal storage program operators to report annually the number of grid-enabled water heaters activated for their programs using forms of the Energy Information Agency or using such other mechanism that the Secretary determines appropriate after an opportunity for notice and comment.

''(iii) CONFIDENTIALITY REQUIREMENTS.—The Secretary shall treat shipment data reported by manufacturers as confidential business information.

''(D) PUBLICATION OF INFORMATION.—

''(i) IN GENERAL.—In 2017 and 2019, the Secretary shall publish an analysis of the data collected under subparagraph (C) to assess the extent to which shipped products are put into use in demand response and thermal storage programs.

''(ii) PREVENTION OF PRODUCT DIVERSION.—If the Secretary determines that sales of grid-enabled water heaters exceed by 15 percent or greater the number of such products activated for use in demand response and thermal storage programs annually, the Secretary shall, after opportunity for notice and comment, establish procedures to prevent product diversion for non-program purposes.

''(E) COMPLIANCE.—

''(i) IN GENERAL.—Subparagraphs (A) through (D) shall remain in effect until the Secretary determines under this section that grid-enabled water heaters do not require a separate efficiency requirement.

''(ii) EFFECTIVE DATE.—If the Secretary exercises the authority described in clause (i) or amends the efficiency requirement for grid-enabled water heaters, that action will take effect on the date described in subsection (m)(4)(A)(ii).

''(iii) CONSIDERATION.—In carrying out this section with respect to electric water heaters, the Secretary shall consider the impact on thermal storage and demand response programs, including the consequent impact on energy savings, electric bills, electric reliability, integration of renewable resources, and the environment.

''(iv) REQUIREMENTS.—In carrying out this subparagraph, the Secretary shall require that grid-enabled water heaters be equipped with communication capability to enable the grid-enabled water heaters to participate in ancillary services programs if the Secretary determines that the technology is available, practical, and cost-effective.''; and

(2) in section 332—

(A) in paragraph (5), by striking ''or'' at the end;

(B) in the first paragraph (6), by striking the period at the end and inserting a semicolon;

(C) by redesignating the second paragraph (6) as paragraph (7);

(D) in subparagraph (B) of paragraph (7) (as so redesignated), by striking the period at the end and inserting ''; or''; and

(E) by adding at the end the following:

''(8) with respect to grid-enabled water heaters that are not used as part of an electric thermal storage or demand response program, for any person knowingly and repeatedly—

''(A) to distribute activation keys for those grid-enabled water heaters;

''(B) otherwise to enable the full operation of those grid-enabled water heaters; or

''(C) to remove or render illegible the labels of those grid-enabled water heaters.''.

SA 1917. Mr. HOEVEN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253(a)) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30
2016	33
2017	36

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(ii) by inserting after subparagraph (D) the following:

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the date that is 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of each agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—The energy manager shall, as part of the certification system under paragraph (7), explain the reasons why any life-cycle cost effective measures were not implemented under subparagraph (A) using guidelines developed by the Secretary.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

SEC. 4_____. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR GREEN BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(17) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) strike ''(3)(A) Not later than'' and all that follows through subparagraph (B):

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013 and after the date of approval of each subsequent revision of ASHRAE Standard 90.1 or the International Energy Conservation Code, as appropriate, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) that the Secretary determines saves energy compared to previous versions of the Code or Standard; and

''(bb) meet or exceed the energy provisions of state and local building codes applicable to the building, if the codes are more stringent than the International Energy Conservation Code or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is applied under clause (i); and

''(bb) sustainable design principles are applied to the siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(B) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking clause ''(D) Not later than'' and all that follows through the first sentence of subclause (III) and insert the following:

''(C) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) IN GENERAL.—'';

(ii) by striking clause (ii);

(iii) in clause (iii), by striking ''(iii) In identifying'' and insert the following:

''(ii) CONSIDERATIONS.—In identifying'';

(iv) in clause (iv)—

(I) by striking ''(iv) At least once'' and inserting the following:

''(iii) STUDY.—At least once''; and

(II) by striking ''clause (iii)'' and inserting ''clause (ii)'';

(v) in clause (v)—

(I) by striking ''(v) The Secretary may'' and inserting the following:

''(iv) INTERNAL CERTIFICATION PROCESSES.—The Secretary may''; and

(II) by striking ''clause (i)(III)'' each place it appears and inserting ''clause (i)'';

(vi) in clause (vi)—

(I) by striking ''(vi) With respect'' and inserting the following:

''(v) PRIVATIZED MILITARY HOUSING.—With respect''; and

(II) by striking ''develop alternative criteria to those established by subclauses (I) and (III) of clause (i) that achieve an equivalent result in terms of energy savings, sustainable design, and'' and inserting ''develop alternative certification systems and levels than the systems and levels identified under clause (i) that achieve an equivalent result in terms of''; and

(vii) in clause (vii), by striking ''(vii) In addition to'' and inserting the following:

''(vi) WATER CONSERVATION TECHNOLOGIES.—In addition to''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that

significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

SA 1918. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 23, between lines 5 and 6, insert the following:

SEC. 102. LIMITATION.

The General Services Administration and the Department of Homeland Security may not construct a building that meets a third party certification standard for sustainability or energy efficiency purposes if—

(1) the primary purpose of the construction project is for the rental, lease, or sale of 1 or more single family homes or residential housing units to Federal Government personnel, Federal Government contractors, or the immediate family members of such individuals; and

(2) the construction cost per square foot for such project is anticipated to exceed the average construction cost per square foot of single family homes or residential housing units built during the same fiscal year within the same or an adjacent metropolitan statistical area by at least 5 percent.

SA 1919. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253(a)) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30
2016	33
2017	36

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

(ii) by inserting after subparagraph (D) the following:

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the date that is 180 days after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of each agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—The energy manager shall, as part of the certification system under paragraph (7), explain the reasons why any life-cycle cost effective measures were not implemented under subparagraph (A) using guidelines developed by the Secretary.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

SEC. 4__. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR GREEN BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(17) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Energy Savings and Industrial Competitiveness Act of 2013 and after the date of approval of each subsequent revision of ASHRAE Standard 90.1 or the International Energy Conservation Code, as appropriate, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the International Energy Conservation Code (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) that the Secretary determines saves energy compared to previous versions of the Code or Standard; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the International Energy Conservation Code or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the International Energy Conservation Code, as appropriate, that is applied under clause (i); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(B) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking ''(D) Not later than'' and inserting the following:

''(C) ENERGY CONSUMPTION REDUCTION.—Not later than'';

(ii) by striking ''(i) For new Federal buildings'' and all that follows through the first sentence of subclause (III) and inserting the following:

''(i) NEW OR RENOVATED FEDERAL BUILDINGS.—For new Federal buildings and Federal buildings undergoing major renovations, the following requirements shall apply:

''(I) IN GENERAL.—The buildings shall be designed such that:

''(aa) The energy consumption of the buildings is reduced, as compared with energy consumption by similar buildings in fiscal year 2003 (as measured by Commercial Building Energy Consumption Survey or Residential Energy Consumption Survey data from the Energy Information Agency) by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2020	80
2025	90

''(bb) Beginning in 2030, the buildings shall be designed to be zero-net-energy buildings (as defined in Executive Order 13514 (74 Fed. Reg. 52126)).

''(II) CALCULATION.—For purposes of calculating a reduction in energy consumption under this clause, electricity or thermal energy produced without the direct emission of greenhouse gases (including energy consumption offset by the use of renewable energy credits) shall not be counted as energy consumed by a building.

''(III) EXCLUSION.—The Secretary may allow energy consumption from combined heat and power systems that achieve at least 80 percent efficiency (or a higher percentage as specified by the Secretary) to be excluded from the calculation of whether a building achieves the requirements under subclause (I)(aa) if the Secretary finds that the exclusion would produce a substantial efficiency or environmental benefit that would not otherwise be achieved.

''(IV) DOWNWARD ADJUSTMENT.—

''(aa) IN GENERAL.—On petition by an agency subject to this subparagraph, the Secretary may adjust the applicable requirement under subclause (I)(aa) downward with respect to a specific building, if—

''(AA) the head of the agency designing the building certifies in writing that meeting the requirement would be technically impracticable in light of the specified functional needs of the agency for that building; and

''(BB) the Secretary concurs with the conclusion of the agency.

''(bb) EXCLUSION.—This subclause shall not apply to the General Services Administration.

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) IN GENERAL.—'';

(iii) by striking clause (ii);

(iv) in clause (iii), by striking ''(iii) In identifying'' and inserting the following:

''(ii) CONSIDERATIONS.—In identifying'';

(v) in clause (iv)—

(I) by striking ''(iv) At least once'' and inserting the following:

''(iii) STUDY.—At least once''; and

(II) by striking ''clause (iii)'' and inserting ''clause (ii)'';

(vi) in clause (v)—

(I) by striking ''(v) The Secretary may'' and inserting the following:

''(iv) INTERNAL CERTIFICATION PROCESSES.—The Secretary may''; and

(II) by striking ''clause (i)(III)'' each place it appears and inserting ''clause (i)'';

(vii) in clause (vi)—

(I) by striking ''(vi) With respect'' and inserting the following:

''(v) PRIVATIZED MILITARY HOUSING.—With respect''; and

(II) by striking ''develop alternative criteria to those established by subclauses (I) and (III) of clause (i) that achieve an equivalent result in terms of energy savings, sustainable design, and'' and inserting ''develop alternative certification systems and levels than the systems and levels identified under clause (i) that achieve an equivalent result in terms of''; and

(viii) in clause (vii), by striking ''(vii) In addition to'' and inserting the following:

''(vi) WATER CONSERVATION TECHNOLOGIES.—In addition to''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) once every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified, if the Secretary determines that significant energy savings would result.''.

SA 1920. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4___. COMMUNITY ENERGY PROGRAM.

Part D of title III of the Energy Policy and Conservation Act is amended by inserting after section 364 (42 U.S.C. 6324) the following:

''SEC. 364A. COMMUNITY ENERGY PROGRAM.

''(a) IN GENERAL.—The Secretary, acting in conjunction with State energy offices, shall establish and carry out a community energy program under which the Secretary shall make grants to eligible entities to support community energy systems improvement projects, including projects involving energy assessments, development of energy system improvement strategies, and implementation of those strategies so as to reduce energy usage and increase energy supplied from renewable resources.

''(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a municipality (including a town or city or other local unit of government); or

''(2) a nonprofit institutional entity (including an institution of higher education, hospital, or school system).

''(c) APPLICATION REQUIREMENTS.—To be eligible to receive a grant under this section, an eligible entity shall—

''(1) provide to the Secretary evidence that the entity has a commitment to improving the energy systems of the entity;

''(2) encourage broad citizen participation in the project carried out with the grant;

''(3) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

''(4) meet such other eligibility criteria as are established by the Secretary.

''(d) TYPES OF GRANTS.—The Secretary shall provide to eligible entities under this section—

''(1) planning and assessment grants to support—

''(A) the assessment of current energy types and uses of the eligible entity;

''(B) the identification of potential alternative energy resources to serve the energy needs of the eligible entity, including energy efficiency measures and renewable energy systems; and

''(C) the development of energy improvement project plans that specify energy efficiency measures to be adopted and renewable energy systems to be installed; and

''(2) implementation project grants to support the implementation of energy system improvements, regardless of whether the eligible entities received planning and assessment grants for the improvements under paragraph (1).

''(e) USE OF GRANTS.—

''(1) PLANNING AND ASSESSMENT GRANTS.—An eligible entity may use a planning and assessment grant provided under subsection (d)(1)—

''(A) to assess energy usage across the eligible entity, including energy used in—

''(i) public and private buildings and facilities;

''(ii) commercial and industrial applications; and

''(iii) transportation; and

''(B) to formulate energy improvement plans that describe specific energy efficiency measures to be adopted and specific renewable energy system to be installed, including identification of funding sources and implementation processes.

''(2) IMPLEMENTATION PROJECT GRANTS.—An eligible entity may use an implementation grant provided under subsection (d)(2) to implement energy efficiency measures, or install renewable energy systems, in support of energy improvement plans.

''(f) FEDERAL SHARE.—The Federal cost of carrying out a project under this section shall not exceed 50 percent of total project costs.

''(g) ADMINISTRATION.—The Secretary shall establish criteria for program participation and evaluation of proposals for projects to be carried out under this section, including criteria based on—

''(1) energy savings; and

''(2) reductions in oil consumption.

''(h) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—To assist eligible entities in carrying out projects under this section, the Secretary may—

''(A) provide training and technical assistance and support to entities that receive grants under this section; and

''(B) support regional conferences to enable entities to share information on energy assessment, planning, and implementation activities.

''(2) EVALUATION PROGRAM.—In carrying out this section, the Secretary shall develop and support use of an evaluation program that measures and evaluates the energy and economic impacts of projects carried out under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal year 2014; and

''(2) $20,000,000 for each of fiscal years 2015 through 2018.''.

SA 1921. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4_____. PROHIBITION ON ENFORCEMENT OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT BY THE INTERNAL REVENUE SERVICE.

(a) FINDINGS.—Congress finds the following:

(1) On May 10, 2013, the Internal Revenue Service admitted that it singled out advocacy groups, based on ideology, seeking tax-exempt status.

(2) This action raises pertinent questions about the agency's ability to implement and oversee the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

(3) This action could be an indication of future Internal Revenue Service abuses in relation to the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, given that it is their responsibility to enforce a key provision, the individual mandate.

(4) Americans accept the principle that patients, families, and doctors should be making medical decisions, not the Federal Government.

(b) PROHIBITION.—The Secretary of the Treasury, or any delegate of the Secretary, shall not implement or enforce any provisions of or amendments made by the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

SA 1922. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the beginning of title IV, insert the following:

SEC. 4____. ENDANGERED SPECIES SETTLEMENTS.

(a) DEFINITIONS.—Section 3 of the Endangered Species Act of 1973 (16 U.S.C. 1532) is amended—

(1) by redesignating—

(A) paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(B) paragraphs (5) through (10) as paragraphs (7) through (12), respectively; and

(C) paragraphs (12) through (21) as paragraphs (13) through (22), respectively;

(2) by adding before paragraph (2) (as so redesignated) the following:

''(1) AFFECTED PARTIES.—The term 'affected party' means any person, including a business entity, or any State, tribal government, or local subdivision the rights of which may be affected by a determination made under section 4(a) in a suit brought under section 11(g)(1)(C).''; and

(3) by adding after paragraph (5) (as so redesignated) the following:

''(6) COVERED SETTLEMENT.—The term 'covered settlement' means a consent decree or a settlement agreement in an action brought under section 11(g)(1)(C).''.

(b) INTERVENTION; APPROVAL OF COVERED SETTLEMENT.—Section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540) is amended—

(1) in paragraph (3), by adding at the end the following:

''(C) PUBLISHING COMPLAINT; INTERVENTION.—

''(i) PUBLISHING COMPLAINT.—

''(I) IN GENERAL.—Not later than 30 days after the date on which the plaintiff serves the defendant with the complaint in an action brought under paragraph (1)(C) in accordance with Rule 4 of the Federal Rules of Civil Procedure, the Secretary of the Interior shall publish the complaint in a readily accessible manner, including electronically.

''(II) FAILURE TO MEET DEADLINE.—The failure of the Secretary to meet the 30-day deadline described in subclause (I) shall not be the basis for an action under paragraph (1)(C).

''(ii) INTERVENTION.—

''(I) IN GENERAL.—After the end of the 30-day period described in clause (i), each affected party shall be given a reasonable opportunity to move to intervene in the action described in clause (i), until the end of which a party may not file a motion for a consent decree or to dismiss the case pursuant to a settlement agreement.

''(II) REBUTTABLE PRESUMPTION.—In considering a motion to intervene by any affected party, the court shall presume, subject to rebuttal, that the interests of that party would not be represented adequately by the parties to the action described in clause (i).

''(III) REFERRAL TO ALTERNATIVE DISPUTE RESOLUTION.—

''(aa) IN GENERAL.—If the court grants a motion to intervene in the action, the court shall refer the action to facilitate settlement discussions to—

''(AA) the mediation program of the court; or

''(BB) a magistrate judge.

''(bb) PARTIES INCLUDED IN SETTLEMENT DISCUSSIONS.—The settlement discussions described in item (aa) shall include each—

''(AA) plaintiff;

''(BB) defendant agency; and

''(CC) intervenor.'';

(2) by striking paragraph (4) and inserting the following:

''(4) LITIGATION COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the court, in issuing any final order in any suit brought under paragraph (1), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines such award is appropriate.

''(B) COVERED SETTLEMENT.—

''(i) CONSENT DECREES.—The court shall not award costs of litigation in any proposed covered settlement that is a consent decree.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement does not include payment to any plaintiff for the costs of litigation.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) if the covered settlement includes payment to any plaintiff for the costs of litigation.''; and

(3) by adding at the end the following:

''(6) APPROVAL OF COVERED SETTLEMENT.—

''(A) DEFINITION OF SPECIES.—In this paragraph, the term 'species' means a species that is the subject of an action brought under paragraph (1)(C).

''(B) IN GENERAL.—

''(i) CONSENT DECREES.—The court shall not approve a proposed covered settlement that is a consent decree unless each State and county in which the Secretary of the Interior believes a species occurs approves the covered settlement.

''(ii) OTHER COVERED SETTLEMENTS.—

''(I) IN GENERAL.—For a proposed covered settlement other than a consent decree, the court shall ensure that the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(II) MOTIONS.—The court shall not grant any motion, including a motion to dismiss, based on the proposed covered settlement described in subclause (I) unless the covered settlement is approved by each State and county in which the Secretary of the Interior believes a species occurs.

''(C) NOTICE.—

''(i) IN GENERAL.—The Secretary of the Interior shall provide each State and county in which the Secretary of the Interior believes a species occurs notice of a proposed covered settlement.

''(ii) DETERMINATION OF RELEVANT STATES AND COUNTIES.—The defendant in a covered settlement shall consult with each State described in clause (i) to determine each county in which the Secretary of the Interior believes a species occurs.

''(D) FAILURE TO RESPOND.—The court may approve a covered settlement or grant a motion described in subparagraph (B)(ii)(II) if, not later than 45 days after the date on which a State or county is notified under subparagraph (C)—

''(i)(I) a State or county fails to respond; and

''(II) of the States or counties that respond, each State or county approves the covered settlement; or

''(ii) all of the States and counties fail to respond.

''(E) PROOF OF APPROVAL.—The defendant in a covered settlement shall prove any State or county approval described in this paragraph in a form—

''(i) acceptable to the State or county, as applicable; and

''(ii) signed by the State or county official authorized to approve the covered settlement.''.

SA 1923. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. 3_____. REPORT ON FEDERAL AGENCY FACILITIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on energy use and energy efficiency projects at the facilities occupied by each Federal agency.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of energy use at each facility occupied by a Federal agency;

(2) a list of energy audits that have been conducted at the facilities described in paragraph (1);

(3) a list of energy efficiency projects that have been conducted at the facilities described in paragraph (1); and

(4) a list of energy efficiency projects that could be achieved through the use of a consistent and timely mechanical insulation maintenance program and through the upgrading of mechanical insulation at the facilities described in paragraph (1).

SA 1924. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. ENERGY EFFICIENCY REGULATION REGARDING CERTAIN BATTERY CHARGERS.

Golf cars shall be exempt from the proposed rule entitled ''Energy Conservation Program: Energy Conservation Standards for Battery Chargers and External Power Supplies'' (77 Fed. Reg. 18478 (March 27, 2012)) in the same manner that low-speed vehicles that are substantially similar to golf cars in design, construction, and use, or other electric vehicles used for personal transportation are exempt from the proposed rule.

SA 1925. Mr. LEVIN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, between lines 16 and 17, insert the following:

SEC. 4_____. COMPRESSED NATURAL GAS FUELING STATIONS REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Transportation, shall submit to Congress a report that describes options to incentivize the development of public compressed natural gas fueling stations.

(b) CONTENTS.—The report under subsection (a) shall analyze a variety of possible financing tools to incentivize the development of public compressed natural gas fueling stations, which may include Federal grants and credit assistance, public-private partnerships, and membership-based cooperatives.

SA 1926. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, after line 16, add the following:

SEC. 4___. NATURAL GAS VEHICLES.

(a) MAXIMUM FUEL ECONOMY INCREASE FOR ALTERNATIVE FUEL AUTOMOBILES.—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)''.

(b) AUTOMOBILE FUEL ECONOMY DEFINITIONS.—Section 32901(a) of title 49, United States Code, is amended—

(1) in paragraph (8), by inserting '', but the inclusion of a reserve gasoline tank for incidental or emergency use in the event of alternative fuel depletion shall not detract from the dedicated nature of the automobile'' before the period at the end; and

(2) in paragraph (9)(B), by striking ''provides equal or superior energy efficiency'' and inserting ''provides reasonably comparable energy efficiency''.

(c) MINIMUM DRIVING RANGES FOR DUAL FUELED PASSENGER AUTOMOBILES.—Section 32901(c)(2) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking ''(except electric automobiles)'' and inserting ''(except electric or natural gas automobiles)''; and

(2) in subparagraph (C), by striking ''(except electric automobiles)'' each place it appears and inserting ''(except electric or natural gas automobiles)''.

(d) MANUFACTURING PROVISION FOR ALTERNATIVE FUEL AUTOMOBILES.—Section 32905(d) of title 49, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) the percentage utilization of the model on gasoline or diesel fuel, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under section 32904(c); and

''(2) the percentage utilization of the model on gaseous fuel, as determined by a formula based on the model's alternative fuel range, divided by the fuel economy measured under subsection (c).''.

(e) HOV FACILITIES.—Section 166 of title 23, United States Code is amended—

(1) in subsection (b)(5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW EMISSION VEHICLE.—If a State agency establishes procedures for enforcing the restrictions on the use of the HOV facility by the vehicles, the State agency may allow use of the HOV facility by both—

''(i) alternative fuel vehicles; and

''(ii) new qualified plug-in electric drive motor vehicles (as defined in section 30D(d) of the Internal Revenue Code of 1986).''; and

(2) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating''.

SA 1927. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 1392, to promote energy savings in residential buildings and industry, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3___. FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.

Section 305(a)(3)(A)(i)(II) of the Energy Conservation and Production Act (42 U.S.C. 6834(a)(3)(A)(i)(II)) is amended by inserting ''location,'' after ''applied to the''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 12, 2013, at 10 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 12, 2013, at 10 a.m. to conduct a hearing entitled ''Essential Elements of Housing Finance Reform.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 12, 2013.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Dental Crisis in America: The Need to Address Cost'' on September 12, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be authorized to meet during the session of the Senate on September 12, 2013, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 12, 2013, at 10 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.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that Anna Henderson, a fellow in my office, be granted floor privileges for the remainder of the 113th Congress.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, September 16, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 175 and 176; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 219; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Victoria Nuland, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (European and Eurasian Affairs).

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

PROGRAM

Mr. REID. Mr. President, I have just spoken to my staff and the floor staff. Monday evening, we will come in and try to move forward on the energy efficiency legislation. I have suggested to my staff that they talk to the Republican staff and see if there is a way we can move forward on this, so we will see. I hope so, because it has been a totally wasted week.

ORDERS FOR MONDAY, SEPTEMBER 16, 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, September 16, 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 p.m. with Senators during that period of time being permitted to speak for up to 10 minutes each; and following morning business the Senate resume consideration of S. 1392; further, at 5 p.m., the Senate proceed to executive session under the previous order.

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

SCHEDULE

Mr. REID. A vote will be at 5:30 p.m. on Monday.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 16, 2013, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Monday, September 16, 2013, at 2 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 12, 2013:

DEPARTMENT OF STATE

VICTORIA NULAND, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AND EURASIAN AFFAIRS).

EXTENSIONS OF REMARKS

EXTENDING CONGRATULATIONS TO THE OHIO JUDICIAL CONFERENCE

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. BOEHNER. Mr. Speaker, I rise today to congratulate and recognize the Ohio Judicial Conference on the celebration of their 50th anniversary.

For 50 years, the Ohio Judicial Conference has worked to maintain the coequal status of the judicial branch of government in relation to the legislative and executive branches while furthering its goal of informing the public about the judicial system. Furthermore, they have worked to provide leadership to those involved in the Ohio judicial system and uniformity in the application of law. The Ohio Judicial Conference holds values such as stewardship, service, and communication in high regard, and these values have enabled the success which the organization enjoys today.

On behalf of the United States Congress, I proudly recognize the Ohio Judicial Conference. They have put forth a great deal of effort into their cause and have been rewarded with much success. I look forward to seeing what the next 50 years will hold for this organization.

CONGRATULATING TONY SKINNER

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. BROWNLEY of California. Mr. Speaker, today, I pay tribute to Tony Skinner, a highly dedicated Ventura County resident, whose commitment to the development and growth of today's skilled labor force is remarkable and commendable.

For the past 10 years, Tony has served as the President of the International Brotherhood of Electrical Workers (IBEW) Local #952. The International Brotherhood of Electrical Workers represents 750,000 active members and retirees who work in a wide variety of fields, including utilities, construction, telecommunications, broadcasting, and manufacturing. Under his leadership, IBEW Local #952 has been instrumental in ensuring the strengthening and prosperity of Ventura County's technical and high–skilled occupations.

Tony has worked to organize, mobilize, reach out to community partners, and build coalitions to change people's lives. He has been a staunch and unwavering leader in the labor community that has dedicated his career to working for our county's working families.

As an advocate for technical and vocational training in the region, he has worked to bring to fruition a vision for a strong and relevant 21st century workforce. Tony founded the Architecture, Construction and Engineering High School in Camarillo, a unique and distinctive school that seeks to prepare students for construction affiliated careers through demanding circumstantial, hands–on curriculum that prepares them for higher education, apprenticeship programs, or a career. Tony currently presides as the President of the Board of Directors for the school.

In addition, Tony's service to the community is extensive. He currently serves on multiple local industry associations and boards including the Tri-Counties Central Labor Council, the Ventura County Workforce Investment Board, and the Economic Development Collaborative of Ventura County.

Tony personifies dedication and commitment to the growing workforce in Ventura County. I am pleased to join Ventura County's Tri-Counties Building and Construction Trades Council in honoring Tony Skinner as a true champion of America's workers.

HONORING GEORGIA SHAPE HONOR ROLL RECIPIENTS

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to congratulate 19 schools in Georgia's 11th District for being awarded medals in the SHAPE Honor Roll program.

As a former member of the Marietta school board, it is a great source of pride to see students back home working hard to create healthy habits that will last them a lifetime.

Under the leadership of Governor Deal last year, the SHAPE program began as a statewide initiative in Georgia to help combat childhood obesity and create lifelong healthy habits through physical activity, nutrition, and wellness. Since then, a dedicated network of partners, agencies, and athletic teams have joined forces in their commitment to helping Georgia's youth achieve a greater level of fitness and commend public schools that help them do so.

This year's esteemed award-winners include public institutions from the elementary to high school level across the state of Georgia. Students, parents, administration officials, and instructors have gone above and beyond their duties in ensuring that their youth understand the mental and physical benefits of a healthy lifestyle, and should look upon this accomplishment with great enthusiasm.

Mr. Speaker, this distinguished group of awarded educational communities has established a benchmark of excellence which schools across the nation should aspire to. On behalf of Georgia's 11th Congressional District, I congratulate these educational communities on this achievement, and extend my deepest thanks for their dedication to the youth of our community.

TRIBUTE TO HONOR THE LIFE OF MICHAEL VOSBURG-CASEY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of an extraordinary young man, Michael Vosburg-Casey, who passed away on July 31, 2013, in Atlanta, Georgia.

Michael will forever be remembered as a devoted husband to his wife Amy, adoring father of his daughter Elena, and the loving son of Betty and Tom Casey. He will be deeply missed by his brother Dr. Daniel Casey and his wife Sarah and children Megan and Brendan; and by his sister Elizabeth Casey Pereira and her husband Vincent. I count myself blessed to have known the Casey family for many decades, and I'm proud to be among the countless people who know and respect their family.

Michael Casey was born in Redwood City, California on March 13, 1974 and attended local schools. A graduate of Bellarmine College Preparatory in San Jose and Colby College in Maine, he worked briefly for the San Mateo County Park System. He then joined the Jesuit Volunteer Corp, moved to Texas, then Atlanta, and eventually joined the Open Door Community and worked with the Georgia Justice Project where he met his wife Amy Vosburg. Michael's unswerving faith moved him to take on every cause with a passion—helping the homeless, visiting prisoners, and serving the poor. He devoted his life to pursuing peace and justice, and annually protested against the School of the Americas. Michael's commitment was so great that he willingly served time in federal prison for his beliefs.

His three-year-old daughter was the joy of his life. He brought her with him to visit the sick, to soup kitchens and to demonstrate for peace. He was a piano tuner, a chicken farmer, and he taught his daughter to sing and dance in the rain. Michael was a force for good and a courageous, generous fighter for justice for all.

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Michael Vosburg-Casey and extend our sympathy to his entire family. His time on earth was brief, but his love of humanity, his decency and his integrity touched countless others, strengthening his community and his country immeasurably.

RECOGNIZING SISTERS HOSPITAL, ST. JOSEPH'S CAMPUS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize the St. Joseph's Campus of Sisters

Hospital as the recipient of the Cheektowaga Chamber of Commerce's 2013 Large Business of the Year Award.

One of Western New York's premiere medical institutions, Sisters Hospital, St. Joseph's Campus has been recognized by the American Heart Association and the American Stroke Association for achieving 85 percent or higher adherence to all Get with the Guidelines Stroke Performance Achievement Indicators. Cleverley and Associates, a prestigious consulting firm in Columbus, Ohio has recognized Sisters as a five-star hospital.

In addition, Sisters Hospital has received numerous awards for the care they provide to members of our community, demonstrating their great work towards improving patient outcomes and their quality of patient care.

A testament to Sisters Hospital's commitment to the community is their ongoing educational classes including Prepared Childbirth Classes, Better Breathers Club, Lifeskills Diabetes 4-part Series, the Savvy Shopper and Taking Performance to the Next Level. These invaluable classes provide information necessary to empower patients to make informed decisions about their health.

Mr. Speaker, thank you for allowing me to recognize Sisters Hospital, St. Joseph's Campus, a fundamental piece of Western New York's thriving medical community, as it receives this well-deserved award.

CONGRATULATING CHARLES A. REIMER ON HIS RETIREMENT AND TO COMMEND HIM FOR HIS 33 YEARS OF MILITARY SERVICE AND 27 YEARS OF FEDERAL CIVIL SERVICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Mr. Charles A. Reimer, a resident of the 11th District, for his years of service to our country and to congratulate him on the occasion of his retirement following 33 years of military service and 27 years of federal civil service.

Mr. Reimer enlisted in our United States Army in August 1966 and served honorably for 3 years. In 1969, Mr. Reimer began his federal civil service, and, in 1970, he joined the Massachusetts National Guard. For the following 13 years, he served concurrently as a civilian employee in the Department of the Army as well as fulfilling his duties in the Guard.

During this period of concurrent service, Mr. Reimer became an expert in personnel management and focused on development of training programs and enhancement of training though facilities management. His innovative techniques were used to support the development of training programs for the National Park Service, U.S. Marshall Service, U.S. Marine Corps, and other federal and state agencies. In 1980, his expertise was invaluable in helping to implement a new initial entry training for the Army as well as more specialized training for inter-service personnel. Mr. Reimer's civil service evolved to more technical positions in developing strategic education programs aimed at preparing individuals for senior leadership positions in the military as well as foreign area officers and strategists.

In June, 1983, Mr. Reimer was ordered into Federal Active Duty with the National Guard, where he served with distinction in personnel management and later in the areas of environmental management, diplomacy, and international affairs. His military career culminated with his service as Chief, Africa/Asia/Pacific Division, International Affairs Directorate for the National Guard Bureau. He was released from active duty in August 1999 and returned to federal civil service. His last assignment as the Strategic Planning Officer for the Chief of the National Guard Bureau was a culmination of all the years of service and experience supporting federal, state and local officials and organizations.

In recognition of his exemplary service in uniform and as a civilian federal employee, Mr. Reimer has received numerous decorations, awards, and medals including: Legion of Merit, Meritorious Service Award (4), Joint Service Commendation Medal, Army Commendation Medal, Army Achievement Medal, Reserve Component Achievement Medal (7), Good Conduct Medal, Humanitarian Service Medal, National Defense Service Medal (2), Armed Forces Reserve Medal with Gold Hour Glass Device, Medal for the Defense of Freedom, Superior Civilian Service Medal (2), Commander's Award for Civilian Service, Army Superior Unit Award (2), Texas Medal of Merit, and Massachusetts Emergency Service Award.

Mr. Speaker, I ask that my colleagues join me in commending Charles A. Reimer for his dedication and service to our country while serving in the National Guard and also as a dedicated public servant. I also thank his family for their support and sacrifices which have enabled Charles to contribute so greatly to our country. He has made immeasurable contributions to our nation, and I wish him a healthy, happy, and well-deserved retirement.

HONORING CHELSEA MONAYÉ MARTIN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ms. Chelsea Monayé Martin, a dedicated student, who is making a difference in her community.

Ms. Chelsea Monayé Martin was born on July 31, 1995 to the parents of Barbara Murray and David Martin. She is 17 years old and currently in the 12th grade attending Crystal Springs High School. Her hobbies are playing soccer, reading, singing, and helping others.

Chelsea has been in Girl Scouts for 13 years and has completed over 500 hours of Community Service. Some of her community services consist of volunteering at a number of places such as: Sims House, Stew Pot, Mississippi Department of Human Services and Soup for Elderly and as a Library Assistant.

Chelsea's extracurricular activities include: Students Against Destructive Decisions, Mu Alpha Theta, Lady Tigers Soccer Team, My Sister's Keeper, JROTC and Girl Scouts.

Chelsea's many achievements include: United States National Student Council Award, Girl Scout Silver Award, Girl Scout Gold Award, Highest Average Health Education, Principal's Honor Roll and Mississippi American Legion Auxiliary 2012 Magnolia Girls State.

Mr. Speaker, I ask my colleagues to join me in recognizing a talented student, Ms. Chelsea Monayé Martin, for her zeal in actively making a difference in her community.

RECOGNIZING SAHBA ZAARE

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. SINEMA. Mr. Speaker, I rise today to ask that my colleagues join me in recognizing Mesa Community College student Sahba Zaare, recipient of a 2013 Phi Theta Kappa Hites Transfer Scholarship, recognizing academic rigor, engagement, and leadership.

Sahba was chosen from over 2,300 applicants to receive this award, which will assist in his attainment of a baccalaureate degree from a senior degree-granting institution. He plans to transfer to Arizona State University, my alma mater, this coming year. Sahba, a Mathematics and Physics major at MCC, is a member of Phi Theta Kappa, the MCC Honors Program, and has been recognized as a Chancellor's Scholar, Coca-Cola Leaders of Promise Scholar, and American Mathematical Association of Two Year Colleges National Math Contest Winner.

Sahba is a recent immigrant to the United States and through his achievements confirms the promise of our educational system. Our community colleges provide invaluable vocational and technical training while also inspiring students such as Sahba to pursue big dreams and continue their education. It is thanks to institutions such as Mesa Community College and organizations such as the Hites Family Community College Scholarship Foundation and Phi Theta Kappa that such opportunities are available.

Given his accomplishment as well as the support provided by Mesa Community College and the collaborating scholarship foundations, I ask my colleagues to join me in congratulating Mr. Sahba Zaare for being awarded a Phi Theta Kappa Hites Transfer Scholarship.

HONORING DR. ROY D. MOORE

HON. MELVIN L. WATT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. WATT. Mr. Speaker, I rise today to recognize and honor a constituent and distinguished veteran, Dr. Roy D. Moore.

For decades, Dr. Moore has dedicated his service to the citizens of Guilford County, the State of North Carolina and our country helping to enhance and protect their quality of life. Dr. Moore was instrumental in organizing and directing programs and initiatives that have added value to communities in Greensboro and across the state of North Carolina, including the first After-School Program for Children at the Hayes Taylor YMCA and the Summer Food Program for children administered by North Carolina A&T State University.

In the late 1980's Dr. Moore was instrumental in initiating dialogue that eventually created district based representation on Greensboro's City Council. This opened the door for minority representation on that governing body. He also served as the first Chairman of the 12th Congressional District of North Carolina which I am proud to represent.

Dr. Moore's accomplishments also include the 1988 Man of the Year Award at St. James Presbyterian Church (Greensboro, NC), the 1997 Community Service Award from the Greensboro Chapter of the NAACP, the 2001 Guilford County Democrat of the Year Award and being the 1st Chair of the African American Democratic Caucus in Guilford County.

Dr. Moore will be honored on September 14, 2013 in Greensboro, North Carolina at the Grand Opening of the new Disabled American Veterans headquarters. I hope my colleagues will join me in recognizing and congratulating Dr. Roy Moore for his September 14 honor and for his tireless work for many years to improve the lives of all people by strengthening the voices of those who are often ignored.

RECOGNIZING RUSSELL SALVATORE AS 2013 CITIZEN OF THE YEAR

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to commend Mr. Russell Salvatore as the Cheektowaga Chamber of Commerce recognizes him as their 2013 Citizen of the Year. Russ's professional and civic activities demonstrate his commitment to making a difference in the lives of individuals and a positive impact in his community.

Beginning as a young boy working for his father, Russ exemplifies the American ideals of hard work and determination. In 1967, Russ found a small hot dog stand for sale on Transit Road. He purchased the stand and served as the cook, dishwasher, and waiter himself. Eventually, he expanded the modest establishment into the landmark that is now Salvatore's Italian Gardens.

In 1995, a fire destroyed Salvatore's Italian Gardens. Although Russ's next project, a hotel, was already underway, Russ refocused the efforts of the construction crews from the hotel project to rebuilding the restaurant. Once the restaurant was back in business, he hosted a dinner for all the volunteer firemen who helped save his Salvatore's Italian Gardens. Work soon resumed at the Garden Place Hotel. The finished product is a beautiful one hundred and sixty-six room facility complete with a courtyard, fitness room, meeting rooms and twenty-five luxurious suites.

In 2006, Trocaire College met with Russ to discuss their plan to build a satellite campus in the suburbs to bolster a struggling hospitality program. Enthusiastic about the project, Russ partnered with Trocaire to open the Russell J. Salvatore School of Hospitality at Trocaire to the Sisters of Mercy in 2008.

Russ's great vision and drive led him to open another restaurant adjacent to Salvatore's Grand Hotel, Russell's Steaks, Chops, and More. The restaurant and hotel have received numerous honors and awards since their opening. Russ is known for greeting his customers himself, providing a personal touch and top notch service. Russ's latest endeavor is his new cooking show ''Come Dine With Me,'' which showcases local chefs and restaurants.

A dedicated philanthropist, one of Russ's proudest accomplishments was the creation of the ''Patriots to Heroes Park.'' Located on Transit Road, the park is home to memorials of 9/11 and Flight 3407, tragedies that deeply affected Western New Yorkers. Russ is a generous supporter of the Cystic Fibrosis Foundation, the Variety Club of Buffalo, Juvenile Diabetes of Buffalo, Heritage House, Women's and Children's Hospital, the Italian American Federation and the local school districts of Lancaster, Williamsville, Amherst and Clarence. Through the Russell J. Salvatore Foundation, he supports Kids Escaping Drugs, the Make A Wish Program, the Food Bank of Western New York and Meals on Wheels Organization. His annual ''Ham-a-Lot'' event fed almost 1,000 families this past Easter.

In 2012, Russ worked with Olmstead Conservatory to honor fallen heroes of the War of 1812 by funding the replacement of two marker willow trees in Delaware Park. During Erie County Medical Center's drive to improve patient relations, he donated new television sets for the entire hospital, which included an agreement that no patient should have to pay for television service again. This past year, he bought out the remaining tickets to a Buffalo Bills game to avoid a local blackout.

Mr. Speaker, thank you for allowing me a few moments to recognize the great works of Russ Salvatore. His philanthropic spirit and dedication to Western New York is inimitable, and I congratulate him upon his receipt of the 2013 Citizen of the Year Award from the Cheektowaga Chamber of Commerce.

HONORING BRUSHY CREEK CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Brushy Creek Church.

Brother Edward Spencer was the founder of Brushy Creek Church. He was born in Virginia in 1819 and was brought to Mississippi by the slave traders at the age of 9. He professed religion in 1849 but remained in the white Baptist Church until 1869 as a free man.

Brother Spencer was appointed deacon by the white Baptist Church and decided that he needed to seek shelter for his own race. So with the assistance of others Brother Spencer succeeded in building a church approximately 30′ x 40′. Not being satisfied with this he then organized a Sunday school and afterwards a public school and later he added another 10′ making the church 30 ft. x 50 ft.

Brother Edward Spencer was the father of 14 children, often having to be away from his family traveling back and forth to church. In his old age, trying to return home about 7:00 p.m., he fell a victim to death on the roadside and was found on a Tuesday morning.

His funeral was attended by his wife, who was approximately 90 yrs. of age, 2 surviving children, Pastor R. B. Jordan and the mothers of Brushy Creek Church. He was buried on land he had purchased more than 31 years before.

The church was repaired under the administration of Rev. R. B. Jordan of Jackson MS. He made the walls higher and made room for the pulpit and he added a deacon board to the church: Bro. L. A. Catching, Bro. V. L. Harper and Bro. Joe Murry.

The Brushy Creek Missionary Baptist Church has its roots in the Hopewell Baptist Church from which development of a separate church began in 1853, with the establishment of a separate room for the black members of the congregation.

In 1866 the black members of Hopewell Baptist Church voted to hold separate services every third Sunday and called Bro. Theophilus Green, ''a white man'' to serve as pastor. The final break with the Hopewell Baptist Church came in October 1869 when Brushy Creek Church was organized with 50 charter members.

In March of 1877, the Sunday School Roll had record that there were 26 members: Fifteen males and eleven women including the superintendent, Bro. Edward Spencer Sr., the Secretary, Bro. Calvin Spencer and the Treasurer, Bro. George Green.

The original church was actually at Brush Harbor where members met on land owned by Mr. Retinor who eventually deeded the land to the church. The first church structure was a log building. Then a lumber building finished in 1902 and a stone building rebuilt in 1951.

Rev. Hugh C. White of Raymond, MS, who became pastor in February 1930 in the year 1931 was paid as low as $2.50 per month and as high as $31.67 per month but received plenty of chickens, potatoes, greens, and eggs as a partial payment.

Rev. Hugh White along with the board elected a grievance committee and a grave section. In reading the records Rev. White took in many candidates for baptism and baptized them in the creek in back of Reno's Store. Rev. White gave his resignation in March 1934 and said his last sermon would be the 3rd Sunday in December 1934.

Rev. E. G. Roberson was motioned in April 1935 to serve as tentative pastor of Brushy Creek until the year of 1935 was out and on February 15, 1936 became the permanent pastor and the members voted to move the church to the top of the hill during the year of 1936.

The church records reflect Rev. S. M. Dukes of Jackson, MS was elected pastor of Brushy Creek Baptist Church in 1952. Under his leadership, Bro. Joe Haley was added to the deacon board.

He served as pastor for a number of years, after which the Rev. Nick C. Bradley of Jackson, MS. Under his leadership the church was repaired by building a bell tower approximately 30′ high.

Following his administration, Rev. A. Banks of Jackson, MS was elected pastor of Brushy Creek and served one year. No records were found in regards to his accomplishments.

Records reflect that Rev. Willie H. Hines was the next pastor who was elected and served for 26 years, under his leadership many souls were bought to Christ and many accomplishments were made. The building addition added was 16′ x 40′. Rev. Hines later moved to Hattiesburg where he also had a church.

Brushy Creek Baptist Church elected Rev. Hugh Lewis to serve as associate pastor for the remainder of the year. Rev. Lewis then became Brushy Creek's pastor and served for over 20 years. Under his leadership he added more deacons and made many accomplishments such as adding a fellowship hall, hot water heater, reroofing the church, installing an inside baptism pool, the concrete was poured in front of the fellowship hall, water fountains, carpet, P.A. System, new organ, new ladies room at the front entrance, new pulpit, floors partially replaced, new light fixtures, a bus was purchased and later sold for $500.00.

Rev. Hugh Lewis gave his resignation in December 2003 and recommended that Rev. Gregory D. Brown be over the pulpit until it was decided who the next pastor would be.

Rev. Gregory D. Brown was nominated Pastor of Brushy Creek Church and preached his first sermon as pastor in December 21, 2003. Rev Brown was installed as pastor February 8, 2004.

Rev. Brown previously served as Moderator of Brushy Creek New Hope Association. The membership has grown and he restored services back to full time with services starting at 9:00 a.m. for Sunday school, and morning worship starting at 10:30 every Sunday. Congressman Bennie Thompson Foundation donated two laptops to the church. The congregation both, children & adults, have benefited from the donation. Congressman THOMPSON's Foundation was also very instrumental in the donation of 5 acres of land that was acquired August 27, 2010 for church use only from Sis. Mary Jane Catchings, who was once a member of Brushy Creek Church.

Rev. Brown has served as our pastor for 9 years and still serves faithfully. On June 16, 2013 we will be celebrating 144 years of the church's anniversary and the funds raised will go toward our dream of building a new church.

Mr. Speaker, I ask my colleagues to join me in recognizing Brushy Creek Church as they strive to be the foundation for others to find the joy of serving God through His Son, Jesus Christ.

CONGRATULATING BOY SCOUTs OF AMERICA TROOP 150 ON THE OCCASION OF ITS 85TH ANNIVERSARY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Boy Scouts of America Troop 150 on the occasion of its 85th anniversary. Boy Scouts of America is one of the largest youth organizations in the United States, with more than 4.5 million current members. Since its founding, nearly 84 million boys have participated in scouting.

Founded in 1928, Troop 150 was the first Boys Scout Troop in Fairfax County and remains one of the longest-standing active troops in the country. Since its founding, every meeting, including the very first which consisted of only 10 boys, has been held at the Annandale United Methodist Church. The relationship between the church and Troop 150 not only has endured; it has grown. The Annandale United Methodist Men have been the predominate partner over the years. The first Scoutmaster, John Walter Mercer, is buried at the church cemetery, and a memorial fund bearing his name was created 20 years ago by John Webb, an original member of Troop 150. This fund sponsors annual trips designed to develop the leadership potential of deserving scouts.

Troop 150 plays a prominent role in the wider community as well. The Troop 150 Color Guard leads the annual Annandale Parade and also has performed this honor for Tee Ball on the South Lawn at the White House. Troop 150 has built community gardens, collected food for the needy, repaired trails, and participated in many other projects for the betterment of the community. More than 80 young men from this troop have earned the rank of Eagle Scout. Many of our country's greatest leaders have been scouts, and having been a scout, especially reaching the rank of Eagle Scout, is an achievement that is highly prized by our Military Service Academies.

Scouting develops leadership skills and ethics that foster future success in life. Troop 150 exemplifies the values and tenets of the Boy Scouts of America and supports the character development that encourages responsible citizenship and self–reliance. Members of this troop adhere to the Scout Law: "A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent" and by the Scout Slogan: "Do a good turn daily."

Mr. Speaker, I ask that my colleagues join me in congratulating Boy Scout Troop 150 on the occasion of its 85th anniversary and in thanking its Scoutmaster, volunteers, family members, and community sponsors for their commitment to our children.

HONORING MR. KIRK W. JOHNSON FOR HIS COURAGEOUS WORK THROUGH THE LIST PROJECT TO RESETTLE IRAQI ALLIES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HASTINGS of Florida. Mr. Speaker, it gives me great pride to rise today to recognize Mr. Kirk W. Johnson, the founder and executive director of the List Project to Resettle Iraqi Allies, for his continued efforts to safely resettle those Iraqis who have risked their lives working for the United States. I had the distinct honor of first meeting Kirk in 2008, when I began working with him and his organization on legislative remedies to this crisis. He has since been featured in numerous interviews and documentaries on the subject, testified on two occasions before members of the House and Senate on the consequences of our withdrawal from Iraq, and just published his first book. Kirk is truly an amazing individual who has selflessly dedicated himself to helping Iraqis who have worked for the United States in Iraq—and whose lives have been placed in grave danger for that service.

Kirk was born and raised in West Chicago, Illinois. In 2002, he earned a bachelor's degree with general and departmental honors in Near Eastern Languages and Civilizations from the University of Chicago. During that time, he received a Foreign Language Acquisition Grant to study the Syrian colloquial dialect of Arabic in Damascus, followed by fellowships from the American Academy in Berlin, Yaddo, MacDowell, and the Wurlitzer Foundation. Finally, prior to his work in Iraq, he conducted research on political Islamism as a Fulbright Scholar in Egypt.

In 2005, Kirk served in Iraq with the U.S. Agency for International Development (USAID), first in Baghdad and then in Fallujah, where he was the Agency's first coordinator for reconstruction in the war-torn city. A letter from an Iraqi colleague in 2006, which said, "People are trying to kill me and I need your help," got him involved in helping America's endangered Iraqi allies. After Kirk successfully assisted his colleague, many other pleas for help followed, which led Kirk to found the List Project. The organization has grown to become the largest single pro bono initiative ever undertaken on behalf of refugees.

His recently published book, "To Be a Friend is Fatal: A Story from the Aftermath of America at War," tells the story of the List Project's seven-year struggle to protect thousands of Iraqi allies. It centers on the lives of four Iraqis who stepped forward to help the United States, following them as they flee from Iraq and come up against the challenging bureaucracy of the U.S. refugee resettlement program.

To date, Kirk's writing on U.S. foreign policy in the Middle East and towards Iraqi allies who approached him in dire need of help has appeared in The New York Times, The Washington Post, the Los Angeles Times, the Washington Post Magazine, The Wall Street Journal, and Foreign Policy. In addition, he has appeared on 60 Minutes, The Today Show, and World News Tonight. A leading public advocate for Iraqis who assisted the U.S. Government, Kirk's efforts have been recognized by Harvard University's John F. Kennedy School of Government, where he will be continuing his studies next year.

Mr. Speaker, Kirk has so far helped nearly 1,500 Iraqis, which makes him a true American hero in my eyes. He has given a voice to those individuals who were there for us when we needed their help, but were left to struggle through the system when they needed ours. Kirk has faced significant challenges and proven himself to be a leader whose service to this nation has only just begun.

HONORING THE LIFE AND LEGACY OF THE HONORABLE E. CLAY SHAW, JR.

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. MICA. Mr. Speaker, I rise today to share in the great sadness of my colleagues as we mourn the passing of former Florida Congressman E. Clay Shaw, Jr., who passed away on September 10, 2013.

I would like to first express my condolences to Clay's beloved wife of 53 years, Emilie; his children Emilie "Mimi" Shaw Carter (Jim), Jennifer Shaw Wilder (Greg), E. Clay Shaw III (Heather) and John Charles "J.C." Shaw (Angela) and his 15 grandchildren. We extend our deepest sympathies to the family during this

difficult time and hope that some solace may be found in the appreciation of a grateful nation for their husband, father and grandfather's service and sacrifice.

I have had the privilege and honor of knowing Clay for over four decades. Devout in his commitment to public service and with faith in God and country, Clay heeded the call to public office in the 1960s when he first served as the assistant city attorney for Fort Lauderdale. He would later serve as chief city prosecutor, associate municipal judge, city commissioner, vice mayor and mayor for his city which he held so dear.

In 1980, Clay was elected to the U.S. Congress to represent the 15th District of Florida. His service spanned more than a quarter of a century, and I firmly believe that future generations and history will remember our colleague as a dedicated public servant who conducted himself with a tremendous sense of higher purpose and compassion for those he represented.

During his tenure in the House of Representatives, Clay championed vital reforms to welfare, Social Security and other government programs to ensure every American had the opportunity to succeed. He worked tirelessly to preserve the Florida Everglades, a great national treasure, for future generations.

A devoted husband, father, and grandfather, he truly made an indelible mark on his family, community and our country. E. Clay Shaw, Jr., stood for integrity, compassion and public service and through that principled dedication, he leaves a proud and distinguished legacy. I join my Florida colleagues and all Members of Congress in expressing our sympathy to the Shaw Family and our appreciation for sharing their loved one with us over these past years in Congress.

HONORING SOLENBERGER'S TRUE VALUE HARDWARE STORE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. WOLF. Mr. Speaker, I rise today to recognize Winchester, Virginia's oldest hardware store, Jno. S. Solenberger True Value Hardware. Solenberger's Hardware is celebrating its 125th anniversary this week.

Solenberger's was founded by John Solenberger and Daniel Stouffer in 1888 and can be found today at 832 Berryville Ave., where it sells a large variety of products at competitive prices.

The store employs over 30 people from the Winchester community and has been proudly run by the Solenberger family since its inception, now spanning five generations. Currently, nine of John Solenberger's descendants work for the store and one, Cyndi Thwaite, still serves as president.

Solenberger's has been a constant for the community through the ups and downs of the last century and has proven itself a positive force for Winchester and its residents. I wish the Solenberger family the best of luck in continuing the family tradition.

I submit the following article from the Winchester Star on Solenberger's Hardware's unique place within the community.

[From the Winchester Star, Sept. 7, 2013]

(By Sally Voth)

HARDWARE STORE IS A FAMILY AFFAIR

WINCHESTER.—The city's oldest hardware store is throwing itself a party today.

Solenberger's Hardware (Jno. S. Solenberger & Co.) is marking its 125th anniversary this week, capping it with a car show today from 8 a.m. to 3 p.m.

The event will also feature a bounce house, bungee run, food vendors and door prizes, said Patti Solenberger, director of marketing and merchandising.

Her husband John Solenberger is the great-grandson of the hardware store's founder, John S. Solenberger.

The store got its start in 1888 as Solenberger & Stouffer, at Baker and Cameron streets. Solenberger's cousin Daniel Stouffer was the co-founder.

After the original store was destroyed by a fire in 1908, a new one was opened at 142 N. Loudoun St., dropping Stouffer from the name, Patti Solenberger said.

The business would stay in that three-story building for the next 85 years.

I. 1993, Solenberger's Hardware bought its current store at 832 Berryville Ave. The 50,000-square-foot building had formerly been a Heck's and an L.A. Joe's, company Vice President John Solenberger said. His father John T. Solenberger died just before the store moved.

About 40,000 square feet of the space is used for the sale of items ranging from tools to plumbing and electrical supplies, lawn and gardening equipment, kitchenware, fans, soaps, hats, candles, grills and even toys.

''We have to satisfy everybody,'' Patti Solenberger said.

Today, nine of John S. Solenberger's descendants work in the store. Great-granddaughter Cyndi Thwaite is the store's president.

''We've got a fifth generation now,'' John Solenberger said.

But he didn't grow up assuming that he would one day help to run the family business.

''I wanted to be a veterinarian when I was a kid,'' John Solenberger said. ''The more I worked [here], the more I enjoyed working with the people. Just the fact it's a family business and being able to keep something going that's been there generations.''

While Solenberger's has had industrial locations selling transportation products and bearings, it now handles those products from the back of the store, John Solenberger said.

Along with family members, about 30 other people are employed at the store.

While working with relatives is mostly good, it has its drawbacks, John Solenberger said. ''You never stop talking about it,'' he said of hardware-store related conversations.

''I love working with him because he's a great guy,'' said Patti Solenberger, who has worked at the store since 1993. ''I respect him so much. It's been a great 20 years. We all for the most part get along.''

Thwaite has been company president for 20 years, although she said she and her younger brother are more like co-presidents.

''We're very, very proud,'' she said. ''It's something that I guess when we were kids we never thought about. We never thought about being here for 125 years.''

Like her brother, going into the family business wasn't part of Thwaite's original plan either. She changed her mind after doing some student-teaching.

''My dad and I worked very well together,'' Thwaite said.

The siblings have seen some changes in the hardware store business over the decades.

''Back 30 years ago, we were one of the only ones in town, and people had more of an allegiance,'' Thwaite said. ''And you don't quite see that as much now as you did back then. Same with employees. We've been very fortunate that we have such long-term employees.''

In fact, two employees—Jack Shiley and Sam Riley—have more than 55 years each under their tool belts at Solenberger's.

While the arrival of Lowe's and The Home Depot in Winchester concerned them at first, the Solenbergers said their business hasn't really been hurt by either.

''I think people automatically assume we would have an adversarial relationship ..., but they're so good to us, and we're good to them,'' Patti Solenberger said.

Each carries items unavailable at the other, she said.

''I don't think there's a day go by we don't have somebody coming from Lowe's, or we send somebody,'' John Solenberger said.

The family is working on an ''antiquities corner'' at the store to display some of its oldest items. These include a gold-leaf store sign, an oak desk, a carriage lantern, a nail bucket, a key machine, a radio and sled runners.

''These are just things we found when we cleaned the store out downtown,'' Patti Solenberger said.

When Sam Riley, 74, started working at Solenberger's 55 years ago, customers had accounts, and would be billed. Sales of more than $100 had to be approved by Solenberger.

Riley has been a part-time employee for a few years, but plans to continue work if he remains healthy.

''I never got out of bed hating to to work for 50–some years,'' he said. ''There was a lot of nice people. The Solenbergers are very nice people to work for. I'm on the fourth generation [of] Solenbergers. I worked under the second generation of Solenbergers, and that was Hugh and Herbert.''

''You've got to enjoy your work. I've enjoyed it for 55 years. It's been a good ride.''

CELEBRATING THE 100TH BIRTHDAY OF ROSEMARIE DIETSCHLER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life and legacy of Mrs. Rosemarie Dietschler as she prepares to celebrate her 100th birthday on September 18th, 2013.

Born in Buffalo, New York, Rosemarie has spent most of her life in Buffalo and Tonawanda.

On January 25th, 1941, she married the love of her life, her husband Edwin. Rosemarie and Edwin shared many adventures. During their courtship, the two enjoyed traveling to West Valley in Edwin's car, yet the only way up the Springville breakers was to physically push the car from behind.

A hard worker, Rosemarie held a variety of jobs during her career. In addition to her work as a secretary, she worked at Kobackers, the iconic Mom and Pop grocery store on North Main Street in Brewster, New York, as well as at Hens and Kelly, the chain of department stores based right in Buffalo.

Rosemarie's generosity is unparalleled. A devoted parent, grandmother, and great-grandmother, her hobbies include crocheting baby sweaters and blankets. She made many special outfits for the children in her life, and

was involved in the Kenmore Mercy Sewing Guild for many years.

Rosemarie is admirably dedicated to her family. She and her husband have three children, Dianne Burns, Donna Veiga, and Denise Locsei. She is close with her grandchildren and their spouses, Daniel and Lisa Burns, Anthony and Shannon Haeick, Justin and Bethany Locsei, Megan Burns Moran, and Morgan Locsei. Rosemarie has the honor of being a great-grandmother, and loves her great-grandchildren, Maggie Burns, Brian Burns, and Evan Haeick, dearly. Homemaking has consistently been at the center of Rosemarie's life, as evidenced by the love and support she displays for all of her family as well as her close friends.

Mr. Speaker, it is with great pride that I rise today to celebrate Rosemarie Dietschler's 100th birthday, her generous spirit, and her boundless love for her family and friends. Thank you for allowing me a few moments to recognize the legacy of this outstanding woman. I wish Rosemarie and her family all the best for their many years to come.

RECOGNIZING THE GREATER RESTON ARTS CENTER ON THE OCCASION OF ITS 40TH ANNIVERSARY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate the Greater Reston Arts Center (GRACE) on the occasion of its 40th anniversary and to recognize the contributions this local institution has made to the cultural life of throughout Northern Virginia.

Founded in 1974 by artists and friends of the arts as a source of cultural enrichment for what was then the ''new town'' of Reston, GRACE has enriched community life by promoting involvement and excellence in contemporary visual arts. GRACE initially operated out of the landmark Heron House on Lake Anne and offered classes in sculpture, painting, and weaving for children and adults. In 1976, GRACE began training volunteer ''docents'' to lead interactive discussions of art history in elementary schools. This signature program now reaches more than 20,000 students in 42 schools across the region.

From its current location in Reston Town Center, GRACE provides a year–round program of contemporary visual art exhibitions, education programs for all ages, and special events. In recent years, GRACE has introduced new traditions such as the seasonal ''Focus'' exhibition series, and has engaged the community with events such as free gallery receptions, holiday wine tastings, and string quartet performances. The annual Northern Virginia Arts Festival, operated by GRACE, is widely recognized as a signature event that features more than 200 juried, national artists and draws tens of thousands of attendees/buyers annually. Such activities greatly enhance both the cultural life and local economy of Reston and Fairfax County.

Looking forward, GRACE intends to fill the need for a more dynamic artistic and cultural presence brought about by Reston Town Center's emergence as an international business destination and regional attraction. Under the leadership of Executive Director Damian Sinclair, GRACE recently announced its ''40 Forward'' campaign to develop a more robust Fine Arts Festival, enhance its gallery exhibitions, extend its education program online, and partner with other institutions to promote a stronger commitment to public and performance art.

Mr. Speaker, I ask my colleagues to join me in congratulating GRACE on its 40th anniversary and thanking its staff, volunteers, and supporters for their ongoing contributions to the quality of life in Northern Virginia.

HONORING PRATT MEMORIAL UNITED METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Pratt Memorial United Methodist Church.

Pratt Memorial United Methodist Church was founded as a Mission Charge and was organized under the ministry of Reverend Henry Henderson on July 9, 1897. It was housed in a small school building and was called the West Jackson Methodist Episcopal Church. The Reverend J. D. Brooks, who succeeded Reverend Henderson in 1898, built the first parsonage during his two years as a pastor.

An effort to build the first church was made by Reverend E. P. Chatman. Although his plan was not completed, he did succeed in the construction to the extent that services could be held. Reverend Chatman served two years and was succeeded by Reverend I. L. Pratt. Unfortunately both the church and the parsonage burned. But by faith and sacrifice, the pastor and the faithful members built the first sanctuary, naming it in honor of Reverend Pratt. He served one year and was followed by Reverend Hiram Mae who was pastor for only six months.

Following Reverend Mae, the Conference sent Reverend W. L. Marshall to shepherd the congregation. He succeeded in building the second parsonage but resigned after spending a year and a half at Prat Pratt's seventh pastor, Reverend W. A. Oates, came from Yazoo City, Mississippi and spent two and a half fruitful years paying off many of the church's debts while also ministering to the needs of his people. The Reverends Garrett Tate, Simpson Joshua, Henry Woods, M. T. J. Howard and N. Ross, all followed in succession as pastors of Pratt. Each served one year and each contributed much to the spiritual growth of the loyal and faithful membership.

Reverend Prentiss Taylor, the fourteenth pastor, stimulated growth and hope. Reverend Taylor's successor, Reverend E. A. J. Isabel, helped make his dream a reality when he ushered in a new day for membership and under Reverend Isabel, Pratt was taken off the circuit and became a stationed charge. Later a beautiful brick veneer edifice was built and the name was changed from Pratt's Chapel to Pratt Memorial Methodist Episcopal Church.

Reverend Isabel broke all previous records of service to the church with a tenure that spanned ten years. He was affectionately called the ''great builder'' and was succeeded by Reverend A. B. Keeling. His business acumen as well as his abilities as a pastor helped him meet the demands of the church. Reverend Keeling took a great interest in the youth of the church, providing opportunities for their talents, to develop leadership qualities and to gain experience through attendance at youth meetings and conferences. Through his work developing young church members, Pratt took its place among the top churches in the conference, attracting area-wide attention in both ministerial and lay circles. Reverend J. C. Hibbler continued the work among the youth and both Reverend Hibbler and his successor, Reverend S. G. Roberts, served three years respectively. Each kept the faith and did much to improve the church grounds and physical structure.

Reverend L. E. Johnson was sent to fill the vacancy created by the departure of Reverend Roberts. A powerful minister and good fundraiser, Reverend Johnson reduced the church debt during his four-year tenure. The youth activities were expanded, the membership grew rapidly and other areas of the church were improved Reverend Johnson was elevated to District Superintendent of the Jackson District at the end of his tenure. Through the inspiration of Reverend W. H. Blackman, Reverend Johnson's successor, there was an increase in membership. The three-year stay of Reverend Blackman was due to the call of the Conference for him to become the Executive Secretary of Christian Education of the Mississippi Conference. He was succeeded by Reverend C. P. Payne.

Under Reverend Payne's guidance, the balance of the church's indebtedness was paid off and the mortgage was burned on October 1, 1944. Dr. Clovis Chappell, pastor of Galloway Memorial Methodist Church of Jackson, delivered the dedication sermon. Pratt become the third-ranked among the top churches in the Mississippi Conference attracting area-wide attention.

Next was Reverend Frank P. Leonard. In spite of a bright outlook for the congregation and good leadership of its pastor, the physical structure collapsed in March, 1953, but the pastor and congregation rebuilt and the new church opening was held March 14, 1954. The beautiful edifice, which now stands, is a tribute to Reverend Leonard and his congregation. The $43,000 debt was reduced to $23,000 by the time the building was completed and Reverend Leonard became District Superintendent the following year.

In 1956, Reverend M. T. J. Howard, Jr. was assigned to Pratt. The parsonage was rebuilt and completely furnished.

Reverend G. W. Williams succeeded Reverend Howard in 1958.

Reverend A. L Holland succeeded Reverend Williams but died at the helm after only six months of service. Reverend C. P. Payne, the District Superintendent, assisted in completing the year's work. In 1963 Reverend Allen Johnson was sent to Pratt. Like his father, Reverend L. E. Johnson, Reverend Johnson was a good fundraiser as well as an organizer. An inspirational choir, a youth choir and a children's choir were all organized. Funds were raised to pay off the church and parsonage indebtedness. Reverend Johnson also became distinguished as a fearless and courageous leader in the Civil Rights Movement of the sixties, which broke down racial barriers.

When Reverend Sydney L. Webb appeared on the scene in 1967, the congregation concluded that Pratt must rise to the new challenge in the age of space. As a first step, they envisioned a much needed renovation and building program. With conference and local financial obligations completed for the conference year, the congregation decided to launch a 66th Anniversary program to celebrate as well as to raise funds for the building program. The 66th Anniversary was held June 2, 1968. In June 1969, Reverend Webb was appointed by the Conference to head the Jackson District.

Reverend C. E. Applebeny advanced plans initiated by Reverend Webb, the first pastor to serve the church after it became known as Pratt Memorial United Methodist Church. This was due to the union of the Methodist Church and the Evangelical United Brethren Church. Reverend Appleberry served two faithful years.

Reverend C. P. Payne, who became the only pastor to serve Pratt Memorial on more than one occasion, succeeded Reverend Appleberry. After a two-year period, Reverend Coleman Turner succeeded Reverend Payne. Under Reverend Turner's supervision, the church took on a new life, the choir took on a new look, and the young people became more active in all phases of church life. The financial affairs of the church were ordered and funds were raised to begin the second phase of the building program. The repair of the church steeple was also made. The United Methodist Women were reorganized under Reverend Turner's administration and the women of the church began serving as officers, a choice not open to them before.

Following Reverend Turner's retirement after 11 years of service, the 1984 June Annual Conference appointed Reverend Noah Lee Moore to Pratt. As he took over the reins, Reverend Moore faced an uncertain church renovation and remodeling program, which had come to a halt. Being a dynamic young minister with deep spiritual convictions, he provided the leadership for the hour. In less than a year and a half; the church parsonage was renovated, upgraded and painted, followed by the remodeling and renovation of the entire church. During the same time span, the United Methodist Men's organization was revived and revitalized. The youth and children of the church became organized and their activities added much to the life of the church. But perhaps the most historical accomplishment during this period was the resolving of the divisible issue of two units of United Methodist Women in the church. One all-inclusive unit was formed and developed in keeping with the laws of the United Methodist Church. With the anticipated strengthening of all areas of the church so as to implement the ministry it espouses, the securing of a loan from the general church to take over the mortgage incurred for the building program was implemented under the leadership banner of Reverend Moore.

Reverend Deborah Mingo Palmer, Pratt Memorial's first female pastor, succeeded Reverend Noah Moore in June 1993. Her ability to inspire and teach the word of God through illustrative sermons sparked increases in Sunday School and worship services' attendance. Her talent for planning and presenting special programs and services made the worship experience unique, colorful and as always—spiritually uplifting. The high energy and innovative ideas of the pastor motivated the membership to revitalize ministries that already had great potential, such as communication, children, youth and young adult ministries. Wonderful Wednesday, Sensational Saturday, The Singles, Orientation Sunday School Class were new ones for Pratt.

Another first for Pratt Memorial United Methodist Church was the addition of three Associate Pastors to the personnel roster; Reverend Glenda Funchess, Reverend Carl Palmer, Jr. (the pastor's spouse) and Reverend Eliza Forbes. The Associate Ministers were involved in worship services and other junctions to give ministerial support for the pastor.

In Reverend Palmer's fourth year span of leadership, the church parsonage was renovated to accommodate a three-room office and small group meeting space. The church steeple was repaired, two additional lots were purchased and the parking lot was paved and lined.

Reverend John L. Cornelius was appointed the thirty-third pastor at the June 1997 and the church purchased the home next to the church parsonage. This was the beginning of the Pratt Memorial UMC Resource Center for computer training and after school tutorial. During Reverend Cornelius' term, the Administrative Council also approved the purchase of a computer and software to keep finances electronically.

Rev. Selber M. McShepard was appointed the thirty-fourth pastor of Pratt at the June 2005. With a strong spirit of ministry Pratt connected with eight other West Jackson Churches in The Cluster. The Cluster churches worked on outreach ministry in the district, as well as exchanging pastors one Sunday out of the year. Rev. McShepard encouraged the youth of the church to become active through attendance, in summer camps and connectional ministry meetings. She also worked with the Building and Redevelopment Committee of the church toward the planning of Pratt's first Family Life Center.

Rev. Brenda McCaskill was appointed the thirty-fifth pastor of Pratt at the June 2010 Mississippi Conference. She immediately began to work toward improving leadership in the church by conducting monthly Leadership Training Classes. She focused on ministering to young adults in the church and community by helping to establish a Sunday School class and other social activities. Rev. McCaskill was instrumental in establishing a toll free Prayer Line Monday through Friday to pray for their concerns. Her Outreach Ministry included visiting local prisons and programs like the ''Gospel and Youth Explosion'' held in the community.

In June of 2013, Rev. DeMario F. Benson, Sr. was appointed the thirty-six pastor of Pratt. He has also focused on improving leadership at Pratt and youth and young adult involvement within the church. He has also been instrumental in initiating a Youth Ministry, Singles Ministry, and Marriage Ministry while at Pratt. We trust that under his leadership, we can keep the faith and adhere to those same principles, which started Pratt on this journey one hundred sixteen years ago.

Mr. Speaker, I ask my colleagues to join me in recognizing the Pratt Memorial United Methodist Church as they strive to be the guide for others to find the joy of serving God through His Son, Jesus Christ.

EASTLAKE LITTLE LEAGUE ALL-STAR SOFTBALL TEAM

HON. DAVID. G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. REICHERT. Mr. Speaker, I rise to recognize the extraordinary merit of the Eastlake Little League Al-Star Softball Team from Sammamish, WA, today, September 12, 2013.

The Eastlake Little League All-Star Softball Team won the state championship before advancing to the West Regional Tournament in San Bernardino, California. At the West Regional Tournament they had an electrifying run defeating Alaska 11–0, Montana 9–8, and Idaho 11–1, before falling to Oregon 4–2 and then to California 4–1 in the regional semifinals.

Throughout the state and regional tournaments, they demonstrated great cohesion and teamwork. Congratulations to the Eastlake Little League All-Star Softball Team for an outstanding tournament; they are deserving of very special recognition. The players and coaches who made this excellent season possible are listed below.

Players: Georgia Robinson, Mackenzie Kurtz, Sophia Robinson, Belle deOliveira, Kailey Mohamed, Natalie Guinasso, Josie Charles, Morgan Olynyk, Courtney Zaidi, Regan Hines, Ryan Kurtz, Peyton Wright, Hannah Butterklee, and Kaitlyn Recob

Coaches: Don Hines, Steve Pollis, Stevev Olynyk

ON THE OCCASION OF SEVENTY-FIFTH ANNIVERSARY OF OPERATIONS OF CREDIT UNION ONE

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize Credit Union ONE as its employees, executives, members and the communities it serves celebrate seventy-five years of operations. Over its seven-and-a-half decades of business, Credit Union ONE has remained true to its roots in the Southeast Michigan community.

Credit Unions are important local financial institutions that know their neighbors and use their unique understanding to serve their communities with the tools that are necessary to grow and prosper. Credit Union ONE was founded in 1938 when fifteen neighbors in Ferndale, Michigan came together to create the Ferndale Co-Op Credit Union, and is a shining example of the strong connection credit unions have to the communities they serve. These concerned neighbors worked together with the shared goal of helping the neighborhoods of Ferndale thrive. With its strong roots in the Greater Detroit region, Credit Union ONE has grown to be one top ten credit unions in Michigan with over 106,000 members—a long way from its humble start in the basement of church in Ferndale. Over the years, Credit Union ONE has substantially expanded the services it offers to its members from its nineteen branches across Michigan, rising to meet their needs

with a full range of financial tools to assist members with personal financial planning, home ownership, retirement and small business support services.

The key to the success of Credit Union ONE has been its ongoing commitment as an active stakeholder in the well-being of its members and communities across Michigan. As part of its mission Credit Union ONE has partnered with local health care service organizations, including the nationally renowned Barbara Ann Karmanos Cancer Institute of Michigan, to support cancer care and research. Additionally, Credit Union ONE has hosted numerous free fraud/identity theft seminars and financially literacy sessions, as well as workshops for first-time homeowners and financial planning, for both its members and the broader community. As a further benefit to its members, Credit Union ONE offers a scholarship to college-bound high school graduates of their families which can substantially assist a student with the cost of higher education. Furthermore, as part of its dedication to the vitality of Michigan, Credit Union ONE was an official 2010 Census Partner, educating the public on the importance of responding to the Census to maximize the resources available to its community partners across the state.

Mr. Speaker, it is with great pride that I recognize Credit Union ONE for seventy-five years of successful operations across Michigan. Throughout its history, Credit Union ONE has been more than just a local member-based financial institution; it has been an important strategic partner for residents, small businesses, and local governments across Michigan that has worked with them to improve their quality-of-life. The success of Credit Union ONE is a success for Michigan, especially the Greater Detroit region where it is based, and I wish its members, employees, and its executive leadership many years of future success.

RECOGNIZING THE COMMUNITY HEALTH CENTER OF BUFFALO DURING NATIONAL HEALTH CENTER WEEK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize National Health Center Week and the Community Health Center of Buffalo.

National Health Center Week was started by the National Association of Community Health Centers nearly 30 years ago to raise awareness about the noble mission and incredible accomplishments of America's Community Health Centers. Health Centers strive to provide local solutions for affordable and accessible health care. In recognition of their mission, the theme of this year's National Health Center Week is "Celebrating America's Health Centers: Transforming Health Care in Our Local Communities".

Community Health Centers provide their services to all who need it, regardless of their ability to pay or insurance status. For over 45 years, these Health Centers have been ranked among the highest quality and cost effective care providers in the nation. Today, America's Health Centers serve over 22 million people at more than 8,200 delivery sites spread far and wide across all 50 states, the District of Columbia, Puerto Rico and U.S. territories.

Established in 1999, the Community Health Center of Buffalo has been one of the leading health care providers in our region, providing a safety net to the uninsured and under insured. As a provider of comprehensive primary care services in medicine and dentistry, their services are essential to ensure Western New Yorkers receive quality health care.

Their mission is to provide quality, culturally sensitive, preventive and primary healthcare to the underserved of our community through state of the art clinical and business practices, while promoting a teaching environment and empowering patients in order to reduce health disparities.

In addition to their main location, the Community Health Center has a satellite location in Niagara Falls, which is the first Federally Qualified Community Health Center in Niagara Falls. The center offers a number of medical care services for the entire family.

Mr. Speaker, thank you for allowing me a few moments to recognize the honorable mission of our nation's Community Health Centers, and the inspiring work they do to promote public health here in Western New York.

COMMEMORATING THE LIFE AND CONTRIBUTIONS OF GERALDINE ''GERRY'' ESTEP SHERWOOD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to commemorate and celebrate the life of one of Fairfax City's most, prominent citizens, Mrs. Geraldine 'Gerry' Estep Sherwood. Mrs. Sherwood passed away on August 5, 2013 leaving a legacy that will benefit Fairfax City and the Northern Virginia community for generations to come.

Mrs. Sherwood's passion for the musical arts emerged at an early age. When she was just a small child, she was asked if she would like a large, toy piano for a present; she responded by saying that she would "wait for the real thing." The wait was not to be very long, she began piano lessons at age 6 and continued her education through college where she majored in music.

Mrs. Sherwood's involvement in Fairfax City began in 1947 when she accepted a position as a teacher at Fairfax High School. At Fairfax High School, she initiated a choral music program and shepherded its growth for seven years. At that time, Fairfax was a 'village' of about 1,000 residents. The area was surrounded by farmland described by Mrs. Sherwood as "a wasteland as far as music was concerned."

Also in 1947, Mrs. Sherwood met a young veteran, Mr. Stacy Sherwood, who had served in the U.S. Air Force during World War II. They married in 1950 and together became a force in Fairfax City. Mr. Sherwood served on the town and city councils, and was instrumental in having Fairfax City identified as the location of what is now George Mason University. While Mr. Sherwood continued his civic activities, Mrs. Sherwood dedicated herself to promotion of the arts in Fairfax City.

Following public school teaching, Mrs. Sherwood provided private lessons in piano and voice and directed junior and senior choirs at a local church which she continued through 2010. She served with the Fairfax Symphony Orchestra, the Fairfax Music Guild and the Fairfax Choral Society, and was a founding member of the Arts Council of Fairfax County. Mrs. Sherwood was named the Honorary Chair for the 2010 Spotlight on the Arts Festival.

In 2007, Mrs. Sherwood offered to donate $5 million for the construction and operation of a community center in the heart of Fairfax City. Although a centrally located community center had been contemplated since the 1960's, it was not until her generous offer that the dream could become a reality. Named in honor of her husband who passed away in 2002, The Stacy C. Sherwood Center opened its doors in February, 2011.

The Stacy C. Sherwood Center was immediately recognized as a superior, state-of-the-art facility, earning the prestigious "Best New Facility Award" from the Virginia Recreation and Parks Society in 2012. Containing over 14,000 square feet, the Center caters to a wide range of arts, activities and programs. This center is also used as a venue for weddings, private business and social activities, in fact the Center contains the largest performance and banquet space in the City of Fairfax. This Center not only provides a facility to expand and promote the arts, it enhances the identity of the region and is a gift to the community that will live on.

Mr. Speaker, I ask my colleagues to join me in celebrating the life and contributions of Mrs. Geraldine "Gerry" Estep Sherwood. Mrs. Sherwood will be missed, but will always be remembered as the driving force that changed Fairfax City from a "wasteland as far as the arts were concerned" into a regional treasure. I, and the constituents of the 11th Congressional District of Virginia, owe Mrs. Sherwood a debt of gratitude that cannot be repaid.

HONORING CENTRAL UNITED METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Central United Methodist Church Jackson, Mississippi. Central United Methodist Church is a church full of history and heritage spanning almost 150 years.

When the Mississippi Mission Conference convened at Wesley Chapel in New Orleans from December 19–25, 1865, it was composed, for the most part, of Negroes, who sought affiliation with the "Old Church." Mississippi, Louisiana, and Texas combined the Mission Conference. The Jackson Mission grew out of the Conference in 1866. Miles Proctor shepherded the fledgling mission until later in the year when Moses Adams and Thomas Anderson were appointed the pastors. At the time of its beginning, the Jackson Mission is said to have been located in the area of Millsaps College.

Over the next ten years, the mission grew. In 1876, it established a church at the corner

of Grayson, now Lamar and Fortification Streets.

Several years later, in January 1890, the Annual Conference adopted a resolution that granted the Board of Church Extensions permission to use eighteen hundred dollars realized from the sale of land to buy another lot and to build a new church. Augustus M. Trotter, pastor of the church, presented the resolution.

On June 25, 1890, December Sharp sold the land on which the church now stands to the Board of Trustees, headed by William Young. On May 16, 1891, a second deed was acquired for land brought from M.F. Chiles for seventy-five dollars. In 1892, the first building to house Central Methodist Episcopal was completed. The structure was razed in March 1965, and a new edifice was consecrated in June 1966.

Throughout the years, Central has undergone a number of changes. In 1921, the Mississippi Annual Conference appointed the first Bishop of African descent, Robert E. Jones. That year, Central hosted the first Annual Conference over which Bishop Jones presided in the state.

At the result of two mergers, the church has changed names twice. In 1939, church became Central Methodist, in the Central Jurisdiction. In 1968, after the union of the Methodist Church and the Evangelical United Brethren, church became Century of Methodism in Jackson. In 1997, Central acquired the Marion-Jones Branch of the YWCA to use as its Family Life Center. Today it houses Central's Scouting Ministry, Food and Clothing Distribution and Summer Enrichment Programs.

Mr. Speaker, I ask my colleagues to join me in recognizing Central United Methodist Church.

PROCLAMATION FOR NATIONAL PREPAREDNESS MONTH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. FITZPATRICK. Mr. Speaker, September is National Preparedness Month, a time when Americans are reminded of the importance of being prepared for disasters and emergencies.

After Hurricanes Irene and Sandy, the damaging flooding of the Delaware, and devastating fires that damaged residential and commercial properties, my constituents are no strangers to disasters. Events like these have shown us that being ready for an emergency is essential; there is no substitute for preparedness.

This year's National Preparedness Month campaign focuses on the theme: You Can Be the Hero.

In coordination with FEMA and the American Red Cross, I urge all citizens to take concrete action toward preparing for emergencies and disasters. It takes a team effort to ensure that we are ready for any disaster.

I encourage individuals, families, organizations, and businesses across America to make an emergency plan, put together an emergency supply kit, and join in local efforts to become a community preparedness partner. Your efforts today may save a life tomorrow.

HONORING ISMAEL ''TONY'' TORRES

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to honor a model public servant who dedicated his life to the betterment of the Williamsburg community in Brooklyn, New York. Ismael ''Tony'' Torres was born in Carolinas, Puerto Rico on November 29, 1933, and arrived in New York City in 1946.

Mr. Torres is an extraordinary man who is proud of his heritage and has dedicated his life's work to advancing the cause of equal rights, community empowerment and civil rights for Puerto Ricans in Williamsburg. In 1952, he was arrested for organizing a rally against wage theft for six Puerto Rican factory workers in Brooklyn. This was the beginning of a long and storied activist career.

Mr. Torres served in the U.S. Armed Forces from 1954 to 1956 in the ARMY 7th Steps To Hell, Company A unit. Upon returning home, he continued the fight for justice and fairness and against discrimination.

In 1958 he coordinated the first Puerto Rican parade along Graham Avenue. Thanks to his advocacy and work with the former Councilmember, Graham Avenue today is known as Avenida Puerto Rico.

In the 1970's he founded the Williamsburg Federation of Tenants for Better Housing. Comprised of local residents and leaders. This organization led to the development of two massive affordable housing projects in the 1970's and 80's—Caribe Village and Borinquen Plaza Housing Development. In 1977, he led and won the fight to create one of the oldest senior centers in Williamsburg—the Borinquen Senior Center. In addition, he served as the president of the Tenants Association where he led the fight to improve the quality of life for public housing residents.

Mr. Torres was also very active in the fight for affordable and quality healthcare in Williamsburg and Greenpoint. Along with health advocates, he organized to improve services for the underserved at Greenpoint Hospital. The coalition initiated by Mr. Torres and other Latino leaders led to the closure of that facility and its replacement with an updated, state-of-the-art health center known today as Woodhull Medical Center.

Today, Mr. Torres continues to be a powerful advocate because people trust him. He is a community legend and champion for those who too often lack a voice. Once again, I pay tribute to Mr. Ismael ''Tony'' Torres, a Puerto Rican trailblazer for his people and a renaissance man who made a positive impact in housing, civil and workers' rights and local politics. Those of us who have the opportunity to observe and experience his example consider ourselves fortunate.

TRIBUTE TO THE CORONA ROAD RACE ON ITS 100TH ANNIVERSARY

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor the 100th anniversary of the Corona Road Race. On September 14, 2013, the race will celebrate its centennial. The Corona Road Race has a rich and colorful past, which has contributed to the diversity and history of our county and to auto racing at-large.

Designed by civil engineer H. Clay Kellogg, Grand Boulevard, the road set as the centerpiece in the city of Corona, provided the perfect circular shape and venue for the first Corona Road Race. Spanning three miles, the track was set up for a variety of races including the 102 mile ''Light Car Race,'' the 251 mile ''Heavy Car Race,'' and the 301 mile ''Free-For-All Race.'' With the right setting and prizes totaling over $10,000, racing legends including Earl Cooper, Teddy Tetzlaff, Barney Oldfield, Eddie Rickenbacker, and Bob Burman flocked to Corona for a chance to make history. On September 9, 1913, the first ever Corona Road Race was held, hosting thousands of fans and drivers from throughout the world.

With stiff competition and an impressive lineup, the ''Free for All'' proved the most exciting race, with $5,000 up for grabs, and a chance at an additional $1,000 should the winner break the world record. Amidst cheering fans, Earl Cooper sped to victory and claimed the title as first winner of the Corona Road Race.

Due to the success of the 1913 Road Race, organizers quickly began planning for a second race to take place the following year. Bigger than ever, the Race returned on Thanksgiving Day, November 26, 1914. With new safety measures, an even bigger pot of $12,000, and a five foot fence, which gave the track its distinguishable look, the Corona Road Race took new form. News and wire services covered the day from start to finish, broadcasting to cities all over the United States, making the race an event for the whole family and nation. Once again hosting the best in international auto racing and loyal fans, the Corona Road Race was met with more success than ever. Crowds roared as Eddie Pullen took his last lap and finished first.

Due to a shift in race season, from fall to spring, the third annual Corona Road Race was delayed until 1916. On the day of the race, April 8, the city of Corona experienced record-breaking heat waves. While twelve cars entered the race, only five completed it. With numerous overheating vehicles and several tire blowouts, disaster was imminent. As racer Bob Burman rounded the 97th lap, his car plunged into onlooking spectators, killing him and two members of his crew. Though a beloved event rich with history, the tragic incident of the 1916 Corona Road Race, lack of financial success, and complaints from neighbors led to the end of the race and a tradition the city of Corona and the nation had grown to love.

Today, a monument indicating the start and finish line of the Road Race remains at the cross of Grand Boulevard and Washburn in Corona, a constant reminder of the glory days of the Corona Road Race. Though tragic events led to its demise, the Corona Road Race was an important element in launching Corona to national recognition, and furthering the sport of auto racing. I am honored to represent Corona and its rich history in the U.S. House of Representatives.

HONORING THE LIFE AND LEGACY OF MICHAEL McCABE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the life and legacy of our dear friend Michael McCabe. An active member of our community and a proud South Buffalonian, Mike passed away in November of 2012 after a hard-fought battle with brain cancer. To honor Mike's memory, Today's Rowin', Growin' and Throwin' 5k will benefit Carly's Club and cancer research.

Born and raised in South Buffalo, Michael graduated from Bishop Timon High School and the University at Buffalo.

Mike lived in South Buffalo for his entire life, demonstrating his deep pride through his honorable community service. He was the longtime commissioner of the St. Martin's Athletic Club, and a member of the Erie County Democratic Committee.

Professionally, Mike served as a teacher in the Buffalo Public Schools for thirty-seven years. Day in and day out, he dedicated his boundless energy and talents to his students.

After school hours, Mike was an avid sailor. His boat, The Irish Wake, was a fixture in the RCR Marina in downtown Buffalo.

In September 2011, Michael was diagnosed with brain cancer. While he and his family faced this unfathomable tragedy, Mike remained upbeat and positive. Just one year later, Mike lost his battle with cancer.

Mike's spirit of goodwill and passion for public service lives on through his family. He loved and cherished his wife, Maureen, their four sons, Michael, Sean, Chris, and Bret, daughter Mollie, and eight grandchildren.

Mr. Speaker, thank you for allowing me a few moments to honor the life and legacy of Mike McCabe and his energy and passion for our community. I am proud to continue the fight for funding for cancer research, to improve the quality of care for those affected by cancer, and ultimately, to find a cure.

HONORING GREATER DAMASCUS CHURCH OF CHRIST (HOLINESS) U.S.A.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a pillar of the community, Greater Damascus Church of Christ (Holiness) U.S.A.

One of the most prominent churches in the Church of Christ (Holiness) U.S.A. Movement is Greater Damascus Church of Christ (Holiness) U.S.A., on 1013 Damascus Circle, Hazlehurst, Mississippi. Since its beginning, the Church has been instrumental in the community's development.

As far as records indicate, Damascus Church began during slavery, and grew out of the white Damascus Baptist Church. In 1865, when the slaves were set free, a division arose in the church due to a disposition of Negro membership freed of bondage after the Civil War. Because of this, the Negro congregation was given ten acres of land to continue their worship service. In 1867, the already established colored Damascus Baptist Church began having services in a brush arbor under the leadership of Rev. Tom Askerneese as pastor. He served from 1867 until his death in 1872, a total of five years.

In 1872, Elder W. S. Pleasant was elected pastor. He pastored the Damascus Baptist Church from 1872 to 1896, which was twenty-four years. In 1896, Elder Pleasant and the Church joined with Bishop Charles Price Jones, founder of the Church of Christ (Holiness) U.S.A., and Damascus Church became one of the first churches to join the ''Holiness Movement.'' The Church became known as Damascus Church of Christ (Holiness) U.S.A. The Church was able to move out of the brush arbor into their erected church building under Elder Pleasant's leadership. He served as pastor of the new denominational church from 1896 to 1918, twenty-two years. Elder Pleasant's total service to Damascus Church was forty-six years. He resigned as pastor to do evangelistic work. He died February 7, 1935.

In 1919, the Church accepted Elder L. J. Brunson as the second pastor of the new denominational church. He pastored from 1919 to 1932, a total of twelve years, before resigning to go to Norfolk, Virginia. He died in 1941.

On January 27, 1931, the Rev. George A. Thomas, a man of many talents, came as pastor of Damascus Church. In 1966, Rev. Thomas built the second church since the brush arbor. The dedication of the church was held on September 15, 1966. In June 1971, the adjoining building to the church was built to serve as classrooms and as a dining hall. Rev. Thomas served as pastor of Damascus Church longer than either of the previous pastors. His tenure lasted January 27, 1931 until his death on January 13, 1980, a term of forty-nine years.

After the death of Rev. Thomas, the Church sought out a new pastor. In a call meeting, May 1980, the congregation voted to accept Elder Arnold Stanton, Sr., who came as pastor in September, 1980. The third church was built and dedicated to God in August 1986. The contractor was Damascus' own, Deacon George A. Harris, Sr. The new sanctuary led to the name changing from Damascus Church of Christ (Holiness) U.S.A. to Greater Damascus Church of Christ (Holiness) U.S.A. On December 25, 1994, Elder Stanton resigned as pastor of Greater Damascus Church. His tenure lasted fourteen years.

January 1, 1995, Greater Damascus Church was without a pastor. Elder Clifton Goodloe, Jr., accompanied by his lovely wife, Sister Delores Goodloe, came and conducted the morning service. Elder Goodloe's text was taken from Acts 24:10–16, and the thought was, ''Let Your Conscience Be Your Guide.'' On Monday, January 2, 1995, the Church's first business meeting of the new year was conducted by Bishop Maurice D. Bingham, Presiding Prelate of the South Central Diocese of the Church of Christ (Holiness) U.S.A. Bishop Bingham was accompanied by Elder Eddie Jones, Jr., pastor of the Crystal Springs Church of Christ (Holiness) U.S.A. In this business meeting, the congregation of Greater Damascus Church voted to accept Elder Clifton Goodloe, Jr. as pastor.

On January 8, 1995, Elder Clifton Goodloe, Jr. became pastor of Greater Damascus Church of Christ (Holiness) U.S.A. Elder Goodloe's main goal and objective is to ''Preach God's Word in His Fullness'' so when men, women, boys and girls hear the ''Word'' they may be convicted and become saved. Elder Goodloe is in his nineteenth year as pastor of Greater Damascus Church.

''Damascus Church'' has produced five ''Sons of the House.'' They are the late Elder C. D. Tate, Sr., Rev. Ellis Blackwell, Jr., Elder Henry Smiley, Elder Andre' Tyler and Elder Nicholas Tanner.

Greater Damascus Church has had a grand processional of Christian soldiers who labored for many, many years and laid a solid foundation for generations to follow. Those who are gone have left a rich heritage that should not be merely praised and testified to, it must be built upon.

Greater Damascus Church of Christ (Holiness) U.S.A. has been in existence one hundred and forty-nine years, in the ''Holiness Movement'' one hundred and seventeen years, and six pastors during this time. What a legacy!

Mr. Speaker, I ask my colleagues to join me in recognizing the Greater Damascus Church of Christ (Holiness) U.S.A. as they strive to be the guide for others to find the joy of serving God through His Son, Jesus Christ.

HONORING THE 100TH ANNIVERSARY OF KLEBERG COUNTY, TEXAS

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. VELA. Mr. Speaker, I rise today in celebration of the 100th anniversary of Kleberg County, Texas.

The recorded history of the land which includes Kleberg County precedes the establishment of the United States, and Kleberg County was already well on its way to prominent status when local leaders successfully petitioned the Texas Legislature in 1913 to break away from Nueces County and establish a new county.

Over the last century several key developments helped spur growth and development in Kleberg County.

An anchor of Kleberg County, the King Ranch was established in 1853 when Richard King purchased the Santa Gertrudis grant from the heirs of the original Spanish grantees. The King Ranch continues to thrive today as an industry leader in the fields of farming, ranching, and conserving natural resources.

The establishment of the City of Kingsville and the construction of railroad lines helped bring new industry to the region. Over the past 100 years, the county has been a top producer of energy and agricultural commodities, and the county's proximity to the Gulf of Mexico has made it a destination for visitors from around the world who come for the clear blue water and rich diversity of wildlife.

Kleberg County saw the establishment of Naval Auxiliary Air Station Kingsville in 1942. The base originally trained military aviators for combat. Now known as Naval Air Station Kingsville, the base remains one of the U.S. Navy's premier locations for jet aviation training.

Texas A&M University Kingsville, originally established as South Texas Teachers College in 1921, is the oldest continuously operating public institution of higher learning in south Texas, and the first in the Nation to develop a doctoral program for bilingual education.

It truly is a privilege and honor to represent Kleberg County in the United States House of Representatives, and I ask my colleagues in Congress to join me in celebrating this momentous occasion.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF UNITED COLLEGE ACTION NETWORK

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. MATSUI. Mr. Speaker, I rise today to recognize and honor the United College Action Network, (U–CAN), and to congratulate this fine organization on 25 years of service. As U–CAN's founders, staff and supporters gather to celebrate 25 years of unparalleled service to the Sacramento community, I ask all my colleagues to join me in honoring this organization.

Founded on September 12, 1988, by Alan and Donna Rowe, U–CAN has helped countless local high school students attend college. U–CAN specializes in providing college opportunities at historically black colleges and universities for students who may not normally pursue a college degree.

U–CAN's successful model includes outreach, educational support, and mentoring services to students and their parents. U–CAN has built strong partnerships with local school districts, admissions officers, financial aid departments, coaches and department deans. Due in large part to their track record, they enjoy supportive relationships with a wide variety of faith, businesses and community organizations. U–CAN seeks to recruit and support socially and economically disadvantaged students regardless of race, ethnicity, gender, or national origin to attend historically black colleges and universities. Since its inception, U–CAN has assisted over 54,000 students in achieving their dream of a college education, generated $55 million in scholarship awards for students, and made it possible for 15,000 students to be accepted to historically black colleges and universities.

Mr. Speaker, on their 25th anniversary, I am pleased to the United College Action Network for their service to students from the Greater Sacramento Area. I ask my colleagues to join me in honoring this organization and wishing them continued success as they serve local students as they pursue a college degree.

COMMEMORATING THE 100TH ANNIVERSARY OF THE OLD ELYTON CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. BACHUS. Mr. Speaker, on the occasion of its 100th anniversary, I want to extend commendations to the Old Elyton Chapter of the Daughters of the American Revolution. The members of the Old Elyton Chapter are guardians of our nation's cherished history of freedom and, through their educational initiatives with young people especially, are ensuring that there will be continuing respect and reverence for the democratic principles that are the foundation of America. Through their service, they fulfill the motto of the National Society of the DAR: God, Home, and Country.

The Old Elyton Chapter has deep roots in Alabama. In fact, its very name is historical and is associated with the formation of the City of Birmingham. The chapter was organized by Mrs. J. Morgan (Kate Duncan) Smith and her daughter, Mrs. Samuel L. Earle, on January 4, 1913, just 23 years after the formal organization of the National Society of the DAR.

The chapter's 100th anniversary celebration falls on the 226th anniversary of the signing of the U.S. Constitution by the Continental Congress. The selection of the date of September 17, which is highly significant to the origins of our great nation, was fitting for an organization whose own members trace their family heritage to the Patriots of the American Revolution.

The Old Elyton Chapter has demonstrated an unwavering commitment to the principles of the National Society of the DAR, a volunteer women's service organization dedicated to promoting patriotism and preserving American history through the education of young people. Its purpose is drawn directly from its charter, which was incorporated by an Act of Congress in 1896: ''To perpetuate the memory and spirit of women and men who achieved American independence; to promote, as an object of primary importance, institutions for the general diffusion of knowledge; to cherish, maintain and extend the institutions of American freedom; to foster true patriotism and love of country.'' The volunteer initiatives of DAR members include support for student financial aid and scholarships and donations to schools for the underprivileged.

A major service project of the Old Elyton Chapter is its continuing support of the Kate Duncan Smith DAR School in Grant, Alabama. Established in 1924, it is the only K–12 school in the United States owned and operated by chapters of the DAR. Known as the ''Gem of Gunter Mountain,'' the school annually provides more than 1,000 children in the remote Appalachian area of Northeast Alabama with schooling, extra-curricular activities, clothing, health care, daily nutrition through a free breakfast and lunch program, training in life skills, and a love of American ideals. It exemplifies the best principles of the DAR in action.

The members of the Old Elyton Chapter of the DAR are proud supporters of our troops and veterans. They participate in many events honoring our veterans in the Birmingham area and remind us that we are able to enjoy the freedoms we have today only because of the sacrifices made by our men and women in uniform in the past and now in the present.

Patriotism in the Birmingham community and the State of Alabama runs deep and the Old Elyton Chapter of the DAR has been an essential part of maintaining that tradition through many generations. Having completed one hundred years of vital service, it now prepares to embark on its second century of promoting American ideals and values. On behalf of the people of the Sixth District, let me congratulate the Old Elyton Chapter of the Daughters of the American Revolution and send best wishes and blessings to all of its members.

HONORING THE CAREER OF JIM SAMPSON UPON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I stand today to honor the remarkable career of Mr. James Sampson as he retires from his position of President and Chief Executive Officer of Gateway-Longview, Inc. One of Western New York's largest child welfare agencies, Gateway-Longview has expanded exponentially during Jim's nine years as President and CEO.

During Jim's tenure, Gateway-Longview has expanded to include eighteen different programs, serving 3,400 children and families per year. His work includes the establishment of Gateway-Longview's Family Resource Center, Behavioral Mental Health Clinic, and Supervised Independent Living Program. Located on East Ferry Street, the Family Resource Center promotes familial strength and provides bonding activities such as tutoring, swim classes and music lessons. Jim assisted in creating Gateway-Longview's Behavioral Mental Health Clinic, which tends to the emotional needs of Gateway children and families. The program currently has two satellite offices in Buffalo Public Schools, with five more set to open in the fall, to ensure our city's children receive the care they desperately need. For teens that have not been adopted but have aged out of foster care, Gateway created a Supervised Independent Living Program to help teens develop the skills necessary to live independently and become self-sufficient.

Jim is a truly dedicated public servant. Beyond his work with Gateway-Longview, Jim was elected to serve on the City of Buffalo School Board this past May, and is a founding member and trustee of the West Buffalo Charter School. Under appointment from Governor Cuomo, he serves as Chair of the Erie County Fiscal Stability Authority, and has previously been a member of the Board of Directors for the Buffalo Niagara Partnership. Jim is also involved with the Rotary Club of Buffalo.

Jim's undergraduate years were spent at the University at Buffalo, where he earned his Bachelor's degree in Social Work. For his graduate studies, Jim attended the University of Wisconsin-Madison for his Master's in Social Work. Current, he holds the position of adjunct professor for the University at Buffalo's School of Social Work, teaching leadership, management, and administration.

Jim's love for children and families stems from his own. He is happily married to his wife, Florence, with whom he has two children. His son Gregory is a lawyer and Assistant Parliamentarian for the United States Senate, living in College Park, Maryland with his wife, Jamie and their two children, Isaac and Kira. His daughter, Robin, is the lead scientist for the Department of Energy Solar Energy Loan Guarantee Program, living in Washington, D.C. with her husband Dr. Frank Wong.

Mr. Speaker, thank you for allowing me a few moments to recognize the inspiring career of Mr. Jim Sampson. His work for Western New York's children and families is truly admirable, and I wish him the best in his retirement.

HONORING FARISH STREET BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Farish Street Baptist Church. Organized in 1893, Farish Street Baptist Church has been blessed by the vitality, imagination, and inspiration of its leadership.

The Reverend Elbert B. Topp served as pastor of Mt. Helm Baptist Church from 1888–1893, when, according to Patrick Thompson in his book History of Negro Baptists in Mississippi, ''he (Topp) with 210 members came out and organized what is now known as the Farish Street Baptist Church.'' The newly formed church held worship services in the Congregational Church, which was then located at the corner of Capitol and Lamar Streets. White Jacksonians would line the bridge to hear the choir sing, giving generously to the collections. Soon the infant congregation had enough money to purchase the lot at the corner of Farish and Church Streets. It was here that the newly organized congregation built the first place of worship—a frame structure. Lightning destroyed this building and it was replaced by a two-story frame structure. The second story was reserved for worship, with all other activities, including funerals, taking place on the first level. A fire, which began on Oakley Street and spread, destroyed the second building. Determined to minimize this threat in the future, in 1909, Reverend Topp led the membership in constructing a brick building. He pastured Farish Street Baptist Church until 1916.

Reverend Topp died on October 3, 1925. The October 9 edition of the Advance Dispatch carried a front page announcement of his death. Of Topp, Patrick Thompson wrote, ''no member of the convention and state is more conspicuous and popular. Reverend Topp is good natured and full of life. True to his fellow preachers and has but few equals as a gospel minister.''

Reverend E. L. Twine, an Alcorn College graduate and teacher of mathematics, was called to serve the Church in 1916, and for three years, he labored faithfully. During that brief tenure, he encouraged the congregation to purchase new pews and to make a substantial payment on the church mortgage, which had been left from previous years. His pastorate was to be the shortest during the Church's first 100 years of existence. Because of his stately nature, Reverend Twine would be known by his contemporaries as the ''Black Prince of Mississippi.''

In November 1919, the Church extended the call to Reverend Chester Arthur Greer. Reverend Greer had pastored and taught school in Arkansas and Mississippi, and at the time he was called to Farish Street Baptist Church, he was serving as pastor of Second Baptist Church in Oxford, Mississippi. He served as pastor of Farish Street Baptist Church until November 1927. During those eight years, the mortgage was paid in full; the bell tower was completed; an annex was built onto the 1909 structure; a parsonage was bought; an old note of $500.00 on Dr. Topp's salary, held by Brother C. C. Sims against the Church was redeemed; 40,000 bricks were bought and placed on the church grounds to be used in the construction of a new church facility; plans and specifications with an architect's rendering had been presented in the church conference on March 4, 1926, and had been approved without one dissenting vote; several hundred dollars were raised and negotiations for a loan of $20,000 were initiated. However, in November 1927, just a little more than a year after Dr. Greer had presented those plans to the church, he resigned and moved to Fort Worth, Texas, to accept the pastorate of Mt. Gilead Baptist Church.

Reverend W. L. Varnado assumed the pastorate of Farish Street Baptist Church in April 1928. Perhaps Reverend Varnado will be remembered best as the only person to pastor Jackson's three historic black congregations—Mt. Helm, College Hill and Farish Street Baptist Churches. During his term of service, the membership increased and two rooms were added to the parsonage. Reverend Varnado was a great churchman. It was during his pastorate that a young Jackson State College student from the Class of 1927 was ordained to the gospel ministry. His name was Joseph Harrison Jackson. Who would have envisioned in 1927 that Reverend Varnado was ordaining to the work of the gospel ministry the future leader of six million black Baptists? Dr. Varnado resigned in October 1934 to accept a pastorate in Jackson, Tennessee.

Without fanfare, the man who had served diligently as the third pastor returned in January 1935, to begin his second pastorate. Reverend Chester A. Greer began a building program, which resulted in the replacement of the forty year old structure with a modern building, which still serves the congregation today. The ground-breaking ceremony was a joyous occasion. Mrs. Lillie Bentley and Mr. Turner M. Patterson, two of the original 210 members to leave Mt. Helm Baptist Church in 1893, participated in breaking ground for the new facility. Dr. Jacob L. Reddix, President of Jackson State College, Chairman of the Trustee Board of Farish Street Baptist Church, gave invaluable advice during the construction phase. At the laying of the corner stone, Jackson State College Band performed to the delight of the congregation. Dedication services for the newly constructed church building were held during the week of March 5–12, 1950. A renewed people joined hands with their sisters and brothers to praise Him Who is the great Builder and without Whom they that build, build in vain.

After serving for twenty-three years during his second pastorate, Reverend Greer was successful in retiring the debt and burning the mortgage before his victorious and faithful members. With his health on the decline, Reverend Greer decided to retire from the pulpit in March 1958. Reverend Greer was named ''Pastor Emeritus'' of the Church. Three decades of service to a great people had come to an end. The assistant pastor, Reverend G. W. Williams, supplied the pulpit until a successor was elected. Reverend Greer died on August 13, 1962.

During the summer of 1958, a young seminary teacher, Reverend S. Leon Whitney, came to Jackson to teach at the Mississippi Baptist Seminary. He was invited to preach to the congregation at Farish Street Baptist Church. Impressed with his preaching, on September 4, 1958, the congregation instructed the Pulpit Committee, chaired by Brother M. M. Hubert, to interview Reverend Whitney. On September 22, 1958, the Pulpit Committee made its recommendation to the Church. A meeting to vote on extending a call was set for the third Sunday in October. However, Brother D. T. Mason offered a motion that the rules be suspended and that Reverend Whitney be elected pastor that night. The motion carried and the church extended the call to pastor to Reverend Whitney. Thus began a term of service that lasted ten years.

Unlike his predecessors, Reverend Whitney did not inherit the financial debts of former years. He found a congregation ready for new leadership. Reverend Whitney served wisely and made many improvements in the order of service. Moreover, he rejuvenated the spirit of the Church and increased the membership. He encouraged the establishment of a centralized treasury. The baptistry was elevated, and the building was renovated and redecorated. This youthful, energetic preacher accepted the challenge and embarked upon an aggressive ministry of evangelism, stewardship and social concerns. It was these social concerns—the freedom rides, the sit-ins, the protest marches and the mass meetings—that helped shape the ministry of this congregation during the turbulent sixties. Yet, despite ten years of fruitful, positive and constructive leadership in the church and community, Reverend Whitney resigned the pastorate of Farish Street Baptist Church in May 1968, to accept the pastorate of New Prospect Baptist Church in Detroit, Michigan.

In June 1968, Reverend Hickman M. Johnson, Chaplain of Tougaloo College, was invited to serve as interim minister. On July 22, 1968, the church voted to call Reverend Johnson and on August 4, 1968, he preached his first sermon as pastor. On December 1, 1968, Reverend Johnson was installed as the sixth pastor of Farish Street Baptist Church. Reverend Johnson brought to the Church a strong capacity for effective organization. He recommended that the Church become incorporated and on November 13, 1969, a Charter of Incorporation was issued to Farish Street Baptist Church by the State of Mississippi. He labored for a continuous and consistent building program and established the necessary framework for the most diversified religious education and service-oriented programs in the Church's history. A 1969 church brochure described the proposed building addition as being ''of contemporary design, functional, attractive and air-conditioned, with ample parking . . . the first floor includes: administrative complex—church office, pastor's study; fellowship-assembly hall, game room, dining room, kitchen; the second floor includes: education-nursery, ten large multi-purpose classrooms.'' While improvements were to be made on the 1969 model, nevertheless, the functions on which this model were based remain unchanged: a) education, b) fellowship, and c) administration.

At the 1976 Annual Meeting, the Building Committee recommended that the Church authorize its officers to secure a commitment for

permanent financing in the amount of $225,000. On February 10, 1976, a contract was signed with Charles Craig, project architect, to design and provide a set of working drawings. Invitations to Bid were tendered and proposals received from various contractors were tabulated and groundbreaking ceremonies for the new building were timed to coincide with the celebration of the Church's 83rd Anniversary. One year later, in May 1977, the Educational Building was dedicated. This would be the first of several major improvements to the physical property completed during the Johnson's years. Dr. Johnson is an administrator with great spirit; an historian who is cognizant of the importance of a people's heritage; a businessman with a vision. He is a theologian and a teacher, who strives daily to build an even stronger congregation at Farish Street Baptist Church—a congregation committed to serve this community.

Mr. Speaker, I ask my colleagues to join me in recognizing Farish Street Baptist Church.

HONORING RUBEN ARGUELLES

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. VELA. Mr. Speaker, I rise today to honor Mr. Ruben Arguelles to express my deep appreciation for all that he has done for south Texas students.

For the last 23 years, Mr. Arguelles has dedicated himself to educating young people. He spent six years in the classroom as a teacher and 17 years as an administrator leading students, teachers, and staff. His commitment to the Rio Grande Valley is reflected in his service across several independent school districts (ISD)—Weslaco ISD, Progresso ISD, Mercedes ISD, and Santa Rosa ISD.

In every position he has held, Mr. Arguelles demonstrated a tireless focus on ensuring that children have access to the best possible education to prepare them for the future. His dedication also extended to providing a supportive school environment, improving the community, and bettering the lives of South Texas families.

In his last two years at Santa Rosa ISD, Mr. Arguelles faced a great personal challenge. Although he was diagnosed with cancer, Mr. Arguelles continued to serve as principal even as he underwent grueling treatment. Even in the most difficult of times, Mr. Arguelles remained focused on his mission as an educator.

On behalf of all those whose lives he touched, I rise to recognize the exemplary service of Ruben Arguelles. His dedication, even when faced with illness, is an inspiration to us all.

IN RECOGNITION OF THE OUTSTANDING COMMUNITY AND NATIONAL SERVICE OF AUSTIN J. BURKE, PRESIDENT OF THE GREATER SCRANTON, PENNSYLVANIA CHAMBER OF COMMERCE

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to recognize the career-long community and national service of Austin Burke, who is retiring this year as President of the Greater Scranton Chamber of Commerce.

Scranton, Pennsylvania in my district has been through a lot of changes since Austin Burke took the reins at the Chamber back in 1981. Mr. Burke helped lead the effort to transform Scranton's former industrial economy into a new economy that is better positioned to sustain jobs and growth throughout the 21st Century.

Reclaiming and re-using thousands of acres of leftover mining land has been a major accomplishment of the Chamber under Austin's leadership. Putting that land into new business use has created thousands of jobs and fueled economic growth in greater Scranton. Mr. Burke also worked closely with federal and local officials to bring the Steamtown National Historic Site to downtown Scranton. This was a key step toward improving the city's image and bringing in tourists. If we can bring back passenger rail service for both tourists and commuters, the connection between Scranton's past and future will be even more complete.

Austin Burke's counsel and ideas have been valued in both the Pennsylvania governor's office and the White House in Washington. He was a leader at the national level through his groundbreaking successes here in Scranton and his involvement with the U.S. Chamber on its nationwide initiatives.

Austin served in the Air Force in his earlier years, and he has always brought a strong sense of commitment, loyalty and professionalism to his work at the Chamber. He is an easy guy to look up to. Everyone in Scranton is indebted to Austin Burke for his many years of community development work, and I wish him and his family the very best for his retirement.

RECOGNIZING THERESA JEPSEN

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. SINEMA. Mr. Speaker, I rise today to ask that my colleagues join me in recognizing Mesa Community College student Theresa Jepsen, recipient of a 2013 Cherokee A Nurse I Am Scholarship. Each recipient receives $2000 toward defraying the cost of their nursing education.

Theresa was chosen for the scholarship on the basis of an essay she wrote in response to the documentary, A Nurse I Am. She was asked to consider aspects of cultural sensitivity demonstrated by nurses in the film, as well as to respond to how she would demonstrate such sensitivity herself. Theresa wrote that "the nursing field requires a unique trifecta of emotional intelligence, adaptation, and cultural awareness . . . and it falls to the nurse to discover the client's cultural basis and the values therein in order to serve fully."

I share Theresa's sentiments and applaud her thoughtfulness. Nurses interact intimately with patients, serving them face-to-face, every day. It is of utmost importance that we train nurses who treat patients holistically, caring for them with competence, kindness, and respect. Nurses have the opportunity to positively impact patients' health and thereby overall lives. I congratulate Cherokee Uniforms and Mesa Community College for their support of Theresa and this admirable scholarship program.

Given her accomplishment as well as the support provided by Mesa Community College and the collaborating scholarship foundation, I ask my colleagues to join me in congratulating Ms. Theresa Jepsen for her reception of a Cherokee A Nurse I Am Scholarship.

HONORING DIAMOND HAWK GOLF COURSE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the Diamond Hawk Golf Course as it is awarded the 2013 Small Business of the Year award by the Cheektowaga Chamber of Commerce.

Originally a hunting area, construction on the Diamond Hawk Golf Course began in 2004. The name Diamond Hawk reflects the land's history, combining "Diamond," an enduring and precious figure and the "Hawk," after the red–tailed hawks that frequented the hunting area.

Completed in 2006, the Diamond Hawk Golf Course is a par 72, 18-hole golf course. Its state-of-the-art facilities include a driving range, pro shop and an 8,000 square foot clubhouse. Diamond Hawk is widely regarded as one of Western New York's premiere golf courses. In 2007, Buffalo Spree rated the course the Top Public Golf Course in the area.

Throughout its development, one of the course's biggest supporters has been Sam Tadio. Sam's community service efforts are well-known in Cheektowaga. He has held volunteer positions with the Traffic Commission, Narcotics Commission and Police Commission. Reflecting Sam's altruism, the course hosts a variety of high school and junior golf tournaments, as well as charitable events.

Mr. Speaker, thank you for allowing me a few moments to recognize the Diamond Hawk Golf Course and the great work of its advocates and employees as it is awarded Cheektowaga Chamber of Commerce's 2013 Small Business of the Year Award. Their commitment to their community and guests exemplifies the highest quality of small business in our country.

HONORING ANDERSON UNITED METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Anderson United Methodist Church Jackson, Mississippi.

Anderson United Methodist Church began as a mission in 1914 under the leadership of local ministers from the Central and Pratt Methodist Episcopal Churches. One of the ministers, the late Rev. R. L. Pickens, then pastor of Central, helped organize the Cloverleaf Methodist Episcopal Mission. During the 1920s, the first group of members met at the home of William Harper on Woodrow Wilson Avenue where they worshiped until a specific location was secured.

By 1928, a temporary house of worship for the Mission had been obtained, an old abandoned store on Whitfield Mill Road, (now Martin Luther King Dr.). In 1936, a lot on Spring Street was purchased, and the first church building was constructed. It was named for the Rev. R. L. Anderson the first conference appointed minister. Rev. Anderson died in 1930. The Rev. I. R. Kersh, Sr., was the pastor at the time Anderson Chapel, as it was known then, was constructed. During the next fifty-five years, the following ministers Pastored Anderson Chapel: Reverends J.C. Bell, Golden Price, S.L. Webb, W.J. Eubanks, N.W. Ross, R.D. Gerald, Whalon Blackmon, T.S. Davis, A.L. Holland, F.P. Leonard, C.P. Payne, H.C. Clay, Sr., and John L. Baker.

In September 1952, under the leadership of Rev. Blackmon, a new structure was built on Page Street and given the name Anderson Memorial. In 1968, under C.P. Payne, Anderson Memorial became Anderson United Methodist Church. In 1972, during the tenure of Rev. Clay, the white and black United Methodist conference merged into one conference. In 1985, Rev. Jeffrey A. Stallworth was appointed pastor at Anderson. It was under his leadership that the church moved to 485 West Northside Drive.

Because of the tremendous growth, Anderson relocated to I-220 at Hanging Moss Road in November, 1994. At this time, membership was over 1,600. After being at this location for only two years, in December 1996 the membership at Anderson surpassed the 3,000 mark.

In June 2002, the Reverend Joe W. May became Pastor of Anderson United Methodist Church. As membership continue to rise, Anderson United Methodist Church works diligently to provide a friendly worship atmosphere.

Mr. Speaker, I ask my colleagues to join me in recognizing Anderson United Methodist Church.

IN PRAISE OF DR. THOMAS F. FREEMAN: EDUCATOR, SCHOLAR, AND LEGENDARY COACH AND TEACHER OF THE ART OF DEBATE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Dr. Thomas F. Freeman, who for more than 60 years has been a professor of philosophy at Texas Southern University, which is located in my congressional district.

In addition to being an educator and scholar of the first rank, Dr. Freeman is world renowned as the legendary coach and teacher of the art of forensic debate. It is therefore most fitting that he is being honored today in Houston at Texas Southern University Founders Day Convocation.

Dr. Freeman has shaped the lives of countless young people who were his students, including the Rev. Dr. Martin Luther King, Jr. and the late Congresswoman Barbara Jordan, who once held the seat I now hold. Dr. Freeman's tools were the spoken word. His canvas was the minds of the brilliant and talented young African Americans seeking a higher education.

A prodigy himself, Dr. Freeman graduated from Virginia Union University at the age of 18 and went on to become a professor at Virginia Union University before his 30th birthday. He would later receive degrees from Andover Newton Theological School; Harvard University; Chicago Divinity School; the University of Vienna in Austria, and the University of Liberia in Africa.

In 1949, Dr. Freeman was among a group of accomplished academics of color hired by Texas Southern University (TSU). The same year he held a debate in his TSU logic class using his own undergraduate experience as a guide.

Debate is defined as a contention by words or arguments; or as a formal discussion of a motion before a deliberative body according to the rules of parliamentary procedure; or a regulated discussion of a proposition between two matched sides. But to Dr. Freeman, it was much more than a contest; it was a way of life.

Dr. Freeman understood, as did Socrates when he said to Glaucon in Book X of the Republic that "the contest is great my dear Glaucon, greater than it seems—this contest that concerns becoming good or bad." Dr. Freeman's success was informed by his passionate belief that strong debate skills translated into a range of life skills that would serve students well in their personal lives and professional careers.

Dr. Freeman's academic roots in moral philosophy and theology came through in his instruction of his debate team students. Through the art of debate, Dr. Freeman taught what the ancients Greeks called arete, which is defined as an "activity of the soul in accord with virtue in a complete life." As Aristotle explains in the Nicomachean Ethics, happiness comes from exercising the full range of one's vital powers directed toward excellence.

Virtue and excellence and happiness is what Dr. Freeman taught his students and that is why he and they were special. In 1949, the TSU students who participated in Dr. Freeman's debate class were so impressed with their experience that they requested that Dr. Freeman to form and coach a team. Dr. Freeman agreed and founded the Texas Southern University debate program which today is world renowned for its skill and for the number of championships won.

Dr. Freeman is internationally known for his debate coaching prowess and for the prominent Americans who studied under his tutelage. Among them are the late Congresswoman Barbara Jordan and the Rev. Martin Luther King, Jr.

The debating skills that young Barbara Jordan developed under Dr. Freeman's tutelage were so formidable that she became the first female to travel with the TSU debate team. She and her debate partner Otis King participated in and won many awards, including the championship at Baylor University, the first integrated debate match held in the South.

Barbara Jordan went on to become a Texas State Senator and the first Texas African American woman elected to the House of Representatives from my state. She characterized her experience of learning under his tutelage as having shaped her view of the importance of mastering the skills of debate. Congresswoman Jordan and Dr. Freeman remained close and upon her death he gave the eulogy at her funeral.

Dr. Freeman's skill as a debate coach came to the attention of Denzel Washington when he sought a model for the role of a debate coach for his role in the critically acclaimed film "The Great Debaters," based on life of Melvin B. Tolson, who formed the Wiley College debate team. The Wiley College debate team defeated the University of Southern California (USC) debate team for the 1935 national championship.

One of the students who was a student in Dr. Freeman's class during his tenure as a visiting lecturer at Morehouse University was a young Martin Luther King, Jr. Dr. Freeman had such an influential effect on him that years later while Dr. Freeman and a group of students happened to be in the same restaurant as Dr. King he was surprised when Dr. King approached his table to say hello. Dr. King reminded Dr. Freeman that he had been a student in his Morehouse class and explained to the students how much that experience shaped his life.

Dr. Freeman's contributions to the Texas Southern University Community included serving as Founding Dean of both the Weekend College and the Honors College. Dr. Freeman worked with then TSU President Granville M. Sawyer to develop the program and serve as its dean. The Honors College, renamed in his honor as the Thomas F. Freeman Honors College, was developed for academically gifted and motivated students to provide them with the most rigorous and challenging academic regimen.

In 1972, Dr. Freeman was asked by Rice University to join its faculty after it had desegregated. Dr. Freeman began a 23-year career association with Rice University. As near as anyone recalls, he was the first African American professor to teach at this prestigious university before returning to TSU where he resumed teaching and leading the TSU debate team to countless victories.

This weekend TSU will honor Dr. Freeman's 60 years of service, and I join them in recognizing the impact a great teacher can have in

changing the world for the better through his or her students. Too often a teaching career is viewed by too many as an option taken by those who cannot excel elsewhere. But those of us who know better know that it is the great teacher that makes it possible for us to succeed anywhere and in any pursuit.

Dr. Freeman was and is such a teacher. But as he lived a full and complete life rooted in excellence, virtue, and service, he also was a minister of the gospel, community leader, husband, father, mentor, and a friend to thousands. It can truly be said of Dr. Freeman that his has been a consequential life.

That is why Dr. Freeman is legendary and deserving of the fitting tribute of being honored at the 2013 Founder's Day Convocation at Texas Southern University.

Congratulations Dr. Freeman and thank you for your service to TSU, to America, and to humanity.

RECOGNIZING COSTANZO'S BAKERY, INC.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I stand today to recognize Costanzo's Bakery, Inc. and the Costanzo family, as they receive the Special Presentation Award from the Cheektowaga Chamber of Commerce. The company is an outstanding employer and well-run company that showcases the endless possibilities of growth for businesses today in Western New York.

In 1933, Angelo Costanzo started a small business along the Niagara River known as Costanzo's Bread. His Italian breads became a household name in supermarkets and grocery stores around Buffalo. In the 1970's Angelo Sr. realized the growth in sub and pizza shops around the area, and expanded his business to sell to local food service establishments.

In 1977, Angelo Jr. and his brother took over the bakery and moved into a new location on Union Road in Cheektowaga. It was here that Costanzo's grew to serve a national marketplace by developing a line of frozen, fully baked sub rolls and round rolls. This was the beginning of Costanzo's Bakery, Inc.

Costanzo's now represents the last remaining member of a once vibrant baking industry locally. The industry has faced many issues over the last several years. Customer demands, compliance costs and increased commodity prices have negatively impacted many bakeries. But Costanzo's has continued to grow, due to its ''recipe for success'' that it has maintained for eight decades.

The company's products are delivered fresh up to five days a week to dozens of local delis, convenience stores, specialty markets, and supermarkets throughout the region. It has also launched many new products including brioche rolls, artisan style sandwich rolls, rustic-style sub rolls, whole wheat rolls and spicy Buffalo rolls.

While the recipes have stayed the same, Costanzo's has been innovative in developing strategies to meet modern challenges. With the goal of selling its bread to all people regardless of location, it has recently established a national sales team comprised of a director of national accounts and a corporate chef to work directly with multi-unit retail and food service accounts nationwide. The company has also partnered with a Canadian food distributor to represent the brand in Ontario and Quebec. Costanzo's is also pursuing a British Retail Consortium certification, which is the highest level of quality and food safety certification in the industry.

The bakery employs over 120 full and part-time employees, many of whom reside in Cheektowaga and the surrounding areas of the Buffalo-Niagara Region. In addition, Costanzo's gives back to the community providing donations to over 40 non-profit organizations and community groups throughout Erie County.

Mr. Speaker, thank you for allowing me a few moments to recognize Costanzo's Bakery and the Costanzo family as they receive their Special Presentation Award from the Cheektowaga Chamber of Commerce. For the past 80 years, they have demonstrated impressive commitment to our community, their customers, and employees. Their quality service and history is known throughout Western New York, and we are proud to have such reputable small businesses filled with hard-working employees in our region.

HONORING GREENWOOD CHAPEL UNITED METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Greenwood Chapel United Methodist Church Carthage, Mississippi. The Word: ''The State of Mississippi, Leake County, and The Indenture made this 31 day of January 1872 between Bennett E. Charthan and Catherine Charthan, his wife, of the first part deed to the Colored People of the south end of said property in Beat 3'', was taken from the deed which deeded to at that time, land for the church and school.

The church building most remembered would be the one that faced the road with the tall steps. On May 5, 1944 one acre of land was sold to the Trustees of Greenwood Chapel Colored Church, the land located behind the present day church by Susie Truesdale. In 1960, the church was rebuilt under the leadership for Reverend Russell. The trustees at that time were: Presley (Jack) Smith, Grant Matlock, Edward W. (Ed) Merchant, Willie (Bill) Smith, and Jefferson (Jeff) Smith, Sr.

In 1975, Dorothy Peterson, Douglas Peterson, and Gwen Peterson sold additional land to Greenwood Chapel Methodist Church. The trustees at that time were: Clarence Smith, Bennett Smith, Cogan Matlock, Melvin Carson, Presley (Jack) Smith, and Clytie Coleman.

The church was rebuilt in 1960 under the contractor, Presley (Jack) Smith, Sr. In 1978 the church was remodeled again with Presley (Jack) Smith being the primary contractor. This occurred under the leadership of Reverend John Cornelius.

In 1995, construction was started on a Fellowship Hall under the leadership of Reverend James Morris. In June of 1996, Reverend Marlon King was assigned as pastor and under his leadership the Fellowship Hall was completed. Clytie Coleman, Herman Hall, Robert Lee Harris, and James Matlock served as builders. Reverend Marlon King was reassigned as pastor for four years. In June of 2000, Reverend Willie Handy was appointed to serve as pastor.

Services are conducted on the first and third Sunday of each month, with the first Sunday in August serving as the churches Homecoming.

Mr. Speaker, I ask my colleagues to join me in recognizing Greenwood Chapel United Methodist Church.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA GOVERNMENT SHUTDOWN AVOIDANCE ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. NORTON. Mr. Speaker, I rise today to offer the District of Columbia Government Shutdown Avoidance Act of 2013 to eliminate the prospect of a District of Columbia government shutdown on September 30, 2013, or ever again. This bill is essential because a new fiscal year is upon us and D.C.'s local, balanced budget, which has been approved by the House and Senate Appropriations committees, has not reached the floor in either house. Frequent shutdown threats to the local D.C. government have been costly and disruptive to the city government, its employees and its residents, including many federal officials and employees who reside in the District. This bill would add to existing authorities the city has long had to spend its local funds by permanently authorizing the District government to spend its local funds in the event of a Federal Government shutdown and therefore remain open.

Because of the uncertainty and adverse effects on the city caused by increasingly frequent shutdown threats, I am taking several actions to try to prevent a D.C. government shutdown at the end of the month. I begin by introducing this bill. I must take action now because some Republicans are threatening to block a new spending bill when the current bill expires on September 30 unless the new bill defunds the Affordable Care Act, which could lead to a shutdown of both the Federal and District governments, and because the House is scheduled to be in session for only five days before September 30. In case my bill is not enacted in time, I will also offer an amendment to the fiscal year 2014 short-term continuing resolution (CR) (H.J. Res. 59) to authorize the District government to spend its local funds for all of fiscal year 2014, and not only until the expiration of the CR on December 15, 2013, so that the city does not face a shutdown threat again when the CR expires in December.

The D.C. government should never have to wonder whether it will be shut down. I do not believe any Member wants to shut down the D.C. government and bring a large, complicated city to its knees because of a purely federal matter. Indeed, there is bicameral, bipartisan support for preventing D.C. government shutdowns. In July, both the Republican-

led Oversight and Government Reform Committee and the Democratic-led Senate Appropriations Committee approved larger bills that contained the provision in this bill that would permanently authorize the D.C. government to spend its local funds during a Federal Government shutdown. The President's fiscal year 2013 budget also contained the shutdown-avoidance provision. The report accompanying the Republican-led House Appropriations Committee-passed fiscal year 2013 Financial Services and General Government Appropriations bill also acknowledged the harm of District government shutdowns.

The bill would permanently protect the more than 600,000 residents of the District of Columbia and the Federal Government from an unintended catastrophe in any future Federal Government shutdown. The District of Columbia raises and manages an $8 billion local budget, but Congress technically appropriates these funds back to the District, an anachronistic holdover and throwback from the pre-home-rule era. Several years ago, Republican appropriators and I reached a bipartisan agreement to approve the District government's local budget in CRs, until the expiration of those CRs, allowing the District government to spend at next year's level, if the District government's regular appropriations bill has not been signed into law by the start of a fiscal year. We are grateful that this agreement has been honored through Democratic and Republican Congresses and administrations. This agreement has enabled District officials to operate complex, big-city functions more effectively than during the many years when the city's local budget was approved by Congress months after the start of a fiscal year. However, last Congress, we saw the limits of even this helpful agreement when the Federal Government almost shut down on multiple occasions, and we are facing a shutdown again this year.

If the District government shuts down, in addition to the vital municipal services that would cease, the District could default under certain financing agreements and leases. Tourists to this city, your constituents, not to mention federal officials, federal buildings, foreign embassies and dignitaries and businesses, rely daily on the city's services. Furthermore, forcing D.C. to operate under successive CRs greatly hinders the operations of the District government. Not only do successive CRs make it difficult for the city to plan its activities for the year, successive CRs greatly increase the city's costs of doing business. The city's partners, from Wall Street to small vendors, may charge it a risk premium due to the uncertainty created by successive CRs. These are not results the Congress envisions or desires as we approach the end of the fiscal year. Our bill would once and for all remove the Nation's Capital from the entanglement in federal matters and disputes for which the city has no blame or involvement.

I urge my colleagues to support the bill.

TRIBUTE TO ROSE KLEYWEG MITCHELL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of Hy–Vee, Inc.'s Senior Vice President of Education and Governmental Affairs, Rose Kleyweg Mitchell. I have personally known Rose through her tireless advocacy for Hy–Vee and the grocery industry. Rose has led important initiatives to make our state and our fellow Iowans healthier by making more informed decisions about nutrition and the foods we eat.

Originally from Sioux City, Rose earned a bachelor's degree and education certificate in 1977 from Simpson College in Indianola, Iowa. Upon graduation, Mrs. Mitchell began teaching at West Des Moines' Valley High School while simultaneously pursuing part–time work at the local Hy–Vee food store. Two years later, Rose had joined Hy–Vee's corporate staff as the first in–house corporate trainer. Mrs. Mitchell would continue to rise through the ranks at Hy–Vee and ultimately assume the roles of Training Supervisor, Director of Training, and Assistant Vice President of Training. By 1996, Rose had been elected to the Board of Directors as the first female vice president where she oversaw Education, Training and Government affairs. Mrs. Mitchell was promoted to her current role as Senior Vice President in 2005.

Throughout her storied carrier, Rose's great work has been recognized through numerous honors and awards. Mrs. Mitchell was named the Hy–Vee Director of the Year in 1991, awarded the Simpson College Distinguished Alumni Achievement award in 1995, and received simultaneous awards in 2002 as the Greek Alumni and Advisor of the Year. Mrs. Mitchell is also a charter member of the Hy–Vee Toastmasters Club which she has helped shape through her leadership and award–winning performance.

In addition to her work with Iowa's largest private employer, Mrs. Mitchell has displayed an enduring and selfless commitment to her community. Rose has used her talents to serve as President of the Simpson College Alumni Association, hold national office for Delta Delta Delta Sorority, and lead in various roles with the Children's Convalescent Home and Habilitation Center, United Way, and the Unity Point Foundation.

Mr. Speaker, Rose's contribution to Hy–Vee and to the great state of Iowa cannot be overstated. While Mrs. Mitchell's expertise and experience are sure to be missed, she leaves behind a truly grateful community and an excellent example of service for which to strive. I wish Rose and her husband Jerry nothing but the best as they begin a new chapter in their lives.

IN HONOR OF MR. JESSE OWENS 100TH BIRTHDAY

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege to honor Mr. Jesse Owens on the 100th anniversary of his birthday. James Cleveland Owens was born the son of a sharecropper on a farm in Oakville, Alabama on September 12, 1913. It's been said the family sold its only valuable possession, their mule, in order to travel to Cleveland, Ohio in search of a better life. A teacher at his new school, misunderstanding when James Cleveland told her his name was J.C., called him Jesse, and the name stuck.

When Jesse entered junior high school, the track team coach noticed his ability to run and jump and recruited him for the team. By the time Jesse entered high school, he was a track star. He set many school records and continued to do so after entering college at Ohio State University.

In 1935, Jesse entered the Big Ten Championship held at Ann Arbor, Michigan where he tied one world record and set three new ones. His long jump record of 26 feet 8.25 inches went unbroken for 25 years.

In 1936, he competed in the Summer Olympics in Berlin, Germany, where he won four gold medals, the most ever won by an individual up until that time. In doing so, Jesse Owens proved that Adolph Hitler's Nazi views of Aryan superiority were inaccurate and that anyone, regardless of race, religion or national origin can achieve greatness.

Owens was a motivational speaker for much of his post-Olympics life and devoted much of his time to youth sports programs for underprivileged children. He earned many awards, among them the Medal of Freedom and the Presidential Living Legends Award.

Owens died of lung cancer in 1980, with his wife, Ruth, and his three daughters by his side. He hasn't been forgotten, though. Thousands of admirers visit Jesse Owens Park and Museum in Oakville, AL each year, many of them from Germany and other foreign countries.

On a monument dedicated to his memory in 1983 and now on display at Jesse Owens Memorial Park are the words, "He inspired a world enslaved in tyranny and brought hope to his fellow man . . . from the cotton fields of Oakville to the acclaim of the entire world, he made us all proud to be called Lawrence Countians."

I am thankful for the life and legacy of Jesse Owens, because of his tremendous athletic achievements as well as the inspiration he provided to millions here and around the world.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 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 $16,738,557,190,345.35. We've added $6,111,680,141,432.27 to our debt in 4 years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE TUSKEGEE AIRMEN FROM WESTERN PENNSYLVANIA

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. ROTHFUS. Mr. Speaker, we rise to pay special tribute to the Tuskegee Airmen, a

group of African American servicemembers who served our nation honorably and with distinction in World War II. In recognition of their service and sacrifice, the Tuskegee Airmen were awarded the Congressional Gold Medal on March 29, 2007. Although the Airmen are now well known for their wartime accomplishments, their feats of heroism went unheralded for decades.

Western Pennsylvania produced more Tuskegee Airmen than any other region in the United States. Hailing from cities and towns across Western Pennsylvania, including places like Erie, Aliquippa, Washington, Pittsburgh and Johnstown, ninety-five men and one woman served as flight instructors, pilots, bombardiers, navigators, and flight-line personnel.

They and their fellow Airmen served in the 332nd Fighter Group, which was based at the Tuskegee Army Air Field in Tuskegee, Alabama.

By the end of the war, the Airmen flew more than 1,500 missions and 15,500 sorties in North Africa, continental Europe, and Sicily. The Fighter Group shot down 112 enemy aircraft, destroyed 150 planes on the ground, and boasted one of the most successful escort records in the military.

Western Pennsylvanians contributed honorably to this legacy.

Lieutenant Robert Johnson, an honors graduate of Schenley High School in Pittsburgh, was the youngest Tuskegee pilot commissioned in the Army Air Corps.

Lieutenants Elmer Taylor and James Wright of Pittsburgh and Carl Woods of Mars were killed in action.

Lieutenant Cornelius Gould, a graduate of Westinghouse High School in Pittsburgh, was shot down, captured, and held as a prisoner of war.

Lieutenant Calvin Smith of Aliquippa stood against discrimination when a group of African American officers were denied entry into an officers' club at Freeman Field.

Rosa Alford, the lone female from Western Pennsylvania, returned after serving honorably during the war to give back to her community, as a counselor at New Brighton High School in Beaver County.

On September 15, 2013, the country's largest outdoor memorial for the Tuskegee Airmen will be dedicated in Sewickley, Pennsylvania. This memorial will serve as fitting tribute to these individuals and all Tuskegee Airmen who served the United States with bravery, honor and distinction. They exemplify the very best our Commonwealth and nation have to offer. Amidst hardship and discrimination, the Airmen rose to the challenge and answered the call to service.

We are proud of these Western Pennsylvanians and honored to recognize them today.

HONORING THE 90TH ANNIVERSARY OF CHEF'S RESTAURANT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize the 90th anniversary of one of Buffalo's most beloved dining establishments, Chef's Restaurant.

In 1923, Chef's Restaurant opened its doors on the corner of Seneca and Chicago, and soon established itself as a fixture in the neighborhood.

During the restaurant's early years, a hard-working employee named Lou Billittier began to move his way up the ranks. Beginning as a dishwasher and busboy, Lou was promoted to a waiter. Eventually, he earned the title of restaurant manager.

By 1950, Lou had become co-owner of Chef's. Four years later, he stood proudly as the sole owner of the neighborhood staple.

For over 60 years, Chef's has stayed true to their motto, ''Where family and friends meet to eat.'' The late Lou Billittier, along with his daughter Mary Beth and son Louis John, have worked tirelessly to run their establishment according to the values of community involvement and customer service. The Billittiers believe in being involved in the restaurant's day-to-day process, and know that a personal touch goes a long way.

Over the years, Chef's has mastered blending tradition and innovation. The restaurant began with just seven tables and a small banquet room. Three years ago, they implemented a drive-through window which enabled the restaurant's sales to increase. Now, the famous dining establishment is innovating again with their plans to create a food truck that will take Chef's notable Italian cuisine to the streets of Buffalo.

In addition to their renowned restaurant, the Billittiers are known for their charity. Lou Billittier memorably had former Buffalo Sabre Rob Ray shave his head in front of a crowd of supporters for ''Bald for Bucks,'' a fundraiser for cancer research and patient support programs at Roswell Park Cancer Institute.

On September 11th, 2013, in honor of its 90th anniversary, the restaurant will play host to the ''World's Largest Pasta Dinner.'' Proceeds from the event will benefit the Wounded Warriors Project which honors and empowers wounded U.S. troops and assists in making their post-service transition a smooth one.

Mr. Speaker, thank you for allowing me to recognize Chef's Italian Restaurant for providing 90 years of dining and community service to Western New York, as well as the Billittier family for their continued hard work and generosity. As one of my personal favorites, I am proud to honor their legacy today, and I wish them the absolute best in all of their future endeavors.

HONORING COLLEGE HILL MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor College Hill Missionary Baptist Church, which was organized in 1907 under an oak tree on the south side of Florence Avenue in west Jackson, Mississippi approximately 100 yards from its present site. College Hill emerged from humble beginnings and has made continual advancement in all phases of development.

After an initial period of services in Robinson Hall, located on Rose and Pascagoula streets, the present site was set aside by Dr. L. G. Barrett, the second president of Jackson College (now Jackson State University), as a gift to the people of west Jackson for religious services theory. Thus the bond between this church and the college was formed. The designated tract was to be used for none other than religious purposes.

The church was a frame building with no classrooms, kitchen, nor plumbing. After growth in membership, some renovations were made. In 1957, under the leadership of Reverend R. E. Willis, the Education Building was completed in 1967. The sanctuary was modernized and the church grew to full-time worship and an organization composed of various auxiliaries.

Under the leadership of Reverend Hoses J. Hine, pastor since August 1990, College Hill has experienced tremendous growth through restructuring, revitalization and initiation of new ministries. With Evangelism as the focus, membership has increased dramatically and the budget has grown consistently, College Hill has moved to two Sunday morning services, 8:00 and 11:00, and study service and activity throughout the week.

Building on a solid foundation, Pastor Hines ushered in the concept of Team Ministry. In addition to Evangelism, Christian Education, Community Outreach, Extended Ministries (Food, clothing and Health Care), Children and Youth Ministry have become major focuses.

In October 2000, College Hill completed and dedicated a new modern Family Life Center. Plans are underway for a new 700 seat new sanctuary. Founded on principles of ministry, mission and Christian education, College Hill's major focus for the future is evangelism (Matthew 28: 19–20).

Mr. Speaker, I ask my colleagues to join me in recognizing College Hill Missionary Baptist Church.

EASTLAKE ALL-STARS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. REICHERT. Mr. Speaker, I rise to recognize the extraordinary merit of the Eastlake All-Stars from Sammamish, WA today, September 12, 2013.

The Eastlake All-Stars (Northwest) won the WA state championship, and then the regional championship, defeating Billings, Montana (Big Sky Little League) 13–1 in four innings. They advanced as far as the United States semi-final of the Little League World Series in Williamsport, Pennsylvania.

Their route was inspirational. After losing to New England, they rallied to defeat the Southwest, Midwest, and Southeast teams before advancing to the semi-final. Facing off against New England once again in a rollercoaster game, they were defeated 13–14.

Throughout the Little League World Series they demonstrated great cohesion and teamwork. Congratulations to the Eastlake All-Stars for an outstanding tournament at the Little League World Series; they are deserving of every special recognition. The players and coaches who made this excellent season possible are listed below.

Players: Will Armbruester, Cameron Bowers, Adam Carper, Jack Carper, Dalton Chandler, Jacob Dahlstrom, Bryce Delay, Nathan

Fitzgibbons, Jack Matheson, Dylan Matsuoka, Austin Oh, Zack Olson, Jack Rud, and Jack Titus.

Coaches: Rob Chandler, Matt Fitzgibbons, and Jamie Matsuoka.

RECOGNIZING THE IMPORTANCE OF NONPROFIT ORGANIZATIONS AND DESIGNATING MAY 16, 2014 AS ''NATIONAL NONPROFIT DAY''

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution recognizing the importance of nonprofit organizations and designating May 16, 2014 as ''National Nonprofit Day.'' I would also like to take this opportunity to thank my friend and colleague, Congressman TOM ROONEY for introducing this resolution with me.

Nonprofit organizations have made many important contributions to our nation. Over the past decade, the number of nonprofits has risen steadily, and there are approximately 2.3 million of them now operating in the United States. Whether these groups are working to improve education or to protect environmental resources, they all have the same goals: to enact meaningful change in our world and to improve human lives.

Many nonprofits support science and research that will have a significant impact on future generations. For instance, there are nonprofit organizations that support research to fight diseases such as Cancer and HIV/AIDS. Many other organizations advocate for vulnerable populations across the globe—for refugees, for the homeless, and for our nation's veterans. They educate and teach, as well as engage with local communities to improve the quality of life for all.

In addition to being a force for change and progress, the nonprofit sector is vital to the economic security of the United States. In fact, the growth rate of the nonprofit sector has surpassed the rate of both the business and government sector. In 2010, nonprofits added nearly $780 billion to our national GDP and employed 1 in 10 working Americans. Nonprofit organizations also facilitate charitable giving and community activism, and the combined donations and volunteer hours of individuals to nonprofits are worth billions of dollars annually.

But perhaps most importantly, nonprofit organizations are founded and managed by people trying to make the world a better place. Whether they are abroad or at home, the work that these men and women do is incredibly meaningful. Without the people behind these organizations—working tirelessly to change the world, sometimes just one life at a time—the nonprofit sector would not be the force for good that it has become today.

Mr. Speaker, nonprofit organizations advocate for solutions to some of the great challenges facing our nation and the world, and they deserve to be recognized for their valuable contributions to society. No matter their focus, nonprofits play a pivotal role in shaping the future of America. I urge my colleagues to support this resolution, and to join me in designating May 16, 2014 as ''National Nonprofit Day.''

RECOGNIZING THE CHEEKTOWAGA PATRIOTIC COMMISSION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to recognize the Cheektowaga Patriotic Commission as they are awarded the 2013 Community Service Award by the Cheektowaga Chamber of Commerce.

The Cheektowaga Patriotic Commission was established almost 40 years ago in response to the Town of Cheektowaga's designation as a National Bicentennial Community by the state and federal governments. The founding officers devoted their time to planning a number of activities to celebrate our nation's 200th birthday, including a flag pole dedication, Appreciation Days for the Town's veterans and firemen, and the unveiling of the Town's Bicentennial Calendar. Their dedication demonstrates the pride the officers have in their country, which is both honorable and commendable.

The Cheektowaga Patriotic Commission continues their great work today, giving residents and businesses in Cheektowaga the opportunity to show their patriotism. The group sponsors and coordinates the July 4th Parade as well as the activities and fireworks display in Town Park. These activities bring together the community to celebrate their pride in the United States of America.

The Commission donates their time and talent to projects that benefit and entertain the residents of Cheektowaga and Western New York. They worked with the Town Park Homeowners Association, the Polish-American Festival Committee, the Federation of German-American Societies, and the Cheektowaga Cultural Society to establish a pavilion in Town Park.

Mr. Speaker, thank you for allowing me to recognize my good friends in the Cheektowaga Patriotic Commission for the important role they have played in our community for the past 40 years. I sincerely appreciate their efforts, and wish them much continued success in the years to come.

RECOGNIZING BIG SURF WATERPARK

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Ms. SINEMA. Mr. Speaker, I rise today to ask that my colleagues join me in recognizing Big Surf Waterpark, a beloved institution of Tempe, Arizona for the past 44 years, for their designation as a Historical Mechanical Engineering Landmark by the Arizona delegation of the American Society of Mechanical Engineers.

No other amusement or water park has received this honor, and Big Surf is just the third landmark designated in Arizona by the ASME. It is easy to forget how innovative the design of Big Surf's Waikiki Beach Wave Pool was at the park's opening in 1969. Phil Dexter invented the wave generation process after a 1965 trip to the California coast. He sought to recreate ocean waves, first building a tabletop prototype for which he applied for patent rights in 1966, and then a 1,000-gallon, 40-foot by 30-foot prototype in an abandoned billiard hall. The Big Surf pool is an exact replica of the model and was built, designed, and engineered by John Hauskins, then a 19-year-old student at the University of Arizona, at the scale of 2.5 million gallons of re-circulating water within a span of 2.5 acres. To this day, children enjoy the same original components for generating waves as they did in 1969, and Mr. Hauskins continues to serve our county in innovative ways as director of transportation.

The innovations at Big Surf have come to define the waterpark industry and signify, then and now, the spirit of industry prevalent in Arizona's Ninth District. I am proud to congratulate Big Surf Waterpark, Phil Dexter, and John Hauskins on their honor conferred by ASME, and I ask my colleagues to join me in recognizing their accomplishment.

TRIBUTE TO EAGLE SCOUT TRENT BROWN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Trent Brown of Boy Scout Troop 120 in Solon, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance–based achievement with high standards that have been well–maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Trent landscaped and installed a bench and grill at Lake Macbride State Park. The work ethic Trent has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I know that all of my colleagues in the House will join me in congratulating Trent on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING MORING STAR BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Morning Star Baptist Church, Jackson, Mississippi.

In the summer of 1925, Morning Star Baptist Church came into existence as a result of a split from Pearlie Grove Baptist Church of

Jackson, Mississippi. Reverend Albert Thornton organized Morning Star Baptist Church with fifteen members in 1925. Services were held in Cuney Hall, located on the corner of Farish and Amite Streets. There was only one Deacon, Ike Brown. Two months later, five additional deacons were appointed: I.S. Brown, John Pearson, Lee James, Bill McCuring and Dempsey Lewis. Brothers Leonard Wilson, H.C. Carter and Landy McWright served as trustees. The first mothers were Lula Lofton, Carter and McQuine. The first church clerk was Clarence Winter.

The Missionary Society was organized by Sister Lula Lofton who served as its president; the Sunday School was organized by Brother Sell Mason who served as superintendent; the Baptist Training Union was organized by Brother Leonard Wilson who served as director and the Senior Choir was organized by Deacon I.S. Brown who served as president. Deacon Brown later organized other choirs and directed them for more than 29 years.

The first revival service was held under a tent on Hamilton Street with Reverend Billy Sunday, from Alabama, serving as evangelist. During this service, 25 candidates for baptism were received. Baptism took place in the Pearl River.

Under the pastorate of Reverend Thornton, land was purchased to build a church; however, Reverend Thornton resigned in 1928. Reverend James Beard and Reverend Richard Hardis then led the church for short periods. Reverend N.C. Johnson later elected as pastor, and a frame church was built. Upon completion of the church, Reverend Johnson resigned. In 1930, the church chose Reverend John H Sims as pastor and he served for four years. Reverend P.E. Lott was invited to conduct revival services in June 1934, and was chosen as pastor in September of 1934. His administration lasted for 31 years, September 1934 through January 1966.

During those 31 years, Sister Lula Newman served as president of the Missionary Society. Several organizations were formed, which included the J.M.A., Matron's League, Y.W.A., Sunshine Band, Red Circle, Crusaders and the Pastor's Aide Club which was organized by Sister M.A. Roebuck. Membership grew rapidly and after a short period, it became apparent that a larger building was needed to accommodate the worship service. Thus, a massive building program was started. A large edifice was erected at 960 Kane Street in 1947. Upon Reverend Lott's resignation, he recommended that Reverend Sterling Jones be accepted. Reverend Jones was immediately elected and preached his first sermon on February 13, 1965. Morning Star continued to grow, and a small plot of land was purchased directly behind the church with the intention of expanding. It was later decided that a new site was needed. Two and one-half acres of land located at 3420 Albermarle Road was purchased. This land serves as home of the present church. Reverend Jones resigned as pastor on January 25, 1970, and on March 30, 1970, Dr. M.K. Nelson was elected as the 8th pastor. Under Dr. Nelson's leadership, he designed a half-million dollar structure which was liquidated during the first week of May 1988. On April 16, 2001, after several years of illness, God called Dr. Nelson to eternal rest. The valiant men and women of this church who kept the faith through trials and tribulations give light in a dark world, peace to the troubled, compassion to the weary and love to all God's children

On March 9, 2002, Reverend John Russell Johnson, Jr., was elected to be the 9th pastor of Morning Star Baptist Church. Under his leadership, Morning Star has grown into a large, more diversified congregation with essential ministries for internal study, growth and external outreach. The following ministries were adopted under Pastor Johnson: Daughters of Destiny, Prison, Crown, Greeters, Brotherhood, Assimilation, Children's Church, Transportation, Young Adult Choir, and Adopt-A-School.

Mr. Speaker, I ask my colleagues to join me in recognizing Morning Star Baptist Church.

RECOGNIZING THE CAREER OF CHIEF WARRANT OFFICER LARRY CANNAN UPON THE OCCASION OF HIS RETIREMENT

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 12, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the remarkable career of Chief Warrant Officer Larry Cannan upon the occasion of his retirement. After nearly thirty years of dutiful service to our country in the United States Coast Guard, Larry will be retiring on August 24, 2013. Larry bravely chose to enlist in the United States Coast Guard in August 1982. Initially joining the Reserve Unit in San Diego as a Petty Officer 3rd Class, he remained in California for two years until his transfer to Buffalo, New York.

Throughout his years of service, Larry steadily advanced in rank. While serving in Buffalo, he obtained his coxswain qualification and certification.

After participating in port security unit training operations in Ahuas Tara, Honduras, Larry was called into active duty. During the first Gulf War, he selflessly served in both Operations Desert Shield and Desert Storm in Saudi Arabia from September 1990 to April 1991. Just three years later, Larry was once again called into active duty for Operation Restore Democracy in Haiti. Using his expertise in port security, Larry instructed training units in Valdez, Alaska in April 1995, and was a participant in training operation Marcot 96 in Nova Scotia, Canada.

In January 2001, Larry advanced to Petty Officer 1st Class, transferring to the Group Buffalo Field Intelligence Team. Two years later, he was promoted to Port Security Chief Petty Officer and completed the Chief Petty Officer Academy.

November 2006 saw Larry return to active duty as a First Coast Guard Fulltime Liaison Officer to the International Border Intelligence Team in Ottawa, Canada, where he served until February 2007. In August 2008, he commissioned as Chief Warrant Officer at Sector Buffalo Intelligence and completed Indoctrination School at the Coast Guard Academy.

Larry's last service in active duty ran from May 2010 to August 2010 for Operation Deepwater Horizon. Called into service by the Atlantic Area Logistics Unit, Larry was commended as responsible for ⅓ of the production of the 6 member unit.

From March until June in 2012, Larry authored and obtained approval as a Project Officer of Operation Spring Break, a sector Buffalo intelligence joint operation in cooperation with U.S. Border Patrol conducted along the St. Lawrence River in Ogdensburg, New York. For his exemplary service, Larry was commended for the success of the operation and distinct honor of it being the first operation of its kind in the 9th district.

Mr. Speaker, I thank you for allowing me a few moments to recognize the truly outstanding career and service of Larry. I am sincerely grateful for his service, and wish him the best in all of his future endeavors.

CORRECTION

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6403–S6471

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 1497–1504, and S. Res. 223–226. **Page S6446**

Measures Reported:

S. 559, to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08–CV–00487 (EGS) of the United States District Court for the District of Columbia, with an amendment in the nature of a substitute. (S. Rept. No. 113–104)

S. 815, to prohibit the employment discrimination on the basis of sexual orientation or gender identity, with an amendment in the nature of a substitute. (S. Rept. No. 113–105)

S. Res. 223, authorizing expenditures by the Committee on the Judiciary.

S. Res. 224, authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs. **Page S6445**

Measures Considered:

Energy Savings and Industrial Competitiveness Act—Agreement: Senate continued consideration of S. 1392, to promote energy savings in residential buildings and industry, taking action on the following amendment proposed thereto: **Pages S6408–32**

Pending:

Wyden (for Merkley) Amendment No. 1858, to provide for a study and report on standby usage power standards implemented by States and other industrialized nations. **Page S6408**

A unanimous-consent agreement was reached providing that at 4 p.m., on Monday, September 16, 2013, Senate resume consideration of the bill. **Page S6471**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, principles for modernizing the military compensation and retirement systems; which was referred to the Committee on Armed Services. (PM–18) **Page S6441**

Campbell-Smith and Kaplan Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, September 16, 2013, Senate begin consideration of the nominations of Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, and Elaine D. Kaplan, of the District of Columbia, to be a Judge of the United States Court of Federal Claims; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations in the order listed; and that no further motions be in order. **Page S6471**

Nomination Confirmed: Senate confirmed the following nomination:

Victoria Nuland, of Virginia, to be an Assistant Secretary of State (European and Eurasian Affairs). **Page S6471**

Messages from the House: **Page S6441**

Enrolled Bills Presented: **Page S6441**

Executive Communications: **Pages S6441–45**

Executive Reports of Committees: **Page S6446**

Additional Cosponsors: **Pages S6446–48**

Statements on Introduced Bills/Resolutions: **Pages S6448–51**

Additional Statements: **Pages S6439–41**

Amendments Submitted: **Pages S6451–70**

Authorities for Committees to Meet: **Pages S6470–71**

Privileges of the Floor: **Page S6471**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:57 p.m., until 2 p.m. on Monday, September 16, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6471.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 113th Congress.

HOUSING FINANCE REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine essential elements of housing finance reform, including S. 1217, to provide secondary mortgage market reform, after receiving testimony from Julia Gordon, Center for American Progress, Washington, D.C.; Jerome Lienhard, SunTrust Mortgage, Richmond, Virginia; Richard Johns, Structured Finance Industry Group, New York, New York; and Mark Zandi, Moody's Analytics, West Chester, Pennsylvania.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Nisha Desai Biswal, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs, after the nominee, who was introduced by Representative Lowey, testified and answered questions in her own behalf.

DENTAL CRISIS IN AMERICA

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine the dental crisis in America, focusing on the need to address cost, after receiving testimony from Debony R. Hughes, Prince George's County Health Department Dental Health Program, Cheverly, Maryland; Frank Catalanotto, University of Florida College of Dentistry Department of Community Dentistry, Gainesville; Greg Nycz, Family Health Center of Marshfield, Inc., Marshfield, Wisconsin; and Cathi Stallings, Falls Church, Virginia.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 987, 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, with an amendment in the nature of a substitute;

An original resolution authorizing expenditures by the Committee for the 113th Congress; and

The nomination of Kenneth Allen Polite, Jr., to be United States Attorney for the Eastern District of Louisiana, Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 3084–3101; and 8 resolutions, H.J. Res. 62; H. Con. Res. 52–53; and H. Res. 342–346 were introduced. **Pages H5546–48**

Additional Cosponsors: **Page H5548**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Foxx to act as Speaker pro tempore for today. **Page H5515**

Journal: The House agreed to the Speaker's approval of the Journal by a recorded vote of 253 ayes to 147 noes with 1 answering "present", Roll No. 459. **Pages H5529–30**

To condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational: The House passed H.R. 2775, to condition the provision of premium and cost-sharing subsidies under the Patient Protection and Affordable Care Act upon a certification that a program to verify household income and other qualifications for such subsidies is operational, by a yea-and-nay vote of 235 yeas to 191 nays, Roll No. 458. **Pages H5517–29**

Pursuant to the rule, the amendment printed in H. Rept. 113–206 shall be considered as adopted. **Page H5517**

H. Res. 339, the rule providing for consideration of the bill, was agreed to yesterday, September 11th.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, September 16th and that the order of the House

of January 3, 2013 regarding morning hour debate not apply on that day. **Page H5531**

Presidential Message: Read a message from the President wherein he transmitted principles for modernizing the military compensation and retirement systems requested by section 674(c) of the National Defense Authorization Act for Fiscal Year 2013—referred to the Committee on Armed Services and ordered to be printed (H. Doc. 113–60).

Pages H5540–41

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H5528–29 and H5529–30. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:39 p.m.

Committee Meetings

UNDERSEA WARFARE CAPABILITIES AND CHALLENGES

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing on Undersea Warfare Capabilities and Challenges. Testimony was heard from Rear Admiral Upper Half Richard P. Breckenridge, Director, Undersea Warfare Division, Department of Defense; and Rear Admiral Upper Half David C. Johnson, Program, Executive Officer for Submarines, Department of Defense.

SEMI-ANNUAL REPORT OF THE CONSUMER FINANCIAL PROTECTION BUREAU

Committee on Financial Services: Full Committee held a hearing entitled ''The Semi-Annual Report of the Consumer Financial Protection Bureau''. Testimony was heard from Richard Cordray, Director, Consumer Financial Protection Bureau.

TROUBLING PATH AHEAD FOR U.S.-ZIMBABWE RELATIONS

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''The Troubling Path Ahead for U.S.-Zimbabwe Relations''. Testimony was heard from Shannon Smith, Deputy Assistant Secretary, Bureau of African Affairs; Todd Amani, Senior Deputy Assistant Administrator, Bureau for Africa, Agency for International Development; and public witnesses.

REVIEW OF THE PERFORMANCE OF THE VETERANS RETRAINING ASSISTANCE PROGRAM AND THE HOMELESS VETERANS REINTEGRATION PROGRAM

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''A Review of the Performance of the Veterans Retraining Assistance Program (VRAP) and the Homeless Veterans Reintegration Program (HVRP)''. Testimony was heard from Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefit Administration, Department of Veterans Affairs; and Keith Kelly, Assistant Secretary of the Veterans Employment and Training Services, Department of Labor.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Ongoing Intelligence Activities''. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 13, 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, September 16

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4 p.m.), Senate will resume consideration of S. 1392, Energy Savings and Industrial Competitiveness Act.

At 5 p.m., Senate will begin consideration of the nominations of Patricia E. Campbell-Smith, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, and Elaine D. Kaplan, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, with votes on confirmation of the nominations at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, September 16

House Chamber

Program for Monday: The House will meet in pro forma session at 2 p.m.

Extensions of Remarks, as inserted in this issue

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